

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, NOVEMBER 29, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch,
Bates, and Deputy Mayor Martinet.

Absent--Mayor Wilson.

Clerk---Edward Nielsen.

Deputy Mayor Martinet called the Regular Meeting to order at
9:40 a.m.

(Item 1)

Roll call was taken.

(Item 2)

Marie Hitchcock and her sister, Genevieve Engman, of the Puppet
Theatre in Balboa Park presented a cake and tickets to the performances
to Deputy Mayor Martinet and the Council.

Deputy Mayor Martinet welcomed students from Lewis Junior High
School, accompanied by Mr. Jack Dray.

Councilman Hitch addressed the group.

(Item 3)

L. R. "Lee" Hubbard, Jr., and Jim Ellis presented the Mayor's
proclamation to Councilman Landt and Councilman Hitch, respectively,
commending them for their fine years of service to The City of San
Diego.

Deputy Mayor Martinet presented Service Pins to Councilman Landt
and Councilman Hitch.

The Council wished them well.

(Item 100)

The following Resolutions, relative to the final subdivision
map of Camino Del Rio, were adopted on motion of Councilman Johnson:

RESOLUTION 209349, authorizing an agreement with Camino Plaza,
Ltd., a limited partnership, for completion of improvements in Camino
Del Rio, a 1-lot subdivision located southerly of Camino Del Rio South,
in the R-1-40 Zone; and

RESOLUTION 209350, approving the final map of Camino Del Rio.

Deputy Mayor Martinet recessed the Meeting at 10:19 a.m. Upon reconvening at 10:30 p.m., the roll call showed Councilmen Williams, Morrow, and Mayor Wilson absent.

By common consent, the Council agreed to discuss Item 13 from the docket of Tuesday, November 27, 1973, on the appeal of John W. Bradford and T. Hiebert, by Edward T. Butler, attorney, from the decision of the Planning Commission in granting the application of James O. Buckles, owner/permittee, under Planned Residential Development Permit No. 76, to construct and operate a 22-unit planned residential development with a recreation building and swimming pool on approximately 3.35 acres. The property is a portion of Acre Lot 2, Pacific Beach, located on the west side of Fanuel Street, north of Archer Street, in the R-1-5 Zone.

Councilman Morrow entered the Chamber.

Councilman Williams entered the Chamber.

James Buckles appeared to speak in favor of the proposed reconsideration.

On motion of Councilman Johnson, the Council agreed to reconsider said matter, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Hitch, Bates, and Deputy Mayor Martinet. Nays-Councilman Morrow. Absent-Mayor Wilson.

City Clerk Nielsen answered questions directed by the Council.

On motion of Councilman Johnson, the matter was continued to Tuesday, January 15, 1974, for Clerk to renotice hearing.

The Council considered requests for continuances: Items 19, 103, 4, 15, and 6.

(Item 19)

RESOLUTIONS - PURCHASING: Inviting bids for curve correction in Foothill Boulevard between Tourmaline Street and Vickey Drive - Specifications Document No. 745535.

On motion of Councilman Hitch, the matter was returned to the City Manager and City Attorney at the City Manager's request.

(Item 103)

RESOLUTIONS - MISCELLANEOUS: (Continued from the Meeting of October 25, 1973, at owner's request.) Declaring the building owned by Charles and Ida Vonderahe at 1020 "B" Street, to be a public nuisance; instructing the City Attorney to take appropriate legal action to abate said nuisance.

On motion of Councilman Morrow, the matter was continued two weeks to Thursday, December 13, 1973, at owner's request.

(Item 4 - CASE NO. 60-71-16)

HEARINGS: Matter of rezoning a portion of the northwest 1/4, Section 31, Township 14 South, Range 2 West, located on the north side of Mira Mesa Boulevard between Dewsbury Avenue and Draco Road, from Zone A-1-1 to Zone R-1-5.

Leonard Frank appeared to request a continuance of the matter.

On motion of Councilman Johnson, the matter was continued for two weeks to Thursday, December 13, 1973, at applicant's request.

(Item 15 - CASE NO. 60-70-14 EOT (2).)

ORDINANCES TO BE INTRODUCED: Amending Section 1 of Ordinance No. 10347 (New Series), adopted July 23, 1970, incorporating a portion of the south 1/2 of the southwest 1/4 of Section 29, and a portion of the northwest 1/4 of the northwest 1/4 of Section 32, Township 14 South, Range 2 West, into R-3 Zone, located northwesterly of the interchange of Mira Mesa Boulevard and I-15 - extension of time to August 22, 1974.

Leonard Frank appeared to request a continuance of the matter.

On motion of Councilman Johnson, the matter was continued for two weeks to Thursday, December 13, 1973, at applicant's request.

