

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, JULY 18, 1974
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis and
Mayor Wilson.

Absent--Councilmen Williams and Bates.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 8:40 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced Mr. John Witt, the City Attorney, a member of
the Episcopal Church, who gave the Invocation.

(Item 3)

Councilman Morrow led the Pledge of Allegiance.

(Item 4)

Mayor Wilson welcomed thirty students from Point Loma High School,
accompanied by Mr. C. Wayne Corbin.

Councilwoman O'Connor addressed the group.

(Item 5)

Mayor Wilson welcomed thirty-five students from El Cajon Valley High School.
accompanied by Mr. Edward Young.

Mayor Wilson welcomed thirty-five students from Hoover High School,
accompanied by Hal Metrovich.

Councilman Hubbard addressed the group.

(Item 6)

The Purchasing Agent report on all bids opened Wednesday, July 17,
1974, on the following:

a - Draper Street, Macaulay Street and Third Avenue; three bids received; and

b - 39th Street, Menlo Street and Broad Avenue; four bids received.

(Item 6 - Continued)

Finding was made on motion of Councilman Martinet, that bids had been opened and declared as reported. By the same motion, report was referred to the City Manager and City Attorney for recommendation.

(Item 8)

Minutes of the Regular Council Meetings of Thursday, February 14, 19 and 21, 1974, were presented by the City Clerk.

On motion of Councilman Johnson, said Minutes were approved without reading, after which they were signed.

(Item 9)

A communication from Frank W. DeVore, representing the San Diego Gas and Electric Company, requesting permission to address the Council regarding Combined Cycle Project.

Frank W. DeVore appeared to speak regarding said communication.

On motion of Councilman Morrow, the matter was referred to the City Manager for a report back to Council, Mr. DeVore and Rules Committee.

(Item 10)

A communication from Dick Cahn, requesting permission to address the Council regarding Article in "Parade" depicting Los Angeles Policewoman with whistle.

Dick Cahn appeared to speak regarding said communication.

On motion of Councilman Johnson, the matter was referred to the City Manager for a report back to Council and Mr. Cahn within one week.

The Council considered requests for continuances: Item 105.

(Item 105)

ORDINANCES TO BE INTRODUCED: Amending Chapter 11, Article 7, of the San Diego Municipal Code by adding Section 27.2204.1 relating to the order of listing of candidates on ballots.

On motion of Councilwoman O'Connor, the proposed Ordinance was continued to August 1, 1974, for further study.

The Council considered the Consent Agenda, which consisted of Items 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28.

The following Ordinances were introduced at the Meeting of July 5, 1974.

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

(Item 11 - CASE NO. 60-74-5)

ORDINANCE 11346 (New Series), incorporating a portion of the Southwest 1/4, Section 5, Township 15 South, Range 2 West, S.B.B.M., into the CA-S Zone, as defined by Section 101.0428, of the San Diego Municipal Code, and repealing Ordinance No. 9331 (New Series), adopted December 16, 1965, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 12)

ORDINANCE 11347 (New Series), setting aside and dedicating certain portions of Pueblo Lands in The City of San Diego, California, for a Public Park and naming said park "Soledad Open Space Park."

Councilman Bates entered the Chamber.

(Item 13)

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

RESOLUTION 211096, California Electric Works for the purchase of one each Rotating Assembly Less Impeller, for an actual cost including tax and terms of \$13,684.60;

RESOLUTION 211097, Pre-Mixed Concrete Company for the purchase of Ready-Mix Concrete as may be required for a period of one year ending June 30, 1975, for an actual estimated cost including tax and terms of \$212,000;

RESOLUTION 211098, San Diego Terminix for the fumigation of six Golf Course Greens at Torrey Pines Golf Course for an actual estimated cost of \$1,920;

RESOLUTION 211099, Industries Supply and Contractors Supply for the purchase of Pipe and Fittings, for an actual cost including tax and terms of \$4,183.80; and

RESOLUTION 211100, V. R. Dennis Construction Company and Sim J. Harris Company for the purchase of Type B Asphalt Concrete as may be required for a period of one year ending June 30, 1975, per prices and escalation on file, Sim J. Harris Company contract with option to renew for an additional one-year period ending June 30, 1976, actual estimate including tax and terms \$584,802.

