

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, JULY 25, 1974
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Absent--Councilmen Morrow, Martinet, and Bates.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 8:39 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced the Reverend Eugene Fischer, Department of
Education, who gave the Invocation.

(Item 3)

Councilwoman O'Connor gave the Pledge of Allegiance.

Councilman Bates entered the Chambers.

(Item 4)

RESOLUTION 211129, authorizing a Suggestion Award and making a presentation
to the following employee: Stanley A. Elmore - Police Department - \$350, was
adopted on motion of Councilman Ellis.

(Item 6)

Mayor Wilson welcomed a group of new employees, who were present in the
Chambers. Robert Bouton, Employee Services, introduced the new employees.

(Item 7)

Minutes of the Regular Council Meeting of Tuesday, March 19, 1974, were
presented by the City Clerk. On motion of Councilman Williams, said Minutes
were approved without reading, after which they were signed.

Councilman Williams introduced, and Mayor Wilson welcomed, James B. Hom,
County Assessor's Office, who introduced William Ofori, Assistant Valuer of
Central Revenue Department, from Ghana, West Africa, and Kawanda Mhango,
Inspector of Taxes from Zambia, West Africa.

Mayor Wilson welcomed Ardis Taylor, former Honorary Mayor of Pacific Beach, who introduced the Stourminster Cavaliers, a soccer team from Worcestershire County, England. Howard Benjamin presented communications from Mayoress Pargetter of the Metropolitan Borough of Dudley and the Mayor of the Metropolitan Borough of Kidderminster. The Mayor was presented with a gift of Stourbridge crystal glass, a decanter.

Mayor Wilson welcomed a group of students from El Cajon Valley High School, accompanied by Mr. Edward Young.

(Item 5)

Mayor Wilson welcomed a group of students from Collier and Memorial Junior High Schools, Urban Exchange Classes, accompanied by Mr. Bruce Werth. Councilman Williams addressed the groups.

(Item 8)

A communication from Hamilton Marston, requesting permission to address the Council and present a letter from Miss Mary Marston relative to a potential gift to the City, was presented.

Hamilton Marston appeared to speak regarding this communication.

On motion of Councilman Williams, said communication was referred to the City Manager for a report back to the Council and Miss Marston.

The Council considered requests for continuances: Items 18, 110, and 111.

(Item 18)

ORDINANCES TO BE INTRODUCED: Amending Sections 103.0202 and 103.0204 of the San Diego Municipal Code and adding Section 103.0204.8 relative to Old San Diego Planned District and County Heritage Park.

On motion of Councilman Johnson, the matter was continued to Thursday, August 15, 1974, for public hearing.

(Item 110)

ORDINANCES TO BE INTRODUCED: Amending Chapter X of the San Diego Municipal Code by adding Article 4, Division 1, Section 104.0100 relative to Special Sign Districts.

On motion of Councilman Johnson, the matter was continued to Thursday, August 15, 1974, for public hearing.

(Item 111)

ORDINANCES TO BE INTRODUCED: Amending Chapter X, Article 1, Division 5 of the San Diego Municipal Code by amending Section 101.0503 -- Conditional Use Permit granted by the Zoning Administrator to add A.12. Community Identification Signs.

On motion of Councilman Johnson, the matter was continued to Thursday, August 22, 1974, for public hearing.

The Council considered the Consent Agenda, which consisted of Items 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, and 41.

The Council discussed items 22, 30, and 21 of the Consent Agenda but no action was taken at this time. Item 35 was removed from the Consent Agenda.

The following Ordinances were introduced at the Meeting of July 11, 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 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, Hubbard, Williams, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Morrow and Martinet.

(Item 9 - CASE NO. 35-74-2)

ORDINANCE 11349 (New Series), incorporating Pueblo Terrace into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 9103 (New Series), adopted October 22, 1964, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 10)

ORDINANCE 11350 (New Series), establishing a new parking meter zone, east side of Hawk Street, between Washington Street and Fort Stockton Drive.

(Item 11)

ORDINANCE 11351 (New Series), establishing a new parking meter zone, west side of California Street, between Bean Street and Vine Street.

(Item 12)

ORDINANCE 11352 (New Series), establishing a new parking meter zone, south side of Island Avenue, between First Avenue and Second Avenue.

(Item 13)

ORDINANCE 11353 (New Series), establishing new parking meter zones: east side of First Avenue, between Elm and Fir Streets; south side of Fir Street, between First and Second Avenues; west side of Second Avenue, between Fir and Elm Streets; and north side of Elm Street, between First and Second Avenues.

(Item 14)

ORDINANCE 11354 (New Series), establishing a new parking meter zone, both sides of Ivy Street, between Third Avenue and Fourth Avenue.