(Item 6 - CASE NO. 60-73-3 - City-Initiated.)

HEARINGS: Matter of rezoning a portion of Section 24, Township 14 South, Range 4 West, (approximately 5.3 acres), located on the south side of Cordero Road between Durango Road and Recuerdo Drive, from Zone R-1-6 to Zone R-1-15.

Louis Goebel appeared to request a continuance of the matter.

Roger Hedgecock appeared to speak regarding the proposed continuance.

On motion of Councilman Morrow, the matter was continued for two weeks, to Thursday, December 13, 1973, at owner's request.

The Council considered the Consent Agenda, which consisted of Items 9, 10, 11, 12, 13, 18, and 105.

The following Ordinances were introduced at the Meeting of November 15, 1973.

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 their passage, a written or printed copy of each Ordinance.

The following Ordinances were adopted on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson.

(Item 9 - CASE NO. 1-73-1 - City-Initiated.)

ORDINANCE 11170 (New Series), incorporating all that land in the "Crescent Bay" Area in Pacific Beach, generally bounded by Pacific Beach Drive on the north, Riviera Drive on the east, and Moorland Drive on the south and Mission Bay and Dawes Street on the west, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 119 (New Series), adopted January 3, 1933, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 10 - CASE NO. 1-73-2 - City-Initiated.)

ORDINANCE 11171 (New Series), incorporating a portion of Pueblo Lot 1783, "Park La Jolla Area," into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 3502 (New Series), adopted August 19, 1947, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 11 - CASE NO. 43-73-6.)

ORDINANCE 11172 (New Series), incorporating a portion of Lot 43, The Highlands, into M-1B Zone, as defined by Section 101.0435.2 of the San Diego Municipal Code, and repealing Ordinance No. 10936 (New Series), adopted October 5, 1972, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith.

(Item 12 - CASE NO. 42-73-8.)

ORDINANCE 11173 (New Series), incorporating a portion of Pueblo Lot 1120, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 1947 (New Series), adopted October 1, 1940, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 13)

ORDINANCE 11174 (New Series), amending Chapter X, Article 2, Division 2, of the San Diego Municipal Code by amending Section 102.0216, to increase the fee for filing a final parcel map from \$50 to \$110.

(Item 18)

RESOLUTION 209351, inviting bids for construction of traffic signal and safety lighting systems at the intersection of Herschel Avenue and Torrey Pines Road in accordance with Specifications Document No. 745534, was adopted on motion of Councilman Hitch.

(Item 105)

RESOLUTION 209352, authorizing Joint Use Agreements 14979.1, 14978-1 and 14978-2 with the State Department of Transportation for the purpose of transferring the City's present utility easements to a new location to facilitate State maintenance of Freeway 805 between Route 5 in San Ysidro and 3.4 miles north of Route 5, was adopted on motion of Councilman Hitch.

(Item 5 - CASE NO. 24-73-1 - City-Initiated.)

The hour of 9:30 a.m. having arrived, Deputy Mayor Martinet announced this was the time and place set for the hearing on the matter of rezoning portions of Pueblo Lots 65, 145, 146, 182, 193; Lot 24, Tingley Estates, and Lots 2 and 3, Loma Cliffs, bounded by the U. S. Military Reservation on the south, Pacific Ocean on the west, Ladera and Hill Streets on the north, and Toronto Drive on the east, from Zone R-1-5 to Zone A-1-10. It was reported that no written protests had been received.

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

Mr. Alan Perry appeared to speak in favor of the proposed rezoning.

The hearing was closed on motion of Councilwoman O'Connor.

A proposed Ordinance, on a reduced area, incorporating portions of Pueblo Lots 65, 145 and 146 of the Pueblo Lands of San Diego and Lots 2 and 3, Loma Cliffs, into A-1-10 Zone, as defined by Section 101.0404 of the San Diego Municipal Code and repealing Ordinance No. 32 (New Sieres), adopted September 12, 1932, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson.

RESOLUTION 209353, adopting Negative Declaration No. 73-4-028C, dated April 27, 1973, was adopted on motion of Councilwoman O'Connor.

(Item 7 - CASE NO. 12-73-1 - City-Initiated.)

The hour of 9:30 a.m. having arrived, Deputy Mayor Martinet announced this was the time and place set for the hearing on the matter of rezoning the Middletown Area, bounded by Washington Street on the north, Falcon-Eagle-Curlew Street and Reynard Way on the east, Laurel Street on the south, and I-5 on the west; from Zones M-1, C, CA, R-4, and R-2 to Zone R-1-5 or any zone in between. It was reported that written protests had been received.

Councilman Bates left the Chamber.

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

Councilman Bates entered the Chamber.

