

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, DECEMBER 22, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

Present--Councilmen Johnson, O'Connor, Hubbard, Gade, Haro, and Mayor Wilson.
Absent--Councilmen Williams and Morrow.
Vacant--District 7.
Clerk---La Verne Miller.

Mayor Wilson called the Regular Meeting to order at 8:37 a.m.

(Item 100)

Roll Call was taken.

(Item 101)

Mayor Wilson welcomed thirty-five International Graduate students, accompanied by Dr. Tom McCalla.

(Item 102)

Bob Boughton, Employees Services, introduced and Mayor Wilson welcomed a group of new employees who were present in the Chambers.

Councilman Williams entered the Chambers.

Councilman Morrow entered the Chambers.

There were no requests for continuances.

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 120 and 121.

The following Ordinances were introduced at the Meeting of December 8, 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 Ordinances.

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

(Item 120 - CASE NO. 49-76-5)

ORDINANCE 11970 (New Series), incorporating Lot 63, Hill 'N Dale Unit 7, located on the northeast side of Margerum Avenue between Mission Gorge Road and Larchwood Avenue, in the Navajo Community Plan Area, in The City of San Diego, California, into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 10174 (New Series), adopted November 6, 1969, insofar as the same conflicts herewith.

(Item 121)

ORDINANCE 11971 (New Series), amending Chapter X, Article 1, Division 3 of the San Diego Municipal Code by amending Section 101.0303 relating to nonconforming uses and structures.

(Unanimous Consent #1)

(This item was introduced at a previous meeting and failed to get on this docket.)

The following Ordinance was introduced at the Meeting of December 8, 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 Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-None. Absent-None.

ORDINANCE 11972 (New Series), increasing the retirement allowances of fixed pension City retirees.

(Item 123)

A proposed Ordinance, repealing Ordinance No. 6059 (New Series), adopted April 13, 1954 establishing a temporary interim setback along University Avenue, was presented.

A motion by Councilman Hubbard to continue the matter one week, until December 29, 1976, a.m., to allow Councilman Strobl to be present, passed unanimously.

The Council considered that portion of the Consent Agenda consisting of Ordinances to be Introduced: Items 122, 200, 201, and 202.

City Manager McKinley answered questions directed by the Council.

(Item 122)

A proposed Ordinance, amending Section 1 of Ordinance No. 11021 (New Series), adopted March 8, 1973, amended by Ordinance No. 11741 (New Series), adopted December 24, 1975, incorporating a portion of Lot 1 and all of Lot 3, Montgomery Pallisades Neighborhood Shopping Center, into CA Zone, located on the east side of Beyer Way, north of Palm Avenue - delete map requirement, was introduced on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 200)

A proposed Ordinance, amending Chapter IX, Article 1, of the San Diego Municipal Code by amending Section 91.0301, creating and establishing Fire Zones, was introduced on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 201)

A proposed Ordinance, amending Chapter VIII, Article 4, of the San Diego Municipal Code by repealing Section 84.11 relating to clinging to moving vehicles, was introduced on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 202)

A proposed Ordinance, amending Ordinance No. 11872 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1976-77 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year", was introduced on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 156 - First Time)

The following proposed Resolutions, relative to the Final Subdivision Map of Navajo Park Unit No. 1 Subdivision, a 99-lot subdivision, located northerly of Navajo Road and easterly of Viar Avenue,

a - Authorizing an agreement with Watt Industries, Inc., for completion of improvements;

b - Approving the Final Map and acknowledging receipt of Subdivider's Assurance of Compliance with the Affirmative Marketing Program;

c - Authorizing an agreement with Watt Industries, Inc., for construction of improvements at Margerum Avenue and Navajo Road, within the limits of said subdivision; providing for reimbursement out of Capital Outlay Fund 245 from the Annual Allocation, New Developments CIP 58-001 (6), in the amount of \$32,989;

d - Approving the acceptance by the City Manager of deed of David S. Jones and Maria M. Ralston (permanent easement and right-of-way for a public pedestrian access and general utility easement purposes); and

e - Approving the acceptance by the City Manager of deed of Scientific Land Projects, Inc. (open space purposes), were presented.

City Manager McKinley answered questions directed by the Council and requested that the item be trailed.

The Council considered that portion of the Consent Agenda consisting of Resolutions: Items, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 162, 163, 164, 165, 167, 168, 169, 170, 171, 172, 203, 205, and 206.

On motion of Councilman Gade, the Consent Agenda, consisting of Items 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 162, 163, 164, 165, 167, 168, 169, 170, 171, 172, 203, 205, and 206, was adopted.