(Item 15)

ORDINANCE 11355 (New Series), amending Chapter VII, Article 2, of the San Diego Municipal Code, by amending Section 72.01, relating to Taxicab Certificates of Public Convenience and Necessity.

(Item 16)

ORDINANCE 11356 (New Series), amending Ordinance No. 10887 (New Series) entitled, "An Ordinance Establishing Responsibility for Performance of City Engineer functions in The City of San Diego" by amending Section 1 thereof relating to person designated.

(Item 17)

ORDINANCE 11357 (New Series), amending Chapter X, Article 1 of the San Diego Municipal Code by amending Section 101.0452, Height Limitation Zones - Establishment of, and Section 101.0101.21, Floor Area Ratio, and by adding Section 101.0101.62, Height (Building).

(Item 19)

A proposed Ordinance, amending Chapter VI, Article 6, of the San Diego Municipal Code by amending Section 66.0125 relating to Fee for Use of Sanitary Landfill Refuse Disposal Area, was introduced on motion of Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilmen Morrow and Martinet.

(Item 20)

RESOLUTION 211130, authorizing the City Manager to establish fees and regulations relating to sanitary landfill refuse disposal areas; rescinding Resolution No. 203071, adopted on July 1, 1971, as of September 1, 1974, was adopted on motion of Councilman Johnson.

(Item 21)

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

RESOLUTION 211131, Wm. Reynolds Construction Co. for construction of vehicle fuel facilities for unleaded gas, for the sum of \$39,749; authorizing the expenditure of \$46,000 out of Capital Outlay Fund (245) for said purpose and related costs;

RESOLUTION 211132, T. B. Penick & Sons, Inc., for construction of Mt. Hope Cemetery Development Division 12, for the sum of \$118,618.36; authorizing the expenditure of \$151,000 out of Capital Outlay Fund (245) for said purpose and related costs;

RESOLUTION 211133, Olin Corporation for furnishing fuses as may be required for a period of nine months ending March 31, 1975, with option to renew for one year, for an estimated cost of \$38,219.63 including tax and terms;

RESOLUTION 211134, Cash Lewis Co. for the purchase of eight electric typewriters for a total cost of \$3,911.08 including tax and terms;

RESOLUTION 211135, Mac Co. for the purchase of leather palm work gloves as may be required for a period of one year ending June 30, 1975, with escalation and option to renew contract for one year, for an estimated cost of \$17,763.48 including tax and terms; and

RESOLUTION 211136, Debu Business Forms Printing, Inc., for the purchase of 240,000 Traffic Warnings PD-519, for an estimated cost of \$2,846.74 including tax and terms.

(Item 22)

The following Resolutions, relative to Inviting bids, were adopted on motion of Councilman Johnson:

RESOLUTION 211137, lease of six 15-passenger vans or buses for a period of 10 months ending June 30, 1975 in accordance with Specifications Document No. 747880; and

RESOLUTION 211138, furnishing turnout clothing in accordance with Specifications Document No. 747881.

(Item 23)

RESOLUTION 211139, inviting bids for construction of Balboa Park Miscellaneous Lighting Improvements in accordance with Specifications Document No. 747882, was adopted on motion of Councilman Johnson.

(Item 24)

The following Resolutions, relative to construction of Solola Avenue Drainage Channel, were adopted on motion of Councilman Johnson.

RESOLUTION 211140, certifying that the information contained in Environmental Negative Declaration No. 73-6-0100 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 211141, inviting bids in accordance with Specifications Document No. 747883.

(Item 25)

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

RESOLUTION 211142, Larwin Mesa View Unit No. 14;

RESOLUTION 211143, Mira Mesa Verde Unit No. 17; and

RESOLUTION 211144, Penasquitos View Unit No. 2.

(Item 26)

RESOLUTION OF INTENTION 211145, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate the Alley in Block 12, Grantville, and Out Lots westerly of Lots 9 and 32, and fixing a time and place for hearing thereof, was adopted on motion of Councilman Johnson.

(Item 27)

The following Resolutions, approving the acceptance by the City Manager of deeds, were adopted on motion of Councilman Johnson:

RESOLUTION 211146, Marilyn E. and David C. Dahlberg (Mission Hills Canyon Park); and

RESOLUTION 211147, Harry M. and Joan M. Harrison (Palm Avenue widening).

(Item 28)

The following Resolutions, relative to My Way, were adopted on motion of Councilman Johnson:

RESOLUTION 211148, certifying that the information contained in the Environmental Negative Declaration No. 74-2-028P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 211149, approving the acceptance by the City Manager of a deed from John Wesley and Florence M. Brown and Delmar Irvin and Audrey Eunice Ocheltree (street purposes) - dedicating and naming.