Frederick Meyer and Roger Hedgecock appeared to speak in favor of rezoning.

Albert Gabbs appeared to speak in opposition to the proposed rezoning.

Carl Patlaf and Raoul Marquis appeared to request a continuance of the matter.

A motion by Councilman Landt to continue the matter indefinitely for development of the whole plan for the area failed due to lack of five affirmative votes, by the following vote: Yeas-Councilmen Landt and Hitch. Nays-Councilmen Johnson, O'Connor, Williams, Morrow, Bates, and Deputy Mayor Martinet. Absent-Mayor Wilson.

By common consent, the Council agreed to trail the remainder of Item 7 to the afternoon session.

(Item 17)

The following Resolutions, relative to construction of Presidio Park and Recreation Center (additional improvements), were adopted on motion of Councilwoman O'Connor:

RESOLUTION 209354, adopting Environmental Impact Report No. 73-4-012C, dated June 6, 1973; and

RESOLUTION 209355, inviting bids in accordance with Specifications Document No. 745533.

(Item 20)

The following Resolutions, relative to initial development of Montezuma Area Park, were adopted on motion of Councilman Hitch:

RESOLUTION 209356, adopting the Environmental Impact Report No. 73-5-008C, dated June 30, 1973; and

RESOLUTION 209357, rejecting all bids received on October 19, 1973 and readvertising for bids in accordance with Specifications Document No. 745536.

(Item 14)

A proposed Ordinance, continued from the Meetings of March 8, April 5, May 31, and July 26, 1973, at applicant's request, incorporating Lot 255, Pacifica Hills Unit 6; Lot 260, Pacifica Hills Unit 9; Lot 261, Pacifica Hills Unit 10; and Lot 1, Diamond Park, into R-2 Zone, located on both sides of Beyer Way, south of Palm Avenue, north of Arey Drive, was presented.

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

A proposed Ordinance, incorporating Lot 255, Pacifica Hills Unit 6, Lot 260, Pacifica Hills Unit 9; Lot 261, Pacifica Hills Unit 10; and Lot 1, Diamond Park; into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 10067 (New Series), adopted June 19, 1969, and Ordinance No. 10248 (New Series), adopted February 26, 1970, of the Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson.

(Item 16)

A proposed Ordinance, amending Chapter III, Article 3, Division 16, of the San Diego Municipal Code relating to cardrooms, was presented.

Assistant City Manager Graham and Chief Deputy City Attorney Conrad answered questions directed by the Council.

Monty Montgomery appeared to speak in favor of the proposed Ordinance.

The Council discussed the item.

On motion of Councilman Johnson, page 1, paragraph (c), of the proposed Ordinance was amended to read "Not more than seven (7) tables shall be permitted in any cardroom", and the following proposed Ordinance was introduced, as amended, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson:

Amending Chapter III, Article 3, Division 16, of the San Diego Municipal Code relating to cardrooms.

Deputy Mayor Martinet recessed the Meeting at 11:57 a.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:10, the roll call showed Councilmen O'Connor, Morrow, and Mayor Wilson absent.

(Item 1 - Supplemental Docket)

The following proposed Resolutions, continued from the Meeting of November 27, 1973, at City Manager's request, relative to paving and otherwise improving Bonita Drive from Cervantes Avenue to Olvera Drive (a) awarding a contract to Pacific Engineers for said construction; (b) authorizing the expenditure of a sum not to exceed \$4,469.13 from Sewer Revenue Fund (506) for the City's contribution and related costs; and (c) authorizing the expenditure of a sum not to exceed \$44,200 from Federal Revenue Sharing Fund 2383 for the City's contribution, were presented.

Councilwoman O'Connor entered the Chamber.

Councilman Morrow entered the Chamber.

Assistant City Manager Graham and Floyd Moore, Community Development Department, answered questions directed by the Council.

The following Resolutions, relative to paving and otherwise improving Bonita Drive from Cervantes Avenue to Olvera Drive, were adopted on motion of Councilman Williams:

RESOLUTION 209358, awarding a contract to Pacific Engineers for said construction;

RESOLUTION 209359, authorizing the expenditure of a sum not to exceed \$4,469.13 from Sewer Revenue Fund (506) for the City's contribution and related costs; and

RESOLUTION 209360, authorizing the expenditure of a sum not to exceed \$44,200 from Federal Revenue Sharing Fund 2383 for the City's contribution.

The Council returned to consideration of Item 7.

(Item 7 - Continued)

By common consent, the Council agreed to hold a separate hearing for each of the areas proposed for rezoning.

AREA D:

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

Carl Ludlow appeared to speak in favor of rezoning Area D.

The hearing was closed on motion of Councilman Bates.