(Item 150)

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

RESOLUTION 217334, Cheverton, Bach/Bayly, Martin, and Fay Insurance to furnish Dial-A-Ride Liability Insurance for a period of one (1) year commencing January 1, 1977 for a total premium of \$29,974;

RESOLUTION 217335, Pen-Gro Corporation for the purchase of one (1) each Seven Gang Hydraulic Powered Tractor Mower for an actual cost, with an option to purchase two (2) additional mowers within a six-month period, subject to escalation not to exceed 10% of \$19,610; and

RESOLUTION 217336, Valley Motorcycle Sales, Inc. for the purchase of five (5) Police Motorcycles (Honda) with automatic transmission and five (5) Police Motorcycles (Honda) with manual transmission for the total cost including tax, terms, and trade-in of \$18,363.21.

(Item 151)

RESOLUTION 217337, awarding a contract to Triple L. Enterprises for furnishing custodial and maintenance service of San Diego Stadium as may be required for a period of one year ending December 31, 1977, for an estimated cost of \$200,000 with an option for two (2) additional one (1) year periods, was adopted on motion of Councilman Gade.

RESOLUTION 217338, awarding a contract to E. A. Brown Roofing Co. for City Operations Building - Phase I - insulation and reroofing for the sum of \$57,108; authorizing the expenditure of \$61,400 out of Capital Outlay Fund 245 for said purpose and related costs, was adopted on motion of Councilman Gade.

(Item 153)

RESOLUTION 217339, inviting bids for construction of Sewer Group 33 - Mission Hills Area in accordance with Specifications Document No. 757536, was adopted on motion of Councilman Gade.

(Item 154)

RESOLUTION 217340, inviting bids for construction of South Chollas Landfill perimeter fencing in accordance with Specifications Document No. 757537, was adopted on motion of Councilman Gade.

(Item 155)

The following Resolutions, relative to construction of Water Main Replacement Group 415 - Ocean Beach, Loma Portal, Pacific Beach, and La Jolla Community Areas, were adopted on motion of Councilman Gade:

RESOLUTION 217341, certifying that the information contained in the Environmental Negative Declaration No. 73-10-006C has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 217342, inviting bids in accordance with Specifications Document No. 757535.

(Item 157)

The following Resolutions, relative to the final subdivision map of Villa Granada Unit No. 1 subdivision, a 10-lot subdivision, located southerly of Tierrasanta and easterly of Santo Road, were adopted on motion of Councilman Gade:

RESOLUTION 217343, authorizing an agreement with The Christiana Companies, Inc., for completion of improvements; and

RESOLUTION 217344, approving the final map and acknowledging receipt of subdivider's Assurance of Compliance with the Affirmative Marketing Program.

(Item 158)

The following Resolutions, relative to the final subdivision map of Villa Granada Unit No. 2 subdivision, a 100-lot subdivision, located southerly of Tierrasanta and easterly of Santo Road, were adopted on motion of Councilman Gade:

RESOLUTION 217345, authorizing an agreement with The Christiana Companies, Inc., for completion of improvements; and

RESOLUTION 217346, approving the final map and acknowledging receipt of subdivider's Assurance of Compliance with the Affirmative Marketing Program.

(Item 159)

The following Resolutions, approving the acceptance by the City Manager of deeds relative to Sixth Avenue widening, were adopted on motion of Councilman Gade:

RESOLUTION 217347, John W. and Alice E. Roberts (street purposes) - Sixth Avenue; and

RESOLUTION 217348, Alice M. Zemke (street purposes) - Sixth Avenue.

(Item 160)

The following Resolutions, approving the acceptance by the City Manager of deeds relative to Palm Avenue widening, were adopted on motion of Councilman Gade:

RESOLUTION 217349, J. L. and Phyllis E. Mather (street purposes) - Palm Avenue; and

RESOLUTION 217350, George J. and Elizabeth Schneider, and Richard G. and Azalee Wight Schneider (street purposes) - Palm Avenue.

(Item 161)

The following Resolutions, relative to land exchange, were adopted on motion of Councilman Gade:

RESOLUTION 217351, approving the acceptance by the City Manager of deed of the San Diego Unified School District of San Diego County, Lot 438 of Clairemont Park Unit No. 2, and a portion of Pueblo Lot 1205; and

RESOLUTION 217352, authorizing the execution of a Grant Deed to the San Diego Unified School District of San Diego County, a portion of Pueblo Lot 1294.

(Item 162)

RESOLUTION 217353, authorizing an agreement with Boyle Engineering Corporation for the purpose of providing aerial photogrammetric surveying, mapping and hydraulic engineering services for the City's Floodplain Management Program; authorizing the expenditure of \$64,800 out of 2nd year Community Development Block Grant Fund 290, solely and exclusively, for said purpose, was adopted on motion of Councilman Gade.