(Item 29)

The following Resolutions, relative to Camino Ruiz, were adopted on motion of Councilman Johnson:

RESOLUTION 211150, certifying that the information contained in the Environmental Negative Declaration No. 73-8-1006P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 211151, approving the acceptance by the City Manager of a deed from Mira Mesa Shopping Center (street, sewer and drain purposes) - dedicating and naming.

(Item 30)

The following Resolutions, relative to Imperial Avenue (47th Street to 61st Street), were adopted on motion of Councilman Johnson:

RESOLUTION 211152, certifying that the information contained in the Environmental Impact Report No. 73-12-012C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council;

RESOLUTION 211153, approving the acceptance by the City Manager of a deed from Oris P. and Janett Y. Mason (earth excavation or embankment, slope or slopes purposes); and

RESOLUTION 211154, approving the acceptance by the City Manager of a deed from William and Genevieve Cargill (earth excavation or embankment, slope or slopes purposes).

(Item 31)

The following Resolutions, relative to Black Mountain Road, were adopted on motion of Councilman Johnson:

RESOLUTION 211155, certifying that the information contained in the Environmental Impact Report No. 73-2-017C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council;

RESOLUTION 211156, approving the acceptance by the City Manager of a deed from San Diego Unified School District of San Diego County (street purposes) - Black Mountain Road and Gold Coast Drive; and

RESOLUTION 211157, approving the acceptance by the City Manager of a deed from San Diego Unified School District of San Diego County (street purposes) - Black Mountain Road and Hillery Drive.

(Item 32)

RESOLUTION 211158, authorizing a lease agreement with the San Diego City Employees' Retirement System, leasing all of Block 13, Horton's addition for the existing Exhibit Hall - Parking Building of the Charles C. Dail Concourse, for the balance of the construction amortization time or 50 years, whichever is sooner, at an annual rent of \$1 per year, was adopted on motion of Councilman Johnson.

(Item 33)

RESOLUTION 211159, authorizing a First Amendment to Joint Agreement with the County of San Diego for the purpose of modifying Sections 4b and 21 of the San Diego Regional Employment and Training Consortium Joint Exercise of Powers Agreement, was adopted on motion of Councilman Johnson.

(Item 34)

RESOLUTION 211160, authorizing the City Manager to submit to the County's Thoroughfare Federal Aid Urban Committee project applications covering eight street improvement projects, 18 traffic signal projects, and one pedestrian overpass project; and requesting the Committee consider the projects for funding under the Federal Aid Urban Program for the fiscal years 1974-75 and 1975-76, was adopted on motion of Councilman Johnson.

(Item 36)

RESOLUTION 211161, authorizing the President of the Board of Administration of the San Diego City Employees' Retirement System, to execute a Letter of Extension with Scudder, Stevens and Clark, Inc., extending their agreement for investment counselor service to the Board ending December 31, 1974, was adopted on motion of Councilman Johnson.

(Item 37)

RESOLUTION 211162, authorizing and empowering the San Diego Regional Employment and Training Consortium to apply for funding by the Department of Labor for programs under Title I of the Comprehensive Employment and Training Act of 1973 (CETA), was adopted on motion of Councilman Johnson.

(Item 38)

RESOLUTION 211163, employing and appointing the firm of Gray, Cary, Ames & Frye as special bond counsel for giving an opinion on any bonds that may be issued to pay for the financing and acquisition of approximately 10.3 acres of undeveloped canyon land in the Serra Mesa area for the proposed Sandrock Canyon Open Space Park Assessment District (San Diego Park District No. 13) under the provisions of the Municipal Improvement Act of 1913 and the San Diego Park District Procedural Ordinance of 1969; in the event that the proposed proceedings fail to materialize or are abandoned before an assessment has been levied and collected, the City shall not be liable for payment of any of the costs incurred in said employment, was adopted on motion of Councilman Johnson.

(Item 39)

RESOLUTION 211164, confirming the appointment by the Mayor of Mrs. Jean E. Porter to the Housing Advisory Board to fill the unexpired term of Mrs. Dorothea Scott Miller, ending March 1, 1975, was adopted on motion of Councilman Johnson.

(Item 40)

RESOLUTION 211165, authorizing Suggestion Awards to the following employees: Bobby F. Goetschel - Water Utilities Department - \$80; Earl B. Kinsel - Building Inspection Department - \$50; Alison M. McCullough - General Services Department, Sanitation Division - \$40; Mark J. Tiedeman - Water Utilities Department - \$25; and Charles R. W. Black - Water Utilities Department - \$25, was adopted on motion of Councilman Johnson.

(Item 41)

The following Resolutions, relative to beach restoration at Santa Clara Point in Mission Bay Park, were adopted on motion of Councilman Johnson:

RESOLUTION 211166, certifying that the information contained in Environmental Negative Declaration No. 73-4-023C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 211167, inviting bids in accordance with Specifications Document No. 747946.