(Item 7 - Continued)

A proposed Ordinance, incorporating the Middletown Area, generally bounded by Washington Street on the north, Falcon Street, Eagle Street, Curlew Street and Reynard Way on the east, Laurel Street on the south, and I-5 on the west, into R-4 Zone, as defined by Section 101.0413 of the San Diego Municipal Code, and repealing Ordinance No. 12988 approved October 20, 1930, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson.

AREA H:

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

Carl Ludlow and Harry Steinmetz appeared to speak in favor of rezoning Area H.

James Brigham appeared to speak in opposition to the proposed rezoning of Area H.

The hearing was closed on motion of Councilman Bates.

A proposed Ordinance, incorporating the Middletown Area, generally bounded by Washington Street on the north, Falcon Street, Eagle Street, Curlew Street and Reynard Way on the east, Laurel Street on the south, and I-5 on the west, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 12988, approved October 20, 1930, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Bates, and Deputy Mayor Martinet. Nays-Councilmen Johnson, Landt, and Hitch. Absent-Mayor Wilson.

AREAS E and F:

Ken Klein, Planning Department, answered questions directed by the Council on Areas E and F.

Bart Baron appeared to speak in favor of rezoning Areas E and F.

The hearing was closed on motion of Councilwoman O'Connor.

A proposed Ordinance, incorporating the Middletown Area, generally bounded by Washington Street on the north, Falcon Street, Eagle Street, Curlew Street and Reynard Way on the east, Laurel Street on the south, and I-5 on the west, into R-4 Zone, as defined by Section 101.0413 of the San Diego Municipal Code, and repealing Ordinance No. 9575 (New Series), adopted January 19, 1967, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson.

(Item 7 - Continued)

AREA G:

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

No one appeared to be heard.

The hearing was closed on motion of Councilman Bates.

A proposed Ordinance, incorporating the Middletown Area, generally bounded by Washington Street on the north, Falcon Street, Eagle Street, Curlew Street and Reynard Way on the east, Laurel Street on the south, and I-5 on the west, into R-1-5 and R-3 Zones, as defined by Sections 101.0407 and 101.0411, respectively, of the San Diego Municipal Code, and repealing Ordinance No. 12987, approved October 20, 1930, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson.

AREA I:

Councilwoman O'Connor left the Chamber.

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

Councilwoman O'Connor entered the Chamber.

Mr. Di Bona, Bart Baron, and Mrs. Gordon appeared to speak in opposition to the proposed rezoning.

The hearing was closed on motion of Councilman Bates.

A proposed Ordinance, incorporating the Middletown Area, generally bounded by Washington Street on the north, Falcon Street, Eagle Street, Curlew Street and Reynard Way on the east, Laurel Street on the south, and I-5 on the west, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing certain Ordinances of the Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson.

AREA J:

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

Bart Baron appeared to speak in favor of rezoning Area J.

(Item 7 - Continued)

The hearing was closed on motion of Councilman Bates.

A proposed Ordinance, incorporating the Middletown Area, generally bounded by Washington Street on the north, Falcon Street, Eagle Street, Curlew Street and Reynard Way on the east, Laurel Street on the south, and I-5 on the west, into CA-S and C-1S Zones, as defined by Sections 101.0428 and 101.0430, respectively, of the San Diego Municipal Code, and repealing Ordinance Nos. 12987 and 12988, approved October 20, 1930, and Ordinance No. 7994 (New Series), adopted October 23, 1958, of the Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson.

AREA K:

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

Raoul Marquis, Ralph Mascaro, Phil Shafer, Allen Holmes, Alice Marquis, and Ed Green appeared to speak in favor of rezoning Area K.

Councilman Johnson left the Chamber.

A motion by Councilman Bates to close the hearing and introduce the Ordinance for C-1S Zoning received no vote.

Councilman Johnson entered the Chamber.

A motion by Councilman Bates to amend the Ordinance to draw a line and treat property northerly of Vine Street as CS Zoning and property southerly of Vine Street as C-1S Zoning, passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, and Bates. Nays-None. Absent-Mayor Wilson. Excused-Deputy Mayor Martinet.

Deputy Mayor Martinet was excused from voting per Chief Deputy City Attorney Conrad.

The hearing was closed on motion of Councilman Bates.

A proposed Ordinance, incorporating the Middletown area, generally bounded by Washington Street on the north, Falcon Street, Eagle Street, Curlew Street and Reynard Way on the east, Laurel Street on the south, and I-5 on the west, into CS and C-1S Zones, as defined by Sections 101.0432 and 101.0430, respectively, of the San Diego Municipal Code,

(Item 7 - Continued)

and repealing Ordinance Nos. 12987 and 12990, approved October 20, 1930, of the Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced, as amended, on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, and Bates. Nays-None. Absent-Mayor Wilson. Excused-Deputy Mayor Martinet.