(Item 14)

RESOLUTION 211101, inviting bids for furnishing concrete water meter boxes as may be required for a period ending April 30, 1975, in accordance with Specifications Document No. 747833, was adopted on motion of Councilman Johnson.

(Item 15)

RESOLUTION 211102, granting an extension of time to Avco Community Developers, Inc., a California corporation, subdivider of Bernardo Greens Unit No. 21 to January 1, 1977 within which to complete the improvements required by said agreement, was adopted on motion of Councilman Johnson.

(Item 16)

The following Resolutions, relative to authorizing First Amendments to Agreements for structural plan checking services, were adopted on motion of Councilman Johnson:

RESOLUTION 211103, Whitman, Atkinson and Associates; and

RESOLUTION 211104, William L. Travis and Associates.

(Item 17)

RESOLUTION 211105, authorizing an agreement with the County of San Diego for the transfer of \$30,000, of County PEP funds to The City of San Diego to be used in the Summer Youth Employment Program, was adopted on motion of Councilman Johnson.

(Item 18)

RESOLUTION 211106, authorizing an agreement with Robert O. Curran for the collection of charges by City and reimbursement to Robert O. Curran for cost in excess of his pro rata share of the offsite water main required for International Industrial Park, was adopted on motion of Councilman Johnson.

(Item 19)

A proposed Resolution, authorizing an agreement with the Neighborhood House Association (NHA) to conduct the Youth Service Center Project awarded to the City by the California Council on Criminal Justice (CCCJ); authorizing the expenditure of \$5,955 out of General Fund (100) to satisfy the local cash match equivalent required as a condition of the grant award, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 211107, authorizing an agreement with the Neighborhood House Association (NHA) to conduct the Youth Service Center Project awarded to the City by the California Council on Criminal Justice (CCCJ); authorizing the expenditure of \$5,955 out of General Fund (100) to satisfy the local cash match equivalent required as a condition of the grant award, was adopted on motion of Councilman Johnson.

(Item 20)

A proposed Resolution, authorizing an agreement with Kathryn L. McPhee, Research Assistant/Typist, to provide consultant services as specified in grant application entitled "Strike Force-Robbery Project," adopted May 8, 1973, by Resolution No. 207898, was presented.

City Manager Moore answered questions directed by the Council.

(Item 20 - Continued)

RESOLUTION 211108, authorizing an agreement with Kathryn L. McPhee, Research Assistant/Typist, to provide consultant services as specified in grant application entitled "Strike Force-Robbery Project," adopted May 8, 1973, by Resolution No. 207898, was adopted on motion of Councilman Johnson.

(Item 21)

RESOLUTION 211109, approving Change Order No. 1, issued in connection with the contract with Long, Marker & Howley Construction Company for the construction of water main replacement rroup 195; said change amounting to a decrease in the contract prive of \$90.60, was adopted on motion of Councilman Johnson.

(Item 22)

RESOLUTION 211110, amending the Criteria and Standards for Budgeting Community Center and Playground Recreation Activities for the City of San Diego, prepared by the Park and Recreation Department and the Office of the Budget, dated June, 1952, as amended, was adopted on motion of Councilman Johnson.

(Item 23)

RESOLUTION 211111, declaring the buildings owned by the Estate of William W. and Gladys E. Tabler, care of Vivian Caylor, located at 243 South Ozark Street to be a public nuisance; authorizing the City Attorney to take appropriate legal action to abate said nuisance, was adopted on motion of Councilman Johnson.