(Item 101)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of July 11, 1974, for review by Ad Hoc Committee on Taxicabs, of the application of London Motor Tours of San Diego, by Kenneth E. Gray, for a certificate of Public Convenience and Necessity to operate one automobile for hire, to provide a transportation touring service to various historical and recreational areas of the City. It was reported that no written protests had been received.

City Manager Moore answered questions directed by the Council. -
No one appeared to be heard.

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

RESOLUTION 211168, granting application of London Motor Tours of San Diego, by Kenneth E. Gray, for a Certificate of Public Convenience and Necessity to operate one Automobile for Hire, to provide a transportation touring service to various historical and recreational areas of the City.

(Item 102)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of July 11, 1974, for the exclusive purpose of considering an amendment relating to an exception in the case of steeply sloping lots, on the proposed Ordinance amending Chapter X, Article I of the San Diego Municipal Code as follows: a) Revise Section 101.0452 HEIGHT LIMITATION ZONES - ESTABLISHMENT OF, to include certain building appurtenances in the determination of building height and to redefine grade, or the starting point from which building height will be measured; b) Revise Section 101.0101.21 FLOOR AREA RATIO to include building floor areas less than three feet below finished grade in the determination of Floor Area Ratio and to incorporate the proposed new definition of grade; and c) Add Section 101.0101.62 HEIGHT (BUILDING) to clarify the method of determining building height and grade for those zones containing height limits. It was reported that no written protests had been received.

Ken Klein, Planning Department, answered questions directed by the Council. Dan Salerno appeared to speak regarding the proposed Ordinance.

The hearing was closed on motion of Councilman Bates.

A proposed Ordinance amending Chapter X, Article I of the San Diego Municipal Code by amending Section 101.0452, Height Limitation Zones - Establishment of, and Section 101.0101.62, Height (Building), was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Morrow and Martinet.

Mayor Wilson recessed the Meeting at 9:48 a.m. Upon reconvening at 10:05 a.m., the roll call showed Councilmen O'Connor, Morrow and Martinet absent.

(Item 100)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of January 24, and 31, 1974, for hearing on Open Space Assessment District, on the appeal of Marian R. Bear from the decision of the Planning Commission in granting the application of A. J. Hall Corporation, owner/permittee, under Planned Residential Permit No. 78, to construct and operate a planned residential development consisting of 291 residential units, 3 recreation areas, an 18-hole golf course with clubhouse and driving range, offstreet parking, and incidental accessory uses, located south of Mt. Acadia Boulevard, between Cowley Way and Via Alcazar, more particularly described as portion of Unnumbered Pueblo Lot bounded by Pueblo Lots 1194, 1195, 1206 and 1207, known as Fos Addition; portion of Pueblo Lots 1191, 1195 and 1206; Block "J", Wells and Lanes' Tecolote Heights; and Lot "C", Resub. of Portion of Lot "J", Tecolote Heights, in the R-1-15 (LC) Zone. It was reported that written protests had been received.

Norman Seltzer appeared to request a continuance of the matter for a one-year period.

Marian R. Bear appeared to request a continuance of the matter for two weeks.

The motion of Councilman Johnson to continue the item for one year received no second at this time.

Councilwoman O'Connor entered the Chambers.

(Item 100 - Continued)

Deputy City Manager Blair and Assistant City Attorney Teaze answered questions directed by the Council.

The motion of Councilman Johnson to continue for one year was seconded by Councilwoman O'Connor.

Roger Hedgecock appeared to speak regarding the continuance.

On motion of Councilman Johnson, the matter was continued to July 24, 1975, for completion of condemnation action.

(Item 103)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on vacating portions of Sorrento Valley Road, Kochia Street, Kale Street, Jasmine, Iris and Heliotrope Streets, Lily Street, Alley, Block 9, Sorrento Lands and Townsite, and Alley, Block 11, Town of Sorrento. It was reported that no written protests had been received.

Ron Lochhead, Community Development, City Manager Moore, and Assistant City Attorney Teaze answered questions directed by the Council.

By common consent, the item was trailed.

(Item 104)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on vacating a street reservation in Lot 2, Torrey Pines Beach Subdivision Unit 1 - Resolution of Intention 210881. It was reported that no written protests had been received.

Ron Lochhead, Community Development, answered questions directed by the Council.

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

RESOLUTION 211169, vacating a street reservation in Lot 2, Torrey Pines Beach Subdivision Unit 1.

(Item 105)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on vacating a portion of a street reservation in Lot 1, Rancho Caster - Resolution of Intention 210880. It was reported that no written protests had been received.

Ron Lochhead, Community Development, and Ken Klein, Planning Department, answered questions directed by the Council.