(Item 163)

RESOLUTION 217354, authorizing an agreement with Toups Corporation, Hydraulic Engineering Consultant, for hydraulic engineering services for the City's Floodplain Management Program; authorizing the expenditure of \$83,500 out of 2nd year Community Development Block Grant Fund 290 for the above stated purpose, was adopted on motion of Councilman Gade.

(Item 164)

RESOLUTION 217355, authorizing an agreement with Rick Engineering Company for photogrammetric services for a period ending June 30, 1977; authorizing the expenditure of not to exceed \$12,000 out of General Fund 100 for the above-referenced services, was adopted on motion of Councilman Gade.

(Item 165)

RESOLUTION 217356, authorizing an amendment to agreement with Malone-Financial Scene, subdivider of Valencia View Unit No. 1 subdivision, for City participation in the construction of improvements on Valencia Parkway in said subdivision, and reimbursement by the City; authorizing the additional expenditure not to exceed \$14,832 out of Capital Outlay Fund 245, from the Annual Allocation, New Developments (CIP 58-001), solely and exclusively for the purpose of providing funds for reimbursement to said subdivider for said construction, was adopted on motion of Councilman Gade.

(Item 167)

RESOLUTION 217357, designating April 8, 1977, as the date upon which all property in the Coronado Avenue (14th Street to 17th Street), Underground Utility District must be ready to receive underground service, and July 8, 1977, as the date for the removal of all overhead utility facilities, was adopted on motion of Councilman Gade.

(Item 168)

RESOLUTION 217358, designating April 29, 1977, as the date upon which all property in the Montezuma Road (Collwood Street to College Avenue) Underground Utility District must be ready to received underground service, and July 30, 1977, as the date for the removal of all overhead utility facilities, was adopted on motion of Councilman Gade.

(Item 169)

RESOLUTION 217359, employing and appointing Franklin T. Hamilton as special bond counsel in connection with the proposed proceedings under the Municipal Improvement Act of 1913 for the San Aquario Drive and Romney Road Underground Utility Assessment District; determining that in the event the proposed Improvement Act proceedings fail to materialize or are abandoned before an assessment has been levied and collected, the City shall not be liable for payment of any of the costs incurred in said employment, was adopted on motion of Councilman Gade.

(Item 170)

RESOLUTION 217360, requesting the San Diego County Assessor to provide an estimate of assessed valuation of the property within the City of San Diego for fiscal year 1978 no later than May 15, 1977, was adopted on motion of Councilman Gade.

(Item 171)

RESOLUTION 217361, authorizing the City Manager to donate three surplus steam kettles to the La Mesa State Prison in the Republic of Mexico, was adopted on motion of Councilman Gade.

(Item 172)

RESOLUTION 217362, authorizing the Solid Waste Superintendent to attend and serve on the Advisory Panel for the Graduate School of Business, Columbia University, in New York City, which is conducting a nationwide study on "Evaluating the Organization of Service Delivery: Solid Waste Collection Disposal", and that all necessary expenses incurred will be paid under a National Science Foundation grant, was adopted on motion of Councilman Gade.

(Item 203)

RESOLUTION 217363, awarding a contract to Barney & Barney for fire and extended coverage insurance for a period of three years commencing November 1, 1976, for an estimated cost of \$37,662 per year, was adopted on motion of Councilman Gade.

(Item 205)

RESOLUTION 217364, authorizing an agreement with the County of San Diego for funding one-third of the Releasee Aid Program; authorizing the expenditure of \$26,666 in unexpended fiscal year 1976 Revenue Sharing Funds (Fund 265) for said purpose, was adopted on motion of Councilman Gade.

(Item 206)

RESOLUTION 217370, adopting the Manual of Administrative Practices for Utility Installations in Public Right-of-Way, superseding the Manual adopted by Resolution No. 205629 on May 18, 1972, was adopted on motion of Councilman Gade.

(Item 166 - First Time)

A proposed Resolution, authorizing a First Amendment to Agreement with Brown & Caldwell, to increase the maximum allotted compensation for consultant engineering services; and authorizing the transfer within the Water Utilities Operating Fund 500 the sum of \$12,500 from Unallocated Reserve (69.69), Object Account 3495 to Water Engineering Services (69.46), Object Account 3293, for the purpose of providing funds for the above services, was presented.

City Manager McKinley answered questions directed by the Council and requested that the item be trailed.

(Item 204)

The following Resolutions, relative to construction of Brown Field metal buildings:

a - Certifying that the information contained in the Environmental Negative Declaration No. 76-08-13C has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Declaration has been reviewed and considered by the Council; and

b - Inviting bids in accordance with Specifications Document No. 757578, were presented.

The Council discussed the matter.

Councilman Haro, Chairman, Transportation and Land Use Committee, presented his report.

Committee Consultant Wilken presented his report and answered questions directed by the Council.

