

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, SEPTEMBER 25, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Landt, Williams, and Mayor
Wilson.
Absent--Councilmen Morrow, Martinet, Hitch, and Bates.
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:37 a.m.

(Item 1)

Mayor Wilson introduced Reverend Wilton Skiffington, Associate
Pastor of St. Columba Church, who gave the invocation.

(Item 2)

Councilwoman O'Connor led the Pledge of Allegiance.

(Item 3)

Mayor Wilson welcomed a group of new employees, who were present
in the Chamber.

The Council considered requests for continuances: Items 6, 4
and 5.

(Item 6)

HEARINGS: Paving and otherwise improving Streamview Drive between
Lynn Street and Gayle Street - Resolution of Intention 208630.

On motion of Councilman Landt, said hearings were continued to
Tuesday, November 6, 1973, for full Council.

RESOLUTION 208872, continuing the hearings on the proposal to pave
and otherwise improve Streamview Drive between Lynn Street and Gayle
Street, under Resolution of Intention No. 208630, adopted August 21,
1973, to 9:30 a.m., Tuesday, November 6, 1973.

(Item 4)

CONTINUED HEARINGS: Continued from the Meetings of September 4,
and 18, 1973, for City Attorney's report, vacating portion of Garnet
Avenue and Mission Bay Drive in Pueblo Lots 1208 and 1797 - Resolution
of Intention 208589.

On motion of Councilman Williams, said hearing was continued to
Tuesday, October 2, 1973, at City Attorney's request.

(Item 4 - Continued)

RESOLUTION 208873, continuing the hearing on the proposed vacation of Garnet Avenue and Mission Bay Drive in Pueblo Lots 1208 and 1797, under Resolution of Intention No. 208589, adopted August 14, 1973, to 9:30 a.m., Tuesday, October 2, 1973.

(Item 5)

RESOLUTIONS-DEEDS: (Continued from the Meeting of September 18, 1973, for City Attorney's report.) Two Resolutions relating to exchange of real property interests, between the City and Home Savings and Loan Association.

On motion of Councilman Williams, the matter was continued for one week to Tuesday, October 2, 1973, at City Attorney's request.

Councilman Bates entered the Chamber.

By Unanimous Consent granted to Councilman Morrow, a proposed Resolution excusing Councilman Floyd L. Morrow from the Meeting of Tuesday, September 25, 1973, for purpose of official City business, was presented.

RESOLUTION 208874, excusing Councilman Floyd L. Morrow from Council meeting of Tuesday, September 25, 1973, for purpose of official City business, was adopted on motion of Councilman Williams.

The Council considered the Consent Agenda, which consisted of Items 11, 12, 100, 101, 102, 103, 104, 105, 106, 107, 108, and 109.

(Item 11)

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

RESOLUTION 208875, G. S. Parsons Co. and J. G. Tucker & Sons for the purchase of safety equipment, for an actual cost of \$3,987.80, including tax and terms;

RESOLUTION 208876, Kelco Sales and Engineering for the purchase of 2 abrasive blast cleaning machines for an actual estimate of \$2,448.60, including tax and terms;

RESOLUTION 208877, Moore Business Forms, Inc. for the purchase of 200,000 parking citations for a total cost of \$1,676.92, including tax and terms; and

RESOLUTION 208878, Equipment Engineering for the purchase of 1 crane for an actual cost of \$1,750.38, including tax and terms.

(Item 12)

RESOLUTION 208879, inviting bids for the initial development of Montezuma Area Park, in accordance with Specifications Document No. 744885, was adopted on motion of Councilman Landt.

(Item 100)

The following Resolutions, relative to the following final subdivision map, were adopted on motion of Councilman Landt:

RESOLUTION 208880, authorizing an agreement with Pardee Construction Company for the completion of improvements in Mira Mesa Verde Unit No. 21, a 31-lot subdivision located southerly of Reagan Road and Flanders Drive, westerly of Camino Ruiz, in the A-1-1 Zone (proposed R-1-5); and

RESOLUTION 208881, approving the final map of Mira Mesa Verde Unit No. 21.

(Item 101)

The following Resolutions, accepting the work done and authorizing a Notice of Completion in the following subdivisions, were adopted on motion of Councilman Landt:

RESOLUTION 208882, Casa de Alcalá; and
RESOLUTION 208883, Scripps Ranch Unit No. 5.

(Item 102)

RESOLUTION 208884, vacating an easement for drainage purposes, being unnecessary for present or prospective public use by the City, affecting a portion of Lot A, Monterey Club, was adopted on motion of Councilman Landt.

(Item 103)

RESOLUTION 208885, approving the acceptance by the City Manager of an offer to dedicate of San Diego Liquid Gas and Appliance, Inc., bearing date of July 23, 1973, granting to said City a twenty-one year option to dedicate to public use portion of Lot 2 of Dowdy's Subdivision Unit No. 2; reserving the right to dedicate for street purposes at a future time, was adopted on motion of Councilman Landt.