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

RESOLUTION 211170, vacating a portion of a street reservation in Lot 1, Rancho Caster.

Councilman Bates requested that reports on street vacations should include statements as to the consideration of bike paths.

The Council returned to consideration of Item 103 at this time.

(Item 103 - Continued)

The hearing was closed and the following Resolutions adopted on motion of Councilman Hubbard:

RESOLUTION 211171, certifying the information contained in Environmental Impact Report No. 73-1-1008P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council; and

RESOLUTION 211172, vacating Sorrento Valley Road adjacent to the AT&SF R/W between Kochia Street and Lot 16, Sorrento Valley Industrial Park Unit 1-B; Sorrento Valley Road in Lot 14, Sorrento Lands and Townsite; Kochia Street between Sorrento Valley Road and Kale Street, Kale Street between Kochia Street and 1-5; Lily Street Westerly of 1-5; Alley in Block 9, Sorrento Lands and Townsite; and the Alley in Block 11, Town of Sorrento.

City Manager Moore answered questions directed by the Council.

(Item 35)

Two proposed Resolutions, relative to the final subdivision map of Torrey Knolls Park, were presented.

City Manager Moore answered questions directed by the Council.

The following Resolutions, relative to the final subdivision map of Torrey Knolls Park, were adopted on motion of Councilman Hubbard:

RESOLUTION 211173, authorizing an agreement with Torrey Knolls Land Company for completion of improvements in Torrey Knolls Park, a 7-lot subdivision located easterly of the Atchison, Topeka & Santa Fe Railroad westerly of 1-5; and

RESOLUTION 211174, approving the final map of Torrey Knolls Park Subdivision.

(Item 106)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning a portion of the Southwest 1/4 of the Southwest 1/4, Section 26, Township 18 South, Range 2 West, S.B.B.M. (approximately 4.26 acres), located on the west side of Beyer Boulevard between Beyer Way and Iris Avenue, from Zone A-1-1C to Zone M-1A or M-1B. It was reported that no written protests had been received.

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

No one appeared to be heard.

The hearing was closed on motion of Councilman Hubbard.

A proposed Ordinance, incorporating a portion of the Southwest 1/4 of the Southwest 1/4, Section 26, Township 18 South, Range 2 West, into M-1B Zone, as defined by Section 101.0435.2 of the San Diego Municipal Code, and repealing Ordinance No. 10862 (New Series), adopted June 29, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Ellis, Bates and Mayor Wilson. Nays-None. Absent: Councilmen Morrow and Martinet.

(Item 107)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the matter of a) appeal of Mrs. Frances M. Sibley from the decision of the Planning Commission in denying her appeal from certain conditions in the decision of the Subdivision Review Board in approving the tentative map of the proposed subdivision known as Sibley Subdivision, located on Hollister Street, between Ilex and Iris Avenues, in the R-1-5 Zone; and b) application for special permission to waive underground utility requirements in connection with the above subdivision.

Councilman Bates left the Chambers.

Frances M. Sibley and Paul Holley appeared to speak regarding the matter.

Councilman Bates entered the Chambers.

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

On motion of Councilman Bates, the matter was continued to August 15, 1974, for further review.

(Item 108)

A proposed Resolution, requesting the consolidation of a Special Municipal Election and Special Municipal Bond Election to be held in the City of San Diego on Tuesday, November 5, 1974, with the Statewide General Election to be held on that same date, was presented. Proposals received to date were: a) City Clerk proposes amendment to Charter Section 18 - Authentication and Publication of Ordinances and Resolutions; b) City Clerk proposes amendment to Charter Section 113 - Official Advertising; c) Engineering and Development Director proposes amendment to Charter Section 98 - Alteration in Contracts; d) Purchasing Agent proposes amendment to Charter Section 35 - Purchasing Agent; e) City Council proposes amendment to Charter Section 12 - The Council; and f) Civil Service Commission proposes amendment to Charter Section 120 - Limitations and Credits.

Mr. Conrici, Civil Service Commission, Miss Deginarro, Equal Rights Advisors, Robert Eato, Robert Henshaw, Chairman of Citizens Advisory Committee, Cathryn Porter, Advisory Board on Status of Women, Peope Balista, Executive Director of Pilipino/American Organization, San Diego Chapter, appeared to speak in favor of Proposal 'f'.

Herb Latham, Ken Richardson, and Tom Carmody appeared to speak in opposition of Proposal 'f'.

The motion of Councilman Ellis to file Proposal 'f' died for lack of a second.

Sue Williams, Acting Personnel Director, answered questions directed by the Council.

Assistant City Attorney Teaze answered questions directed by the Council.