(Item 24)

RESOLUTION 211112, declaring the buildings owned by Charles W. and Doris L. Robinson, located at 2871 1/2 Imperial Avenue to be a public nuisance; authorizing the City Attorney to take appropriate legal action to abate said nuisance, was adopted on motion of Councilman Johnson.

(Item 25)

RESOLUTION 211113, renaming Inverness Drive, west of Prestwick Drive to Whale Watch Way, was adopted on motion of Councilman Johnson.

(Item 26)

RESOLUTION 211114, directing the City Manager to assign a name, for approval by future Council resolution, to the Alley in Block 100, between Law Street and Chalcedony Street, after approval of the name by the City Street Name Coordinator, and that the requirements of Council Policy 600-12 relating to the filing of a petition and approval of the Planning Commission, be waived, was adopted on motion of Councilman Johnson.

(Item 27)

RESOLUTION 211115, excusing Councilman Martinet from the Council Meetings and Council Committee Meetings from July 20 to July 31, 1974, was adopted on motion of Councilman Johnson.

(Item 28)

RESOLUTION 211116, authorizing the City Manager to execute an addendum to Capital Grant CA-03-0071 with the Urban Mass Transportation Administration (UMTA) for the purchase and installation of an Automated Run Cutting and Schedule Cutting Program (RUCUS) in the amount of \$87,495 to be used by San Diego Transit Corporation in conjunction with City transit services, was adopted on motion of Councilman Johnson.

(Item 105 - 2nd time)

The motion of Councilman Bates to reconsider Item 105, died for lack of a second.

(Item 101 - P.M. 74-52)

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 Robert N. and Carolyn M. Holmer from the decision of the Planning Commission which granted the appeal of the neighbors in the area and denied a preliminary parcel map, and overruled the decision of the Planning Director in granting to Robert N. and Carolyn M. Holmer approval of the Preliminary Parcel Map for a two-parcel (lot line adjustment) division of Lot 5 and a portion of Lot 6, Block 2, La Jolla Hermosa, located on Camino de la Costa, southwesterly of the intersection of Camino de la Costa and La Canada, in the R-1-5 Zone. It was reported that four letters in opposition to the proposed appeal were received.

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

Attorney Allen Perry, Mrs. Holmer and Carl Morrow appeared to speak in favor of granting the appeal.

William Cabeen, Thomas Mitchell, Harry Marx, Rev. Lawrence Waldy, Louis Besbeck and A. Kitselman appeared to speak in opposition to granting the appeal.

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

RESOLUTION 211117, that the appeal of Robert N. and Carolyn M. Holmer from the decision of the Planning Commission in denying the preliminary parcel map for a two-parcel (lot line adjustment) division of Lot 5 and a portion of Lot 6, Block 2, La Jolla Hermosa, be and it is hereby granted and said preliminary parcel map, No. 74-52, is hereby approved.

Mayor Wilson recessed the Meeting at 10:12 a.m. Upon reconvening at 10:29 a.m., the roll call showed Councilwoman O'Connor absent.

(Item 7)

This being the time and place fixed for the opening of bids for the purchase of Tax Anticipation Notes in the aggregate sum of \$9,000,000, the following bids received pursuant to the Notice Inviting Purchase thereof were publicly opened, examined and read:

Bank of America, N.T. & S.A. - regretting that it was unable to make a legal rate bid.

Wells Fargo Bank, N.A., San Francisco, California - 98.44% par value - interest rate of 5.00% - 9 notes requested.

A cashier's check for \$50,000 accompanied the bid.

Councilwoman O'Connor entered the Chambers.

The bid was referred to a Committee consisting of the City Auditor, City Treasurer, and City Attorney for a report later in this meeting, on motion of Councilman Morrow.

(Item 100)

On motion of Councilman Williams, the Council voted unanimously to suspend Rule 9 to allow 30 minutes per side for public testimony rather than 15 minutes.