The following Resolutions, relative to construction of Brown Field metal buildings, were adopted on motion of Councilman Hubbard:

RESOLUTION 217371, certifying that the information contained in the Environmental Negative Declaration No. 76.08-13C has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 217372, inviting bids in accordance with Specifications Document No. 757578.

(Item 166 - Second Time)

City Manager McKinley presented his report.

RESOLUTION 217373, authorizing a First Amendment to Agreement with Brown & Caldwell, to increase the maximum allotted compensation for consultant engineering services; and authorizing the transfer within the Water Utilities Operating Fund 500 the sum of \$12,500 from Unallocated Reserve (69.69), Object Account 3495 to Water Engineering Services (69.46), Object Account 3293, for the purpose of providing funds for the above services, was adopted on motion of Councilman Haro.

(Item 156 - Second Time)

City Manager McKinley answered questions directed by the Council.

The Council discussed the matter.

City Manager McKinley answered questions directed by the Council.

The following Resolutions were numbered out of order.

The following Resolutions were adopted on motion of Councilman Gade:

RESOLUTION 217365, authorizing an agreement with Watt Industries, Inc., for completion of improvements;

RESOLUTION 217366, approving the final map and acknowledging receipt of subdivider's Assurance of Compliance with the Affirmative Marketing Program;

RESOLUTION 217367, authorizing an agreement with Watt Industries, Inc., for the construction of improvements at Margerum Avenue and Navajo Road, within the limits of said subdivision; providing for reimbursement out of Capital Outlay Fund 245 from the Annual Allocation, New Developments CIP 58-001 (6), in the amount of \$32,989;

RESOLUTION 217368, approving the acceptance by the City Manager of deed of David S. Jones and Maria M. Ralston (permanent easement and right-of-way for a public pedestrian access and general utility easement purposes); and

RESOLUTION 217369, approving the acceptance by the City Manager of deed of Scientific Land Projects, Inc. (open space purposes).

(Item 253)

A proposed Resolution, awarding a contract to Desia's Convention Caterers for furnishing concession services for the Convention and Performing Arts Center as may be required for a period of one year ending December 31, 1977, with an option to renew the contract for two (2) additional one-year periods, per percentage of gross sales, was presented.

City Manager McKinley presented his report.

RESOLUTION 217374, awarding a contract to Desia's Convention Caterers for furnishing concession services for the Convention and Performing Arts Center as may be required for a period of one year ending December 31, 1977, with an option to renew the contract for two (2) additional one-year periods, per percentage of gross sales, was adopted on motion of Councilman Johnson.

(Item 207)

A proposed Resolution, authorizing the Mayor to appoint a task force on senior and low-income housing that will investigate housing problems and alternatives for alleviating those problems, was presented.

A motion by Councilwoman O'Connor to adopt the proposed Resolution, died for lack of a second.

A motion by Councilman Hubbard to continue the matter for one week until December 29, 1976, a.m., for a report from the Mayor, received no vote at this time.

The Council discussed the matter.

A vote was then taken on the previous motion by Councilman Hubbard to continue the matter for one week until December 29, 1976, a.m., for a report from the Mayor, which passed unanimously.

(Item 250)

A proposed Ordinance, amending Chapter X, Article 3, Division 3 of the San Diego Municipal Code by amending Section 103.0303.2 relating to nonconforming uses and structures in the La Jolla Shores Planned District, was presented.

A motion by Councilwoman O'Connor to adopt the proposed Ordinance, received no vote at this time.

The Council discussed the matter.

City Manager McKinley answered questions directed by the Council.

The following Ordinance was introduced at the Meeting of December 8, 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 Councilwoman O'Connor, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-Councilman Johnson. Absent-None.

ORDINANCE 11973 (New Series), amending Chapter X, Article 3, Division 3 of the San Diego Municipal Code by amending Section 103.0303.2 relating to nonconforming uses and structures in the La Jolla Shores Planned District.

(Item 251)

RESOLUTION 217375, authorizing the sale of Lots 13 through 18, Block 24, Western Addition, to John E. Morris for the sum of \$53,300; authorizing the execution of a grant deed granting to John E. Morris the above described property, was adopted on motion of Councilwoman O'Connor.

(Item 252)

A proposed Resolution, continued from the Meetings of December 8 and 14, 1976, approving the availability of the University Avenue and 52nd Street site for the development of low-income senior citizen and handicapped housing under the HUD Section 8 Program; authorizing the City Manager to execute a Lease Agreement with Gentry and Coles for said City-owned property for a period of 55 years, was presented.

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

Director & City Engineer John Fowler answered questions directed by the Council.

RESOLUTION 217376, approving the availability of the University Avenue and 52nd Street site for the development of low-income senior citizen and handicapped housing under the HUD Section 8 Program; authorizing the City Manager to execute a Lease Agreement with Gentry and Coles for said City-owned property for a period of 55 years, was adopted on motion of Councilman Hubbard.