(Item 108 - Continued)

The motion of Councilman Bates to adopt proposal 'f' and direct the City Attorney to prepare the Civil Service Commission proposal for the ballot and bring it back to the Council on August 8, 1974, for review passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Bates and Mayor Wilson. Nays-Councilman Ellis. Absent-Councilmen Morrow and Martinet.

The item was trailed at this time.

Mayor Wilson recessed the Meeting at 12:28 p.m. to reconvene at 2:00 p.m. Upon reconvening at 2:06 p.m., the roll call showed Councilmen Morrow, Martinet, Ellis and Bates absent.

(Item 112)

Councilman Bates entered the Chambers.

Councilman Ellis entered the Chambers.

The following Resolutions, continued from the Meeting of June 13, 1974, relative to a comfort station at Neptune Park: a) determining that a need exists for a comfort station at Neptune Park; and b) authorizing an agreement with Simpson and Gerber Architects for architectural services required for the design of said comfort station; authorizing the expenditure of \$8,600 out of Park and Recreation Fund 725 for said purpose, were presented.

The motion of Councilman Johnson, to suspend Rule 9 - Procedure for Debate, to allow for 30 minutes of testimony from proponents and opponents, passed unanimously.

City Manager Moore, Assistant City Attorney Teaze, and Park and Recreation Director Mendoza answered questions directed by the Council.

James Milch and Dr. Dennis Selder appeared to speak in favor of the proposed Resolutions.

Jerry Brucker, Ron McCloud, Rick Flager, Dr. John Turner, Linda Ryan, William Lacy, Jack Wilson, Keith McKelloge, Andy Wright, Tom Henry, La Jolla Town Council, Dr. Charles Colatta, Susan Wilson and Don Russell appeared to speak in opposition to the proposed Resolutions.

The motion of Councilman Johnson to file the proposed Resolution (a), determining that a need exists for a comfort station at Neptune Park, received no vote at this time.

Edward Dougherty and Douglas Owens appeared to speak regarding the proposed Resolutions.

The vote was then taken on Councilman Johnson's motion to file the proposed Resolution which passed unanimously.

The motion of Councilman Johnson to file the proposed Resolution (b), authorizing an agreement with Simpson & Gerber Architects for architectural services required for the design of said comfort station; authorizing the expenditure of \$8,600 out of Park and Recreation Fund 725 for said purpose, passed unanimously.

Mayor Wilson recessed the Meeting at 3:40 p.m. Upon reconvening at 3:52 p.m. the roll call showed Councilmen Williams, Morrow, Martinet and Bates absent.

Councilman Morrow entered the Chambers.

Councilman Bates entered the Chambers

Councilman Williams entered the Chambers.

(Item 115)

A proposed Resolution, authorizing an agreement with Mr. R. C. Jewett for completion of improvements in Surf and Turf Unit No. 1, guaranteed by Bond Nos. B-013755 and B-013756; and releasing Bond Nos. B-561089 and B-561090, issued by United Pacific Insurance Company, was presented.

Ron Lochhead, Community Development, answered questions directed by the Council.

RESOLUTION 211175, authorizing an agreement with Mr. R. C. Jewett for completion of improvements in Surf and Turf Unit No. 1, guaranteed by Bond Nos. B-013755 and B-013756; and releasing Bond Nos. B-561089 and B-561090, issued by United Pacific Insurance Company, was adopted on Motion of Councilwoman O'Connor.

(Item 116)

On motion of Councilman Johnson, a proposed Resolution, continued from the Meetings of May 16, 30 and June 26, 1974, declaring Magnolia Company, subdivider of Surf and Turf Unit 1 Subdivision, to be in default under terms and conditions of agreement entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider and to United Pacific Ins. Co.; authorizing the City Manager to complete, or cause to be completed, said improvements, was filed.

(Item 117)

The following proposed Resolutions relative to paving and otherwise improving Los Altos Road between Collingwood Drive and Los Altos Way: (Pacific Beach Area) a) certifying that the information contained in Environmental Impact Report No. 72-11-015C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council; and b) awarding a contract to T. B. Penick & Sons, Inc., for said construction, were presented.

Jim McLaughlin, Community Development, and Assistant City Attorney Teaze answered questions directed by the Council.

Tom Chadwick, representing the Soledad Terrace Homeowners Association, appeared to speak regarding the proposed Resolutions.

The motion of Councilman Hubbard to adopt the proposed Resolutions received no second at this time.

City Manager Moore answered questions directed by the Council.

The previous motion of Councilman Hubbard to adopt was seconded by Councilwoman O'Connor and the following Resolutions were adopted by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis and Mayor Wilson. Nays-Councilman Bates. Absent-Councilmen Martinet.

RESOLUTION 211176, certifying that the information contained in Environmental Impact Report No. 72-11-015C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council; and

RESOLUTION 211177, awarding a contract to T. B. Penick & Sons, Inc., for said construction.