The hour of 8:30 a.m. having arrived, the Mayor announced that in the matter of proposed Tecolote Canyon Park District - Park District No. 12F, this was the time and place fixed for the hearing of protests and objections on the Report of the City Manager, prepared pursuant to resolution of intention, Resolution No. 210795; that any and all persons having any protest or objection to the proposed acquisition, the extent of the assessment district or the proposed assessment may appear before the Council and show cause why the same should not be carried out and ordered in accordance with the Report and resolution of intention. He further stated this is also the time and place fixed for the public hearing on whether the public convenience and necessity require the acquisition and whether it should be ordered without application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

City Clerk Nielsen reported that the Report of the City Manager was available in the Council Chambers; and that the affidavit of publication of the notice of improvement and the certificates of posting and mailing notices of adoption of the resolution of intention and the filing of the Report were on file in his office.

Bob Cain, Engineering and Development Department, reported that computed protests filed as of 8:30 a.m. with the City Clerk, and not withdrawn, represent 10.6 percent of the area of the property to be assessed for the proposed acquisition; and that additional protests were being computed.

Ward E. Wilcutt requested a continuance of these hearings so that all the factors could be brought out. Mayor Wilson suggested that during the hearings some of these questions may be answered.

Mr. Richard Burt, Special Counsel, reviewed the background of this proceeding and explained the general purpose and procedures to be employed. He explained that this proceeding was different than previous park district formation proceedings in that it did not call for bids on bonds to be issued at this time; that the bids

(Item 100 - Continued)

on bonds would be called for at a later time, and that this proceeding called for the contribution by the City of approximately 75% of the total cost of the property to be acquired in the form of land which the City now owns or is in the process of acquiring, coupled with a cash contribution. He also pointed out that the resolution of intention did indicate that at some future time the Council did intend to appoint a Park District Advisory Council from neighbors in this area to advise the City on future development of the park. He also suggested that if the speakers refer to the maps they refer to them by the exhibit letters so they can be identified at some later date.

James McLaughlin, Engineering and Development Department, gave a brief summary of the preparation and filing of the Report; pointed out that proposed acquisition of certain open space lands. He explained the estimated costs, City contribution, the diagram of the district and how the assessments were spread. He discussed the history of the efforts to establish this district. He presented a slide presentation showing the proposed district.

Mr. McLaughlin explained the exhibits. He commented on the benefits that would accrue from the formation of the park district. He further stated that in his opinion all lands within the proposed district would be benefited by the proposed acquisition and that the proposed assessments had been apportioned upon the several parcels and subdivisions of the land within the district in proportion to the estimated benefit to be received from the proposed acquisition.

Mr. McLaughlin answered questions of the Council on how the assessment was spread.

Mayor Wilson then asked that the people who wished to be heard in support of the proposed park district to come forward. The following people appeared to speak in support: Robert Fowble, Roger Hedgecock, Shirley Miller, Eloise Battle, Nan Valerio, Marian Bear, Gunar Fitz-Henley, Mary Cuseo, Sandra Nash, Lois Ewing, and Robert Rogers.

Mayor Wilson recessed the Meeting at 12:01 p.m., to reconvene at 1:30 p.m. Upon reconvening at 1:40 p.m., the roll call showed all present.

Mayor Wilson called for those who were going to speak in opposition, and asked that they speak to: (1) the wisdom of the City's contribution to this project; (2) the specific question of the individual's concern in this; and (3) whether or not as an individual property owner they are benefited in accordance with the proposed assessment. He also asked that when they spoke with respect to their individual property they indicate how their property specifically is not benefited in a way that would warrant the property being excluded from the assessment.

The following appeared to speak in opposition: June Byars, Merlin Osterhaus, Frank McVay, R.A. Shephard, Joe Marciano, John Reindel, Bob Rowe, Isabel Mersereau, Ward Wilcutt, and Erving Sanders.