(Item 104)

RESOLUTION 208886, authorizing an agreement with the San Diego Convention and Visitors' Bureau, to encourage and promote tourism, trade and commerce, and to conduct the Host Program in the City; authorizing the expenditure of \$30,000 from Transient Occupancy Tax Fund 223 for said purpose, was adopted on motion of Councilman Landt.

(Item 105)

RESOLUTION 208887, authorizing an agreement with the San Diego Convention and Visitors' Bureau, to encourage and promote tourism, trade and commerce in the City; authorizing the expenditure of \$40,000 from Transient Occupancy Tax Fund 223 for said purpose, was adopted on motion of Councilman Landt.

(Item 106)

RESOLUTION 208888, authorizing an agreement with the San Diego Convention and Visitors' Bureau, to encourage and promote tourism, trade and commerce in the City; authorizing the expenditure of \$730,000 from Transient Occupancy Tax Fund 223 for said purpose, was adopted on motion of Councilman Landt.

(Item 107)

RESOLUTION 208889, authorizing an agreement with the Inter-Museum Council for the purpose of promoting the Balboa and Presidio Parks' museums; authorizing the expenditure of \$15,000 from Transient Occupancy Tax Fund 223 for said purpose, was adopted on motion of Councilman Landt.

(Item 108)

RESOLUTION 208890, approving the use of City Forces to install 4,000 miscellaneous traffic signs and street name signs at various locations City-wide; authorizing the expenditure of \$130,000 from Gas Tax Fund 219 for said purpose and purchase of said signs, was adopted on motion of Councilman Landt.

(Item 109)

RESOLUTION 208891, authorizing the City Manager to submit applications for three railroad grade separation projects to the Public Utilities Commission and requesting that the Commission include the projects in its 1974 Priority List, was adopted on motion of Councilman Landt.

(Item 7)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on paving and otherwise improving Regents Road - on Assessment Roll No. 3848. It was reported that no written protests had been received.

Jim McLaughlin, Community Development Department, answered questions directed by the Council.

No one appeared to be heard.

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

(Item 7 - Continued)

RESOLUTION 208892, confirming and approving the Street Superintendent's Assessment No. 3848, covering the cost of paving and otherwise improving Regents Road; authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; said warrant, diagram, and assessment to be recorded in the office of said Street Superintendent, and in the office of the County Recorder.

(Item 8)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on paving and otherwise improving California Street and paving and otherwise improving Bean Street - on Assessment Roll 3858. It was reported that no written protests had been received.

Jim McLaughlin, Community Development Department, answered questions directed by the Council.

No one appeared to be heard.

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

RESOLUTION 208893, confirming and approving the Street Superintendent's Assessment No. 3858, covering the cost of paving and otherwise improving California Street and paving and otherwise improving Bean Street; authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; said warrant, diagram, and assessment to be recorded in the office of said Street Superintendent, and in the office of the County Recorder.

(Item 9 - P.M. 72-246)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of Paul Berryman from the decision of the Planning Commission which granted the appeal of C. J. Carter, owner, by Victor T. Wiglesworth, engineer, and overruled the decision of the Planning Director in denying the preliminary parcel map for a two parcel division of Lot 97, Del Norte Addition to Encanto Heights, located on the west side of Oriole Street, approximately 190 feet north of Tooley Street, in the R-1-6 Zone. This matter was previously considered before the Planning Commission and the City Council and was referred back to the Planning Commission for reconsideration. It was reported that written protests had been received.

Ken Klein, Planning Department, and Chief Deputy City Attorney Conrad answered questions directed by the Council.

Paul Berryman and Mrs. Albert Howden appeared to speak in favor of granting the appeal.

C. J. Carter appeared to speak in opposition to granting the appeal.

The hearing was closed on motion of Councilman Landt, and the following Resolution was adopted:

RESOLUTION 208894, granting the appeal of Paul Berryman from the Planning Commission decision approving Preliminary Parcel Map 72-246, for a two-parcel division of Lot 97, Del Norte Addition to Encanto Heights, and denying said parcel map.

By common consent, the Council agreed to consider the Supplemental Docket out of order.

(Item 1 - Supplemental Docket)

A proposed Resolution, continued from the Meeting of September 20, 1973, at Retirement Board's request, establishing Council Policy No. 000-16 regarding appointments to the Retirement Board of Administration, was presented.

On motion of Councilman Bates, the matter was continued to Tuesday, November 6, 1973, for a full Council.

(Item 2 - Supplemental Docket)

A proposed Resolution, authorizing the use of San Diego Transit Corporation and City of San Diego staffs in conjunction with the County of San Diego and the Comprehensive Planning Organization staff in developing Regional Land Use and Transit Alternatives; forwarding to the Comprehensive Planning Organization the alternative proposed by the San Diego Transit Corporation for their consideration and analysis, was presented.