(Item 118)

A proposed Resolution, authorizing an extension of the contract with the Legislative Analyst for one month through August 30, 1974, was presented.

Assistant City Attorney Teaze answered questions directed by the Council.

The motion of Councilman Ellis to amend the proposed Resolution to read September 30, 1974, instead of August 30, 1974, passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Ellis, Bates and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilman Martinet.

RESOLUTION 211178, authorizing an extension of the contract with the Legislative Analyst for two months through September 30, 1974, as amended, was adopted on motion of Councilman Ellis by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Ellis, Bates and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilman Martinet.

(Item 119)

A proposed Resolution, authorizing a Consent to Sublease Agreement whereby City consents to its Lessee, James R. Simpson, entering into three separate sublease agreements with: 1) Marina Motel, Ltd. for the construction, operation and maintenance of a motel, restaurant and recreation area; 2) Marina Spa, Ltd. for the construction, operation and maintenance of a senior citizen and retirement facility; and 3) Marina Apartments, Ltd. for the construction, operation and maintenance of an apartment complex, was presented.

City Manager Moore and Ben Hagar, Property Department, answered questions directed by the Council.

Councilman Morrow left the Chambers.

The motion of Councilwoman O'Connor to adopt the proposed Resolution received no vote at this time.

Robert Prall appeared to speak regarding the proposed Resolution.

The vote was then taken on the motion of Councilwoman O'Connor to adopt and the following Resolution was adopted by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Ellis, Bates and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilmen Morrow and Martinet.

RESOLUTION 211179, authorizing a Consent to Sublease Agreement whereby City consents to its Lessee, James R. Simpson, entering into three separate sublease agreements with: 1) Marina Motel, Ltd. for the construction, operation and maintenance of a motel, restaurant and recreation area; 2) Marina Spa, Ltd. for the construction, operation and maintenance of a senior citizen and retirement facility; and 3) Marina Apartments, Ltd. for the construction, operation and maintenance of an apartment complex.

Mayor Wilson recessed the Meeting at 4:35 p.m. Upon reconvening at 4:54 p.m., the roll call showed Councilmen Williams, Morrow, Martinet and Bates absent.

Councilman Williams entered the Chambers.

(Item 120)

A proposed Resolution, continued from the Meeting of July 18, 1974, authorizing a Lease Agreement for exhibition of Professional Hockey in the San Diego Sports Arena, was presented.

City Attorney Witt answered questions directed by the Council.

Councilman Bates entered the Chambers.

The motion of Councilwoman O'Connor to suspend Rule 9 - Procedure for Debate - to allow opponents and proponents time to make presentations, passed unanimously.

Mr. C. Patton, William Cahill, Mr. Murphy, President of the World Hockey Association, Steve Drummy and Peter Graham appeared to speak regarding the proposed Resolution.

The motion of Councilwoman O'Connor to disapprove that form of lease agreement received no second at this time.

After further discussion by the Council, Councilman Johnson seconded the motion of Councilwoman O'Connor to disapprove the lease agreement and the agreement was denied and the following Resolution was adopted by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Ellis and Mayor Wilson. Nays-Councilmen Hubbard and Bates. Absent-Councilmen Morrow and Martinet.

RESOLUTION 211190, disapproving the form of sublease entitled "Lease Agreement" submitted by San Diego Entertainment, Inc. for the exhibition of professional hockey in the San Diego Sports Arena.

Items 113 and 114 were considered simultaneously.

A proposed Resolution, continued from the Meeting of July 11, 1974, due to lack of time, directing the City Manager and the Planning Director to develop, for Council review, a policy guiding the implementation of housing for the aged and handicapped; and directing the Planning Commission and Planning Department to update the report Retirement Housing: A Planning Analysis, and a proposed Resolution, continued from the Meeting of July 11, 1974, due to lack of time, establishing low and moderate income housing as a priority goal of The City of San Diego; defining low and moderate income housing in terms of ability to pay, and directing the City Manager to explore housing alternatives, were presented.

Councilwoman O'Connor presented a report from the Planning Department.

Dr. Mark Shiffram, Evelyn Hermann and Marian Bear appeared to speak in favor of the proposed Resolutions.

(Item 113)

RESOLUTION 211180, directing the City Manager and the Planning Director to develop, for Council review, a policy guiding the implementation of housing for the aged and handicapped; and directing the Planning Commission and Planning Department to update the report Retirement Housing: A Planning Analysis, was adopted on motion of Councilman Williams.

(Item 114)

RESOLUTION 211181, establishing low and moderate income housing as a priority goal of The City of San Diego; defining low and moderate income housing in terms of ability to pay, and directing the City Manager to explore housing alternatives, was adopted on motion of Councilman Williams.