Deputy Mayor Martinet was excused from voting per Chief Deputy City Attorney Conrad.

The Council requested the Planning Department and City Clerk to notice rezoning cases containing more than one area more clearly.

Deputy Mayor Martinet recessed the Meeting at 3:39 p.m. Upon reconvening at 3:52 p.m., the roll call showed Councilman Williams and Mayor Wilson absent.

(Item 7 - Continued)

AREA C:

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

Councilman Williams entered the Chamber.

Councilwoman O'Connor left the Chamber.

Amelia Kidder, Mr. Di Bona, William Tollison, Elizabeth Rankin, Roger Hedgecock, Mrs. John Warren, Rhoda Saint Morris, William Boggs, Pat Olafson, and Therese Egley appeared to speak in favor of rezoning Area C.

Councilwoman O'Connor entered the Chamber.

Richard Lewis and Gilbert Martin appeared to speak in opposition to the proposed rezoning of Area C.

The hearing was closed on motion of Councilman Bates.

(Item 7 - Continued)

A proposed Ordinance, incorporating the Middletown Area, generally bounded by Washington Street on the north, Falcon Street, Eagle Street, Curlew Street and Reynard Way on the east, Laurel Street on the south, and I-5 on the west, into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 12987, approved October 20, 1930, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-Councilmen Johnson and Landt. Absent-Mayor Wilson.

RESOLUTION 209361, adopting Negative Declaration No. 73-6-005C, dated June 25, 1973, was adopted on motion of Councilman Bates.

(Item 8 - CASE NO. 10-73-1.)

A proposed Ordinance, introduced at the Meeting of November 15, 1973, incorporating Lots 41 through 44, Block 38, resubdivision of Blocks H and I, Teralta, into C-1S Zone, located on the west side of Swift Avenue, between El Cajon Boulevard and Orange Avenue, was presented.

Gerald Dawson appeared to speak regarding the proposed Ordinance.

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.

ORDINANCE 11175 (New Series), incorporating Lots 41 through 44, Block 38, resubdivision of Blocks H and I, Teralta into C-1S Zone, as defined by Section 101.0430 of the San Diego Municipal Code and repealing Ordinance No. 12989, approved October 20, 1930, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was adopted on motion of Councilman Landt, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, and Deputy Mayor Martinet. Nays-Councilman Bates. Absent-Mayor Wilson.

(Item 101)

The following proposed Resolutions, continued from the Meeting of November 20, 1973, for Council Conference on consultant's report, declaring the Council's intention to pay out of its Municipal Funds the whole of the amount of taxes to be derived from the following areas: (a) Metropolitan Water District of Southern California which is within the City, for the fiscal year beginning July 1, 1974, in an amount to be fixed in August, 1974, by Resolution of The Board of Directors of the District; and (b) San Diego County Water Authority which is within the City for the fiscal year beginning July 1, 1974, in an amount to be fixed in August, 1974, by Resolution of The Board of Directors of the Authority, were presented.

(Item 101 - Continued)

Councilman Bates left the Chamber.

Councilman Williams left the Chamber.

Assistant City Manager Graham presented two proposed alternate Resolutions declaring the Council's intention to pay out of its Municipal Funds fifty percent of the amount of taxes to be derived from the following areas: (a) Metropolitan Water District of Southern California which is within the City, for the fiscal year beginning July 1, 1974, in an amount to be fixed in August, 1974, by Resolution of The Board of Directors of the District; and (b) San Diego County Water Authority which is within the City for the fiscal year beginning July 1, 1974, in an amount to be fixed in August, 1974, by Resolution of The Board of Directors of the Authority.

Councilman Bates entered the Chamber.

Councilman Williams entered the Chamber.

Mac Strobl, Jack Irwin, Art Bishop, Bill Haywood, and Phil Shafer appeared to speak in opposition to the two proposed alternate Resolutions.

A motion by Councilman Morrow to adopt the two proposed alternate Resolutions failed due to lack of five affirmative votes, by the following vote: Yeas-Councilmen Williams, Morrow, and Bates. Nays-Councilmen Johnson, O'Connor, Landt, Hitch, and Deputy Mayor Martinet. Absent-Mayor Wilson.

The following Resolutions, declaring the Council's intention to pay out of its Municipal Funds the whole of the amount of taxes to be derived from the following areas, were adopted on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Hitch, and Deputy Mayor Martinet. Nays-Councilmen Morrow and Bates. Absent-Mayor Wilson.