Mayor Wilson concluded the legislative portion of the hearing and called for those speakers who wished to protest on their individual assessments. The following appeared to speak: Quentin Laywell, Frank Pomeranz, representing Tom Shane, R.A. Shephard, Joe Marciano, Wes Bliler, Ward Wilcutt, Jim Dalton, Gene Bettencourt, John Reindel, and Roy Anderson.

Mr. McLaughlin answered questions directed of the Council. Mr. Cain reported that the percentage of protest based on the area of assessable land within the district was 13.9 percent, and by adding Mr. Roy Anderson's protest it would be 16.16 percent based on area.

(Item 100 - Continued)

Mr. Burt, Special Counsel, answered questions of the Council on procedure; and also relative to the coloration on the exhibits which was used for illustrative purposes only.

Mr. Cain said the Exhibits had been updated during the noon hour.

Steven Wesphalbus spoke on the effect of open space near schools on students.

Mr. Burt and Mr. McLaughlin answered questions of the Council regarding boundaries and assessments.

Councilman Williams' motion to exclude seven acres in the southeast corner from the acquisition district died for lack of a second.

Councilman Morrow moved to close the hearings and adopt the proposed Resolution making findings and overruling protests and objections, confirming diagram and assessment, ordering acquisition, and ordering city contribution; and to adopt the proposed resolution authorizing the expenditure of certain funds.

The Mayor announced the written protests would be made a part of the hearing.

City Clerk Nielsen summarized the written protests received stating that the protests fell into two general categories - feeling a lack of benefit and the cost and the inability to pay.

Mayor Wilson stated that would be an appropriate description relative to the protest from James M. Trent regarding the assessment process and to the protest from Laurence Hersch regarding inclusion in the district and the assessment formula and amount.

Mr. Burt answered further questions of the Council relative to adjustments.

R.A. Shephard spoke relative to the exclusion of particular property.

At this time the vote was taken on Councilman Morrow's motion to close the hearings and adopt the following resolutions which passed unanimously:

RESOLUTION 211118, making findings and overruling protests and objections, confirming diagram and assessment, order acquisition, and ordering City contribution in San Diego Park District No. 12F - Tecolote Canyon; and

RESOLUTION 211119, authorizing the expenditure of \$1,536,261 from Capital Outlay Fund No. 245 and \$800,000 from Federal Revenue Sharing Fund No. 2384 for the purpose of providing funds for the City's contribution for improvements in San Diego Park District No. 12F (Tecolote Main Canyon).

Councilman Morrow introduced Dr. Ray Douglas, professor at Essex, England.

Mayor Wilson recessed the Meeting at 3:49 p.m. Upon reconvening at 4:10 p.m., the roll call showed Councilmen Williams, Morrow and Martinet absent.

(Item 7 - 2nd time)

City Treasurer Gordon Feeley reported for the Committee directed to check and compute the bid on the Tax Anticipation Notes opened previously during this meeting on the bid of Wells Fargo Bank, N.A. and recommended award.

RESOLUTION 211120, declaring that the City Council of The City of San Diego resolves, determines and orders as follows:

1. The bid of WELLS FARGO BANK, N.A., offering 98.44% of par and a net interest cost of \$506,650 is hereby accepted and the Notes are hereby awarded to the best bidder in accordance with the notice inviting bids and Resolution No. 210986.

2. All bids other than the one accepted herein are rejected and the checks accompanying them shall be returned to the respective unsuccessful bidders by the City Treasurer.

3. The interest on the Notes is hereby fixed at five percent (5%) per annum.

4. The City Treasurer is hereby directed to deliver the Notes to the successful bidder on receipt of eight million eight hundred fifty-nine thousand six hundred and no/100 dollars (8,859,600.00).