(Item 254)

The following Resolutions, relative to Council Conflict of Interest Code:

a - Rescinding Resolution No. 216885 adopted September 29, 1976; and

b - Adopting a Conflict of Interest Code applicable to the members of the City Council pursuant to the Political Reform Act of 1974, were presented. Assistant City Attorney Teaze answered questions directed by the Council. A motion by Councilwoman O'Connor to adopt the proposed Resolutions, received no vote at this time.

Assistant City Attorney Teaze answered questions directed by the Council. The following Resolutions were adopted on motion of Councilwoman O'Connor: RESOLUTION 217377, rescinding Resolution No. 216885 adopted September 29, 1976; and

RESOLUTION 217378, adopting a Conflict of Interest Code applicable to the members of the City Council pursuant to the Political Reform Act of 1974.

Mayor Wilson recessed the Regular Meeting at 9:32 a.m., and announced the Council would go into Executive Session immediately in the Council Conference Room, 12th Floor, City Administration Building, on pending litigation and the Police Intelligence litigation.

Mayor Wilson reconvened the Regular Meeting at 11:30 a.m. The Roll Call showed Councilmen O'Connor and Morrow absent.

Councilwoman O'Connor entered the Chambers.

(Item 2 - Unfinished Business from the Meetings of December 7, 14, and 16, 1976)

The matter of eliminating the Committee System, continued from the Meetings of October 27, November 3 and 17, 1976, was presented.

Councilman Hubbard presented his proposal on suggested modifications to the present Council Committee System as follows: Council Meetings would be held on Tuesday and Thursday, Committee Meetings would be held on Monday, Wednesday, and Friday, and the Rules Committee would change to the Committee of the Whole.

Councilman Gade presented his proposal as submitted in his memorandum of November 16, 1976 and December 7, 1976 memorandum, the latter memorandum deleting in paragraph 1 of the November 16, 1976 memorandum, items c, d, e, and f, and changing the Rules Committee to the Committee of the Whole.

Councilman Morrow entered the Chambers.

A motion by Councilman Gade to adopt his proposal as amended in his memorandum of December 7, 1976, received no vote at this time.

The Council discussed the matter at length.

A motion by Council Morrow to amend Councilman Gade's proposal to allow all Council members interested in a particular subject to participate and vote on any Committee if they so desired, received no vote at this time.

(Item 2 - Unfinished Business from the Meetings of December 7, 14, and 16, 1976 - Continued)

A motion by Councilman Gade to further amend his proposal so that membership on a Committee be at the option of the Councilman to join the Committee, received no vote at this time.

The Council discussed the matter.

A vote was then taken on Councilman Gade's amended proposal, which was defeated by the following vote: Yeas-Councilmen Hubbard, Morrow, and Gade. Nays-Councilmen Johnson, O'Connor, Williams, Haro, and Mayor Wilson. Absent-None.

A motion by Councilman Hubbard to hold the Regular Council Meetings and Committee of the Whole Meetings on Tuesday and Thursday, received no vote.

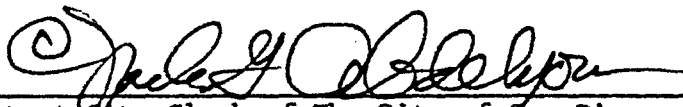
A motion by Councilwoman O'Connor to file the item, passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Haro, and Mayor Wilson. Nays-Councilmen Hubbard and Gade. Absent-None.

There being no further business to come before the Council at this time, The Regular Meeting was adjourned at 12:06 p.m., on motion of Councilman Haro.



Mayor of The City of San Diego, California

ATTEST:



Assistant City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, DECEMBER 22, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE -
2:00 P.M.

Present--Councilmen Johnson, O'Connor, Hubbard, Morrow, Gade, Haro and
Mayor Wilson.
Absent--Councilman Williams.
Vacant--District 7.
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:12 p.m.

(Item 400)

Roll Call was taken.

There were no requests for continuances.

(Item 401)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing continued from the Meeting of December 15, 1976 due to lack of time, on the matter of proposed amendments to the La Jolla Shores Precise Plan and to the La Jolla Shores Planned District Regulations--San Diego Municipal Code Section 103.0304.1 Single Family Zone - Permitted Uses, to permit the construction of a fire station in the area bounded by Ardath Road, Torrey Pines Road, and Ardath Lane (Ardath Triangle). It was reported that there were five written protests received.

Ken Klein, Planning Department, presented his report.

Councilman Williams entered the Chambers.

Chief William Kent, Fire Department, presented his report.
William Kellog appeared to speak in opposition to the item.
Donna Kruger and Mary Ward appeared to speak.