RESOLUTION 209362, Metropolitan Water District of Southern California which is within the City, for the fiscal year beginning July 1, 1974, in an amount to be fixed in August, 1974, by Resolution of The Board of Directors of the District; and

RESOLUTION 209363, San Diego County Water Authority which is within the City for the fiscal year beginning July 1, 1974, in an amount to be fixed in August, 1974, by Resolution of The Board of Directors of the Authority.

(Item 102)

A proposed Resolution, continued from the Meeting of November 15, 1973, for clarification of I.R.S. ruling, approving and adopting an Employees' Deferred Compensation Plan; accepting the offer of the San Diego Municipal Employees' Credit Union to act as custodian for deferred compensation funds and authorizing the City Manager to execute a Deferred Compensation Program Custodial Agreement with the Credit Union pursuant to said offer; and appointing the City Treasurer of the City as Administrator of the Deferred Compensation Plan and authorizing him to receive and invest said funds, was presented.

Councilman Johnson left the Chamber.

Deputy City Manager Blair, Chief Deputy City Attorney Conrad, and City Auditor and Comptroller Sage answered questions directed by the Council.

Councilman Johnson entered the Chamber.

A motion by Councilman Bates to continue the proposed Resolution for clarification of an I.R.S. ruling on the inclusion of elected legislators in said plan, died for lack of a second.

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

A motion by Councilman Williams to amend the proposed Resolution with the stipulation that the plan will be effective if the I.R.S. approves inclusion of elected legislators in the plan died for lack of a second.

The vote was then taken on Councilman Morrow's motion to adopt the proposed Resolution and further to instruct the City Attorney to seek an I.R.S. ruling on the inclusion of elected legislative officials in said plan, which passed unanimously, and the following Resolution was adopted:

RESOLUTION 209364, approving and adopting an Employees' Deferred Compensation Plan; accepting the offer of the San Diego Municipal Employees' Credit Union to act as custodian for deferred compensation funds and authorizing the City Manager to execute a Deferred Compensation Program Custodial Agreement with the Credit Union pursuant to said offer; and appointing the City Treasurer of the City as Administrator of the Deferred Compensation Plan and authorizing him to receive and invest said funds.

(Item 104)

A proposed Resolution, authorizing a Third Amendment to Agreement with Lykos and Goldhammer, Architecture and Engineering, which provides for additional design services for the Standley Park Assessment District facilities based on an expanded budget; authorizing the expenditure of \$24,000 out of Park and Recreation Bond Fund 725 for the services stated above, and related costs; approving the transfer of \$25,600 from the General Fund (100) Unallocated Reserve to the 100 Fund Allocated Reserve to provide funds for this purpose and related costs, was presented.

Councilwoman O'Connor left the Chamber.

Assistant City Manager Graham answered questions directed by the Council.

RESOLUTION 209365, authorizing a Third Amendment to Agreement with Lykos and Goldhammer, Architecture and Engineering, which provides for additional design services for the Standley Park Assessment District facilities based on an expanded budget; authorizing the expenditure of \$24,000 out of Park and Recreation Bond Fund 725 for the services stated above, and related costs; approving the transfer of \$25,600 from the General Fund (100) Unallocated Reserve to the 100 Fund Allocated Reserve to provide funds for this purpose and related costs, was adopted on motion of Councilman Johnson.

(Item 106)

A proposed Resolution, authorizing the City Manager to submit a Grant Application to carry out the purposes of the Neighborhood House Youth Service Center Project in Southeast San Diego to the California Council on Criminal Justice; authorizing the execution of said grant contract when awarded, was presented.

Deputy City Manager Dominguez answered questions directed by the Council.

RESOLUTION 209366, authorizing the City Manager to submit a Grant Application to carry out the purposes of the Neighborhood House Youth Service Center Project in Southeast San Diego to the California Council on Criminal Justice; authorizing the execution of said grant contract when awarded, was adopted on motion of Councilman Williams.

(Item 107)

RESOLUTION 209367, authorizing the City Attorney to submit a Grant Application for the purpose of furthering the professionalization of the administration of justice to California Council on Criminal Justice, and authorizing the execution of said Grant Contract when awarded, was adopted on motion of Councilman Bates.