5. The total appropriations of the General Fund of City for the fiscal year 1974-75 are \$112,863,492.00. The amount of the Notes hereby authorized to be issued does not exceed twenty-five percent (25%) of the total appropriations of The City of San Diego for the fiscal year 1974-75. The City of San Diego has no other tax anticipation notes outstanding issued under Section 92 of the Charter or otherwise.

6. The City Clerk is hereby authorized and directed to publish this resolution once at least ten (10) days after its adoption in the City Official Newspaper, a newspaper of general circulation published in said City, was adopted on motion of Councilman Hubbard.

Councilman Williams entered the Chambers.

Councilman Morrow entered the Chambers.

Councilwoman O'Connor left the Chambers.

Councilman Morrow left the Chambers.

(Item 103)

The hour of 2:30 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of considering the establishment of Cable Television (CATV) rates throughout the City. It was reported that no written protests had been received.

Utility Rate Consultant Manley Edwards and Deputy City Attorney Bob Logan answered questions directed by the Council.

Donald O. Williams, Vice President and General Manager of Cable T.V., John McDonough, Vice President of Southeast Cable Co., Sherwood Roberts, representing Mira Mesa and surrounding area appeared to speak on the matter.

On motion of Councilman Johnson, the matter was continued to Thursday, August 8, 1974, due to lack of time.

(Item 102 - Continued from the Meeting of July 11, 1974.)

The following Ordinance was passed on the day of its introduction, to wit, July 18, 1974, said Ordinance being of the kind and character authorized for passage on introduction by Section 16 of the Charter.

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 11348 (New Series), adopting the Annual Budget for the Fiscal Year 1974-75 and appropriating the necessary money to operate The City of San Diego for said fiscal year, was adopted on motion of Councilman Bates by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor, Morrow and Martinet.

(Item 104)

A proposed Ordinance, amending Chapter VI, Article 7, of the San Diego Municipal Code, by amending Section 67.32, relating to regulation of the Water System, was presented.

City Manager Moore and Assistant City Manager Graham answered questions directed by the Council.

The following proposed Ordinance, amending Chapter VI, Article 7, of the San Diego Municipal Code, by amending Section 67.32, relating to regulation of the Water System, was introduced on motion of Councilman Ellis, by the following vote: Yeas-Councilmen Johnson, Hubbard, Ellis, Bates and Mayor Wilson. Nays-Councilman Williams. Absent-Councilmen O'Connor, Morrow and Martinet.

Councilman Williams left the Chambers.

(Item 106)

A proposed Ordinance, amending Chapter IX, Article 8 of the San Diego Municipal Code by adding Section 98.16 relating to Fees for Mobilehome Installation Permits, was presented.

Building Inspection Director Curtis answered questions directed by the Council.

A motion by Councilman Ellis to introduce the Ordinance received no vote at this time.

(Item 106 - Continued)

The motion of Councilman Hubbard to continue to Thursday, July 25, 1974 died for lack of a second.

Councilman Hubbard withdrew the motion to continue to Thursday, July 25, 1974.

The following proposed Ordinance amending Chapter IX, Article 8 of the San Diego Municipal Code by adding Section 98.16 relating to Fees for Mobilhome Installation Permits, was introduced on motion of Councilman Ellis, by the following vote: Yeas-Councilmen Johnson, Hubbard, Ellis, Bates and Mayor Wilson.

(Item 107)

A proposed Resolution, authorizing two agreements with Rice, Hall and Associates for investment counseling services to the Cemetery Perpetuity Fund and the Edwin A. Benjamin Memorial Fund, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 211121, authorizing two agreements with Rice, Hall and Associates for investment counseling services to the Cemetery Perpetuity Fund and the Edwin A. Benjamin Memorial Fund, was adopted on motion of Councilman Johnson.

(Item 108)

A proposed Resolution approving the agreement between San Diego Entertainment, Inc., the operating sublessee of the San Diego Sports Arena, and Ace Auto Parks, Inc. where in Ace Auto Parks, Inc. is authorized to operate the parking facilities at the Sports Arena, was presented.