A motion by Councilman Johnson to close the hearing and defer any ~~motion~~ until the intersection of Ardath Road and Torrey Pines Road is redesigned, received no second at this time.

City Manager McKinley answered questions directed by Council.

Charles Strong, Transportation Department, answered questions directed by Council.

Mr. Kent further answered questions directed by Council.

Chief Deputy Attorney Conrad answered questions directed by Council.

(Item 401 - Continued)

Mr. Klein further answered questions directed by Council.

Mayor Wilson offered a second to the motion of Councilman Johnson to close the hearing and defer any action until the intersection of Ardath Road and Torrey Pines Road is redesigned.

Mr. McKinley further answered questions directed by Council.

A vote was then taken on the previous motion of Councilman Johnson to close the hearing and defer any action until the intersection of Ardath Road and Torrey Pines Road is redesigned, which was defeated by the following vote: Yeas-Councilman Johnson and Mayor Wilson. Nays-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade and Haro.

RESOLUTION 217379, certifying that the information contained in Environmental Impact Report No. 76-02-16C, as amended, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report, as amended, has been reviewed and considered by the Council, was adopted on motion of Councilman Hubbard.

The hearing was closed and the following Resolution was adopted by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade and Haro. Nays-Councilman Johnson and Mayor Wilson.

RESOLUTION 217380, approving the amendment to the La Jolla Shores Precise Plan.

The following proposed Ordinance, amending Chapter X, Article 3 of the San Diego Municipal Code by amending Section 103.0304.1 relating to Single Family Zone - Permitted Uses, was introduced on motion of Councilman Hubbard by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade and Haro. Nays-Councilman Johnson and Mayor Wilson. Absent-None.

By Unanimous Consent granted to City Manager, a proposed Resolution authorizing issuance of sixty-five emergency taxicab certificates on a 30 day basis and setting the fee at \$25 per vehicle for each thirty day period, was presented.

A motion by Councilwoman O'Connor to adopt the item received no second at this time.

George Simpson, Transportation Department, answered questions directed by Council.

Councilman Gade offered a second to the motion of Councilwoman O'Connor to adopt the item.

RESOLUTION 217381, authorizing issuance of sixty-five emergency taxicab certificates on a 30 day basis and setting the fee at \$25 per vehicle for each thirty day period, was adopted on motion of Councilwoman O'Connor.

#401
ON
12-22

0.77-118

ORDINANCE NO. 11984 JAN 5 1977
(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 3
OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING
SECTION 103.0304.1 RELATING TO SINGLE FAMILY
ZONE - PERMITTED USES.

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

Section 1. That Chapter X, Article 3 of the San Diego
Municipal Code, be, and it is hereby amended by amending
Section 103.0304.1, to read as follows:

SEC. 103.0304.1 SINGLE FAMILY ZONE - PERMITTED USES

In the Single Family (SF) Zone, designated on Map
Drawing No. C-403.2, no building or improvement or
portion thereof shall be erected, constructed, converted,
established, altered, or enlarged, nor shall any premises
be used except for one or more of the following uses:

- 1. [No amendment to this subsection.]
- 2. [No amendment to this subsection.]
- 3. [No amendment to this subsection.]
- 4. [No amendment to this subsection.]
- 5. [No amendment to this subsection.]
- 6. [No amendment to this subsection.]
- 7. [No amendment to this subsection.]
 - a. [No amendment to this subsection.]
 - b. [No amendment to this subsection.]

A. DWELLING UNIT DENSITY REGULATION

[No amendment to this subsection.]

B. SPECIFIC TRACT REQUIREMENTS

[No amendment to this subsection.]

1. [No amendment to this subsection.]

2. [No amendment to this subsection.]

3. [No amendment to this subsection.]

4. [No amendment to this subsection.]

5. [No amendment to this subsection.]

6. [No amendment to this subsection.]

7. Tract F, a portion of Pueblo Lot 1288, including Lots 1 and 2 Tres Calles Subdivision, bounded by the southerly line of Torrey Pines Road, the westerly line of Azure Coast Unit No. 2 and on the south by Azure Coast Drive and Ardath Road shall be limited to a maximum of eight dwellings per net acre. A maximum height of 32 feet plus roof shall be observed. The area bounded by Ardath Road, Torrey Pines Road and Ardath Lane may be developed with a fire station.

8. [No amendment to this subsection.]

a. [No amendment to this subsection.]

b. [No amendment to this subsection.]

c. [No amendment to this subsection.]

d. [No amendment to this subsection.]

e. [No amendment to this subsection.]

f. [No amendment to this subsection.]

g. [No amendment to this subsection.]

h. [No amendment to this subsection.]

9. Tract H, portion Pueblo Lot 1291, located westerly of Gilman Drive shall be developed as follows:

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- a. [No amendment to this subsection.]
- b. [No amendment to this subsection.]
- c. [No amendment to this subsection.]
- d. [No amendment to this subsection.]
- e. [No amendment to this subsection.]