(Item 108)

CERTIFICATE OF CITY CLERK

I, EDWARD NIELSEN, City Clerk of The City of San Diego, California, DO HEREBY CERTIFY the results of the canvass of the General Municipal Election and the Special Municipal Election held on Tuesday, NOVEMBER 6, 1973, to be as follows, to wit:

- (a) The whole number of votes cast in the City was 172,187 ;
- (b) The whole number of votes cast in the School District was 160,856 ;
- (c) The whole number of votes cast in the Community College District was 160,856 ;
- (d) The names of the persons running and the office each sought;
- (e) The number of votes given in the City, in the School District, and in the Community College District to each person is as follows, to wit:

FOR THE OFFICE OF COUNCILMAN DISTRICT NO. 1

GIL JOHNSON	received	<u>98,310</u>	votes
HELEN LASSEN SCANTLIN	received	<u>60,812</u>	votes

FOR THE OFFICE OF COUNCILMAN DISTRICT NO. 3

HENRY LANDT	received	<u>76,016</u>	votes
L. R. "LEE" HUBBARD, JR.	received	<u>80,548</u>	votes

FOR THE OFFICE OF COUNCILMAN DISTRICT NO. 5

FLOYD L. MORROW	received	<u>80,801</u>	votes
RAY LUSSA	received	<u>77,174</u>	votes

FOR THE OFFICE OF COUNCILMAN DISTRICT NO. 7

JIM ELLIS	received	<u>82,292</u>	votes
EVONNE SCHULZE	received	<u>74,405</u>	votes

FOR MEMBER OF BOARD OF EDUCATION DISTRICT B

PHILIP HALFAKER	received	<u>79,250</u>	votes
DOROTHY LEONARD	received	<u>62,357</u>	votes

FOR MEMBER OF BOARD OF EDUCATION DISTRICT C

LOUISE DYER	received	<u>65,272</u>	votes
JULIE FISHER	received	<u>80,895</u>	votes

FOR MEMBER OF BOARD OF EDUCATION DISTRICT D
(Unexpired Term)

DOROTHEA EDMISTON	received	<u>81,659</u>	votes
ALBERTO (AL) G. PUENTE	received	<u>59,217</u>	votes

FOR MEMBER OF COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES DISTRICT A

DAN GRADY	received	<u>79,052</u>	votes
MARY CHRISTIAN HEISING	received	<u>62,251</u>	votes

FOR MEMBER OF COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES DISTRICT B (Two-year Term)

GENE FRENCH	received	<u>84,008</u>	votes
J. D. SMITH	received	<u>57,865</u>	votes

FOR MEMBER OF COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES DISTRICT C

JOHN KELLEY	received	<u>65,207</u>	votes
LOU RIDGEWAY	received	<u>70,349</u>	votes

FOR MEMBER OF COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES DISTRICT E

CHARLES REID	received	<u>69,484</u>	votes
CARROL WALTER WAYMON	received	<u>67,061</u>	votes

(f) The measures voted upon, and the number of votes given for and against each measure are as follows, to wit:

PROPOSITION B

CITY OF SAN DIEGO CHARTER AMENDMENTS.

Shall the form and structure of the City government be changed to require the Mayor to:

- submit the City Budget to the Council, with authority to reduce but not increase the budget as he receives it back from the Council;
- be legally responsible and accountable to the people as the City's directly elected Chief Executive;
- obtain the consent of the Council to his appointment or removal of the Manager;
- specify in writing his justification for exercising the limited veto power;
- give direction to the City Manager;

Shall the Council as the City's directly elected Legislative body, consisting of nine members not including the Mayor, be authorized to:

- approve the budget submitted by the Mayor;
 - employ an analyst responsible to the Council to make independent analysis of the budget submitted by the Mayor;
 - withhold necessary consent from the Mayor's appointment or removal of the Manager;
 - override mayoral veto by a 2/3 vote,
- by amending or adding Sections 4, 7, 11, 12, 13, 17, 18, 21, 22, 24, 25, 27, 28, 29 and 69?

For said proposition the vote was

62,078

Against said proposition the vote was

101,690

The total vote was

163,768

PROPOSITION C

CITY OF SAN DIEGO CHARTER AMENDMENT.

Shall the power to redistrict the City into council districts be vested in a Redistricting Commission consisting of seven persons appointed by the Mayor and confirmed by the Council with the duty to redistrict the City from time to time as required under the law, such redistricting to be implemented by ordinances enacted by the Council by adding Section 41(d) to the City Charter?

For said proposition the vote was

61,262

Against said proposition the vote was

92,479

The total vote was

153,741

PROPOSITION D

CITY OF SAN DIEGO CHARTER AMENDMENTS.

Shall members of the City Council be nominated and elected by district by amending Sections 5, 7 and 10 of the Charter of The City of San Diego?

For said proposition the vote was

59,494

Against said proposition the vote was

88,156

The total vote was

147,650

PROPOSITION E

CITY OF SAN DIEGO CHARTER AMENDMENTS.

Shall an independent seven-man Commission appointed by the Civil Service Commission be empowered to set the salaries of the Mayor and the Council, subject however, to the right of the people to exercise the referendum on any ordinance adopting the salaries so set and suspending the effectiveness of any change until a vote of the people thereon at the next statewide general election by adding Sections 12.1, 24.1 and 41.1 to the City Charter?