Mr. Sandstrom appeared to speak in favor of the proposed Resolution.

RESOLUTION 208895, authorizing the use of San Diego Transit Corporation and City of San Diego staffs in conjunction with the County of San Diego and the Comprehensive Planning Organization staff in developing Regional Land Use and Transit Alternatives; forwarding to the Comprehensive Planning Organization the alternative proposed by the San Diego Transit Corporation for their consideration and analysis, was adopted on motion of Councilman Bates, with high commendation from the Council for all the transit activity coming from City, County and Comprehensive Planning Organization.

The Council returned to consideration of the regular Docket.

(Item 110)

RESOLUTION 208896, authorizing the City Manager to establish fees for property department services in order to recover costs incurred as a result of providing easements, subordination agreements, exchanges, sublease consent, assignment consent, abandonments, and temporary property use permit requests; authorizing and directing the update of said "Fee Schedule", was adopted on motion of Councilwoman O'Connor.

Mayor Wilson recessed the Meeting at 10:58 a.m., to reconvene at 2:00 p.m. He announced that there would be an Executive Session during the noon recess in order for the Council to meet with the Meet and Confer Team.

Upon reconvening at 2:20 p.m., the roll call showed Councilmen Williams, Martinet, and Hitch absent.

(Item 10)

A proposed Ordinance, continued from the Meeting of September 6, 1973, for further review, amending Chapter III, Article 3, Division 23 of the San Diego Municipal Code by repealing Sections 33.2301, 33.2302 and 33.2303 and amending Chapter IV, Articles 1 and 2 of the San Diego Municipal Code by repealing Sections 41.01.10, 42.0212, 42.0213 and 42.0214 and substituting instead and in place thereof Sections 33.2301 through 33.2330 and amending Section 42.0211, all relating to regulating message establishments and message technicians, was presented.

Deputy City Manager Lockwood answered questions directed by the Council.

Councilman Williams entered the Chamber.

Police Inspector Sgobba; Eugene Gordon, Police Department Legal Advisor; and Chief Deputy City Attorney Katz answered questions directed by the Council.

Hy Callister, District Attorney's Office; Dr. Henry Jackson, State Department of Education; and Dr. Peterson appeared to speak regarding said Ordinance.

The motion of Councilman Morrow to introduce the Ordinance received no vote, at this time.

The Council discussed the proposed Ordinance at length.

On motion of Councilman Morrow, the proposed Ordinance was amended to revise those portions dealing with fees to correspond to the City Manager Report dated September 25, 1973.

On motion of Councilman Bates, the proposed Ordinance was amended to strike the last sentence of the first paragraph of page 10, and also to require a certification from a recognized school setting forth the date upon which instruction was commenced, the date upon which 25 hours have been completed, and the projected date applicant will graduate, as well as to state that anyone having previously been issued a Training Permit shall not be issued a Training Permit in The City of San Diego, unless he can show good cause.

On motion of Councilman Morrow, the proposed Ordinance was amended on page 16, Section 33.2318 to read, "This division shall not apply to the following, while engaged in the performance of the duties of their respective professions:"

(Item 10 - Continued)

On motion of Councilman Williams, the proposed Ordinance was amended on page 14, paragraph (h) to put a period after the word "garments" and delete the remainder of the sentence.

The motion of Councilman Williams to delete paragraphs (f) and (i) died for lack of a second.

On motion of Councilman Morrow, the proposed Ordinance was amended on page 11, paragraph (b) to insert the words "or residence" before the words "residential zoned property, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Morrow, Bates, and Mayor Wilson. Nays-Councilman Williams. Absent-Councilmen Martinet and Hitch.

Councilman Morrow moved to clarify that hearings on the proposed Ordinance would be held on the date of adoption.

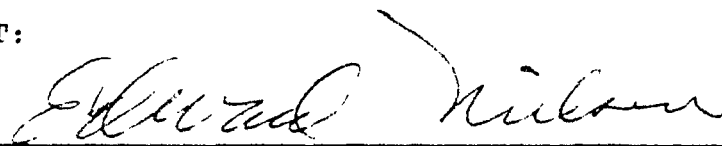
The proposed Ordinance, as amended, Amending Chapter III, Article 3, Division 23 of the San Diego Municipal Code by repealing Sections 33.2301, 33.2302 and 33.2303 and amending Chapter IV, Articles 1 and 2 of the San Diego Municipal Code by repealing Sections 41.01.10, 42.02.12, 42.0213 and 42.0214 and substituting instead and in place thereof Sections 33.2301 through 33.2330 and amending Section 42.0211, all relating to Regulating Message Establishments and Message Technicians, was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Morrow, Bates, and Mayor Wilson. Nays-Councilman Williams. Absent-Councilmen Martinet and Hitch.

Mayor Wilson announced that the Executive Session for the purpose of meeting with the Meet and Confer Team would resume at the conclusion of the Meeting.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Landt, at 4:36 p.m.


DEPUTY Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California