10. Tract I, portion of Blocks 1, 2, Leavitts Addition, Map 117, westerly of Gilman Drive shall be developed as follows:

- a. [No amendment to this subsection.]
- b. [No amendment to this subsection.]
- c. [No amendment to this subsection.]
- d. [No amendment to this subsection.]

C. SITING OF BUILDINGS

- 1. [No amendment to this subsection.]
- 2. [No amendment to this subsection.]

D. MAXIMUM BUILDING HEIGHT

[No amendment to this subsection.]

E. MAXIMUM LOT COVERAGE

[No amendment to this subsection.]

F. LANDSCAPE REGULATIONS

- 1. [No amendment to this subsection.]
- 2. [No amendment to this subsection.]
- 3. [No amendment to this subsection.]

G. OFF-STREET PARKING

[No amendment to this subsection.]

- 1. [No amendment to this subsection.]
 - a. [No amendment to this subsection.]

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- b. [No amendment to this subsection.]
- c. [No amendment to this subsection.]
- d. [No amendment to this subsection.]
 - (1) [No amendment to this subsection.]
 - (2) [No amendment to this subsection.]
- e. [No amendment to this subsection.]
 - (1) [No amendment to this subsection.]
 - (2) [No amendment to this subsection.]
- f. [No amendment to this subsection.]
- g. For a fire station a minimum of ten (10) parking spaces shall be provided.

2. [No amendment to this subsection.]

H. SIGN REGULATIONS

[No amendment to this subsection.]

I. [No amendment to this subsection.]

J. [No amendment to this subsection.]


1. [No amendment to this subsection.]

2. [No amendment to this subsection.]

3. [No amendment to this subsection.]

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and-after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCW:lh
12/9/76
Dr. Dept.: Clerk

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(Item 402)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing continued from the Meeting of December 15, 1976 at appellant's request, on the appeal of Hilton San Diego Corporation, by J. Stacey Sullivan, Jr., attorney, from the decision of the City Treasurer with respect to the 10 percent penalty for late payment of Transient Occupancy Tax (room tax) due for the San Diego Hilton Inn, located at 1779 East Mission Bay Drive. It was reported that there were no written protests.

City Manager McKinley answered questions directed by Council.

Stacey Sullivan appeared to speak.

A motion by Councilman Gade to close the hearing and adopt a resolution granting the appeal, received no second at this time.

Mr. McKinley further answered questions directed by Council.

Councilman Johnson offered a second to the motion of Councilman Gade to close the hearing and adopt a resolution granting the appeal.

Mr. McKinley further answered questions directed by Council.

A vote was then taken on the previous motion of Councilman Gade to close the hearing and adopt a resolution granting the appeal, which was defeated by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Haro and Mayor Wilson. Nays-Councilmen Johnson, Hubbard and Gade. Absent-None.

(Item 403)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing continued from the Meeting of December 15, 1976 at appellant's request, on the appeal of John Antonello, by Gerald S. Mendell, attorney, from the decision of the Chief of Police in denying his application for a Card Room License pursuant to Municipal Code Section 33.1625.2. It was reported that there were no written protests.

City Manager McKinley answered questions directed by Council.

Deputy City Attorney Jaworsky answered questions directed by Council.

Gerald Mendell, Attorney and John Antonello appeared to speak.

Captain LaMotte, Police Department, answered questions directed by Council.

The hearing was closed and the following Resolution was adopted on motion of Councilwoman O'Connor:

RESOLUTION 217382, denying the appeal of John Antonello for a cardroom license at 843 1/2 Fourth Avenue.

A motion by Councilwoman O'Connor to direct the City Manager and the Police Department to come back with a report on Mr. Campise as it relates to his Cardroom License, passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Gade, Haro and Mayor Wilson. Nays-Councilmen Williams and Morrow. Absent-None.

(Item 404)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of vacating alleys in Blocks 5 and 6, Del Mar Heights, Map No. 157 - on Resolution of Intention No. 217136. It was reported that there were no written protests.

J. R. Crosby, Engineering and Development Department, answered questions directed by Council.

The hearing was closed and the following Resolution of Vacation was adopted on motion of Councilman Johnson:

RESOLUTION 217383, vacating alleys in Blocks 5 and 6, Del Mar Heights, Map No. 157.

(Item 405)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of vacating a portion of Nob Avenue, adjacent to Blocks 31, 32, 33 and 56, Del Mar Heights, Map No. 157 - on Resolution of Intention No. 217137. It was reported that there were no written protests.