For said proposition the vote was

85,286

Against said proposition the vote was

64,078

The total vote was

149,364

PROPOSITION F

CITY OF SAN DIEGO CHARTER AMENDMENTS.

Shall an Employee-Employer Relations Panel of five members be created as a fact finding body before which any impasse in negotiations between the City and its representatives as employer, and employees by their representatives may be heard with respect to wages, hours and conditions of employment with the

power to make recommendations to the parties concerned and further providing that in the event the parties are unable to reach agreement on such recommendations, then any unresolved issues shall be submitted to the City Council by amending Sections 118 and 130 and adding Section 130.1 to the Charter of The City of San Diego?

For said proposition the vote was	<u>58,614</u>
Against said proposition the vote was	<u>92,373</u>
The total vote was	<u>150,987</u>

PROPOSITION G

CITY OF SAN DIEGO CHARTER AMENDMENT.

Shall the City Council by ordinance be empowered to establish rules and procedures for the arbitration of employee grievances providing for the selection of an independent third party whose decision shall be final and binding, such arbitration, however, to exclude any arbitration with respect to any deadlock in Employer-Employee negotiations seeking to establish wages, hours or conditions of employment by adding Section 119 to the Charter of The City of San Diego?

For said proposition the vote was	<u>55,131</u>
Against said proposition the vote was	<u>95,006</u>
The total vote was	<u>150,137</u>

PROPOSITION H

CITY OF SAN DIEGO CHARTER AMENDMENT.

Shall the City's fire fighters be included within the Civil Service merit system effective July 1, 1974 by amending Section 58 of the Charter of The City of San Diego?

For said proposition the vote was	<u>121,070</u>
Against said proposition the vote was	<u>32,433</u>
The total vote was	<u>153,503</u>

PROPOSITION J

CITY OF SAN DIEGO CHARTER AMENDMENT.

Shall assistants to the Mayor and Council be provided in the unclassified service of the City by amending Section 117 of the City Charter?

For said proposition the vote was	<u>36,092</u>
Against said proposition the vote was	<u>110,857</u>
The total vote was	<u>146,949</u>

PROPOSITION K


CITY OF SAN DIEGO CHARTER AMENDMENTS.

Shall members of City Commissions, Boards, Committees and Panels be selected so that all segments of the community are fairly represented, and to provide that references to one gender include the other by adding Sections 42 and 224 to the City Charter?

For said proposition the vote was	<u>80,432</u>
Against said proposition the vote was	<u>70,820</u>
The total vote was	<u>151,252</u>

(g) The number of votes given in each precinct to each person, and for and against each measure are recorded in the Elections Returns Book, which book is authorized and is considered a part of the record of the Council.

(SEAL)



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

Dated at San Diego, California,
this 29th day of November, 1973.

(Item 108 - Continued)

RESOLUTION 209368, declaring the results of the General Municipal Election and the Special Municipal Election held in The City of San Diego, the San Diego Unified School District, and the San Diego Community College District on Tuesday, November 6, 1973, which were consolidated with the Statewide Special Election held on the same day, was adopted on motion of Councilman Hitch.

The Resolution finds and determines that the following named candidates were elected to the offices as named below:

Councilman - District No. 1 - Gil Johnson;

Councilman - District No. 3 - L. R. "Lee" Hubbard, Jr;

Councilman - District No. 5 - Floyd L. Morrow;

Councilman - District No. 7 - Jim Ellis;

Member of The Board of Education - District B - Philip Halfaker;

Member of The Board of Education - District C - Julie Fisher;

Member of The Board of Education - District D - Dorothea Edmiston;
(Unexpired term)

Member of The Community College District
Governing Board of Trustees - District A - Dan Grady;

Member of The Community College District
Governing Board of Trustees - District B - Gene French;

Member of the Community College District
Governing Board of Trustees - District C - John Kelley; and

Member of the Community College District
Governing Board of Trustees - District E - Charles Reid.

Propositions E, H, and K received the affirmative vote of a majority of the qualified voters voting thereon and such Propositions are hereby declared to have been approved.

Propositions B, C, D, F, G, and J did not receive the affirmative vote of a majority of the qualified voters voting thereon and such Propositions are hereby declared to have failed.

The City Clerk shall make public the results of the canvass of the special municipal election by publication of a copy of this resolution.

(Item 109)

RESOLUTION 209369, excusing Councilwoman Maureen O'Connor from Council meetings of December 11 and 13, 1973, was adopted on motion of Councilman Bates.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Hitch at 5:58 p.m.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward Wilson

City Clerk of The City of San Diego, California