Deputy City Attorney Fitzpatrick answered questions directed by the Council.

RESOLUTION 211122, approving the agreement between San Diego Entertainment, Inc., the operating sublessee of the San Diego Sports Arena, and Ace Auto Parks, Inc. where in Ace Auto Parks, Inc. is authorized to operate the parking facilities at the Sports Arena, was adopted on motion of Councilman Johnson.

(Item 109)

A proposed Resolution authorizing the President of The Board of Administration of the San Diego City Employees' Retirement System to execute an agreement with the Coates and Crawford to provide actuarial services to the Retirement System for fiscal year 1974-75 pursuant to the requirements of Section 24.0901 of the San Diego Municipal Code, was presented.

City Manager Moore and Deputy City Attorney Logan answered questions directed by the Council.

RESOLUTION 211123, authorizing the President of The Board of Administration of the San Diego City Employees' Retirement System to execute an agreement with Coates and Crawford to provide actuarial services to the Retirement System for fiscal year 1974-75 pursuant to the requirements of Section 24.0901 of the San Diego Municipal Code, was adopted on motion of Councilman Bates.

(Item 110)

RESOLUTION 211124, continued from the Meeting of July 11, 1974, amending Council Policy No. 200-2 entitled Gas Tax Funds - Use Of; rescinding Resolution No. 207350, adopted February 8, 1973, was adopted on motion of Councilman Hubbard.

(Item 111)

Two proposed Resolutions relative to Change Orders issued in connection with the contract with West-Con Construction Company for the construction of Bonita Cove Improvements; a - Change Order No. 1 - Increase of \$2,500; and b - Change Order No. 2 - Increase of \$892.70, was presented.

City Manager Moore answered questions directed by the Council.

Mr. Art Curran appeared to speak on the matter.

On motion of Councilman Bates the matter was continued to Thursday, July 25, 1974, for additional information.

(Item 112)

Two proposed Resolutions relative to the Final Subdivision Map of Balboa Greens Annex, an 80-lot Subdivision located north of Printwood Way, west of I-805; a - Authorizing an agreement with Time Development Co. for completion of improvements; and b - Approving the Final Map and acknowledging receipt of Subdivider's Affirmative Marketing Program, was presented.

Deputy City Attorney Fitzpatrick answered questions directed by the Council.

Emmanuel Savitch, Attorney appeared to speak on the matter.

The motion of Councilman Bates to adopt the proposed Resolutions received no vote at this time.

On motion of Councilman Bates the matter was continued to Thursday, July 25, 1974, for further review.

(Item 113)

Three proposed Resolutions relative to agreements concerning the San Diego Sports Arena; a - Short term "Exhibitor Agreement"; b - Lease Agreement for exhibition of Professional Hockey; and c - Lease Agreement for exhibition of Professional Basketball, was presented.

Deputy City Attorney Fitzpatrick answered questions directed by the Council.

Lawrence Patton, attorney appeared to speak on the matter.

The following Resolutions relative to agreements concerning the San Diego Sports Arena were adopted on motion of Councilman Ellis.

RESOLUTION 211126, approving the form of sublease entitled "Exhibitor Agreement" submitted by San Diego Entertainment, Inc. for scheduled events in the San Diego Sports Arena; and

RESOLUTION 211127, approving the Lease Agreement between San Diego Entertainment, Inc. and American Basketball Association for the exhibition of professional basketball in the San Diego Sports Arena.

On motion of Councilman Ellis, a proposed Resolution, approving the Lease Agreement for exhibition of Professional Hockey, was continued to July 25, 1974, for further review.

(Item 114)

RESOLUTION 211128, approving the budget of the San Diego Transit Corporation for the 1974-75 fiscal year; authorizing the expenditure of \$3,366,703 out of Public Transportation Fund 257 for the purpose of meeting operating deficits as indicated in the budget, 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 Bates at 7:03 p.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California