J. R. Crosby, Engineering and Development Department, answered questions directed by Council.

The hearing was closed and the following Resolution of Vacation was adopted on motion of Councilman Morrow:

RESOLUTION 217384, vacating a portion of Nob Avenue, adjacent to Blocks 31, 32, 33 and 56, Del Mar Heights, Map No. 157.

By Unanimous Consent granted to Councilman Gade, a proposed Resolution excusing Councilman Gade from the December 20, 1976, Public Facilities and Recreation Committee meeting, to attend the CPO Board of Directors meeting in the Mayor's absence, was presented.

RESOLUTION 217385, excusing Councilman Gade from the Public Facilities and Recreation Committee meeting of December 20, 1976, to attend the CPO Board of Directors meeting in the Mayor's absence, was adopted on motion of Councilman Gade.

By Unanimous Consent granted to Mayor Wilson, a proposed Resolution authorizing an agreement with Lucy Killea to continue as the part-time Executive Director of Fronteras until June 30, 1977; approving the proposed goals and a proposed six month budget; authorizing expenditure from Unallocated Reserve (General Fund) of \$11,750, was presented.

RESOLUTION 217386, authorizing a Second Amendment to Agreement with Lucy Killea for consultant services for Fronteras 1976; authorizing the expenditure of \$11,750 out of General Fund 100, Unallocated Reserve for said purpose.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Williams, the Regular Meeting was adjourned at 4:11 p.m., in memory of Royce Nolen Crain, who was killed recently attempting to aid a man who was being attacked, on motion of Councilman Williams.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Paul A. Oberly

City Clerk of The City of San Diego, California

SPECIAL MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, DECEMBER 22, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

Present--Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Haro, and
Mayor Wilson.

Absent--Councilman Morrow.

Vacant--District 7.

Clerk---LaVerne Miller.

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

TO: Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, District 7
vacant, members of the City Council of The City of San Diego, California.

A SPECIAL MEETING of the City Council is hereby called to be held in the
Council Chambers, City Administration Building, 202 "C" Street, San Diego,
California, on Wednesday, December 22, 1976 at the hour of 10:30 a.m.

Said meeting will be held for the purpose of hearing presentations
by representatives of the U. S. Navy and a report by the City Manager on
the proposed reconstruction of the Naval Hospital in Balboa Park.

Dated December 21, 1976

PETE WILSON
Mayor

Mayor Wilson called the Special Meeting to order at 10:47 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

The matter of hearing presentations by representatives of the U. S.
Navy and a report by the City Manager on the proposed reconstruction of
the Naval Hospital in Balboa Park, was presented.

Mayor Wilson introduced Admiral Haley Rogers and Admiral Earl Brown.

Admiral Earl Brown and Admiral Haley Rogers presented their report and
representation.

Mayor Wilson left the Chambers.

Mayor Wilson entered the Chambers.

Admiral Rogers answered questions directed by the Council.

City Manager McKinley presented his report and answered questions
directed by the Council.

A motion by Councilman Hubbard to refer the matter to the Committee
of the Whole in mid-January, 1977, received no vote at this time.

(Item 2 - Continued)

The Council discussed the matter.

A motion by Councilwoman O'Connor to refer the matter to the Park and Recreation Board and the Public Facilities and Recreation Committee, received no vote.

The Council discussed the matter.

City Manager McKinley answered questions directed by the Council regarding other Navy sites, traffic problems, and the relocation of the City's nursery.

A motion by Councilman Hubbard to amend his previous motion to direct the Park and Recreation Board and the Public Facilities and Recreation Committee to review the matter regarding alternatives, such as the Murphy Canyon site, and this site, and request that the City Attorney prepare a report as to the law regarding new building construction in Balboa Park and return with a report to the Council on January 19, 1977, 2:00 p.m., Time Certain, received no vote at this time.

Admiral Rogers, Admiral Brown and Assistant City Attorney Teaze answered questions directed by the Council.

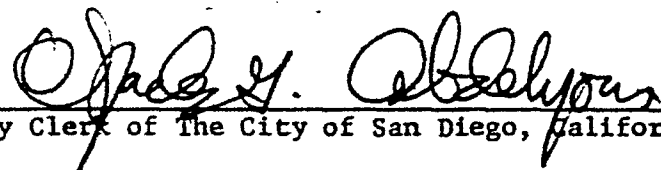
A vote was then taken on the previous motion by Councilman Hubbard to refer the matter to the Committee of the Whole in mid-January 1977, direct the Park and Recreation Board and the Public Facilities and Recreation Committee to review the matter regarding alternatives, such as the Murphy Canyon site, and this site, and request that the City Attorney prepare a report as to the law regarding new building construction in Balboa Park and return with a report to the Council on January 19, 1977, 2:00 p.m., Time Certain, which passed unanimously.

There being no further business to come before the Council at this time, the Special Meeting was adjourned on motion of Councilman Hubbard at 11:29 a.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California