(Item 121)

The following proposed Resolutions, continued from the Meeting of July 18, 1974, for further review, relative to the Final Subdivision Map of Balboa Greens Annex, were presented.

Emanuel Savage, Marian Bear, representing Clairemont Mesa Development Committee, and Sam Miller, Assistant Director of Land and Facilities Planning, San Diego City Schools, appeared to speak regarding the proposed Resolutions.

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

Assistant City Attorney Teaze answered questions directed by the Council.

The following Resolutions were adopted on motion of Councilman Bates:

RESOLUTION 211182, authorizing an agreement with Time Development Co. for completion of improvements in Balboa Greens Annex, an 80-lot subdivision located north of Printwood Way, west of I-805; and

RESOLUTION 211183, approving the final map of Balboa Greens Subdivision and acknowledging receipt of Subdivider's Affirmative Marketing Program.

(Item 122)

A proposed Resolution, approving Change Order No. 1 issued in connection with the contract with West-Con Construction Company for the construction of Bonita Cove Improvements; said changes amounting to an increase of \$2,500, was presented.

City Manager Moore and Construction Director Gerhardt answered questions directed by the Council.

RESOLUTION 211184, approving Change Order No. 1 issued in connection with the contract with West-Con Construction Company for the construction of Bonita Cove Improvements; said changes amounting to an increase of \$2,500, was adopted on motion of Councilman Bates.

(Item 123)

The following Resolutions relative to the Final Subdivision Map of Mira View Unit No. 1, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 211185, authorizing an agreement with Pardee Construction Company for completion of improvements in Mira View Unit 1, a 4-lot subdivision located east of Highway 395, north of Mira Mesa Boulevard;

RESOLUTION 211186, authorizing an agreement with Pardee Construction Company providing that building permits shall not be issued for construction within Mira View Unit No. 1 until contracts for the installation of certain public streets have been awarded; and

RESOLUTION 211187, approving the final map of Mira View Unit 1 Subdivision.

(Item 124)

RESOLUTION 211188, declaring Richmond Street, between University Avenue and Washington Street to be a two-way street; rescinding that portion of Resolution No. 109455 which established the aforementioned section of Richmond Street as a one-way street, was adopted on motion of Councilwoman O'Connor.

(Item 125)

A proposed Resolution, determining that the tennis courts in the southeast portion of the leased Northwest Y.M.C.A. premises are in substantial compliance with the lease provisions and may remain as shown on the revised Master Plan for Phase I of development, was presented.

The motion of Councilwoman O'Connor to adopt the proposed Resolution received no vote at this time.

Assistant City Attorney Teaze, City Manager Moore and Assistant Property Director Hagar answered questions directed by the Council.

RESOLUTION 211189, determining that the tennis courts in the southeast portion of the leased Northwest Y.M.C.A. premises are in substantial compliance with the lease provisions and may remain as shown on the revised Master Plan for Phase I of development, was adopted on motion of Councilwoman O'Connor.

The Council returned to consideration of Item 108 at this time.

(Item 108 - Continued)

The motion of Councilman Bates to place Proposals a through d on the ballot passed unanimously.

The motion of Councilman Ellis to adopt draft C for proposal 'e' - City Council proposes amendment to Charter, Section 12 - The Council - as prepared by the City Attorney's office, received no vote at this time.

The motion of Councilman Ellis to amend paragraph 2 of draft C of proposal 'e' to read Council members, including the Mayor, shall devote a minimum of forty (40) hrs. per week on matters directly connected with the duties of their office passed unanimously.

The vote was then taken on the original motion of Councilman Ellis to adopt draft C for proposal 'e', which passed unanimously.

Councilman Hubbard presented for placement on the Ballot in the November General Election the subject of a new department for "Fiscal Research" now-known as "Legislative Analyst".

After further discussion, the motion of Councilman Hubbard to direct the City Attorney to develop the language for the ballot regarding the department for "Fiscal Research" for the ballot and to make a decision regarding this proposal on August 8, 1974, was passed by the following vote: Yeas-Johnson, Hubbard, Williams, Ellis and Bates. Nays-Councilwoman O'Connor and Mayor Wilson. Absent-Councilmen Morrow and Martinet.

The motion of Councilman Ellis for rotation of candidates on the ballot received no vote at this time.

Assistant City Attorney Teaze answered questions directed by the Council.

The vote was then taken on the previous motion of Councilman Ellis for rotation of candidates on the ballot, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Ellis, Bates and Mayor Wilson. Nays-Councilman Williams. Absent-Councilmen Morrow and Martinet.

The motion of Councilman Ellis to limit the term of office for elected officials to two consecutive terms failed for lack of five affirmative votes by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard and Bates. Nays-Councilmen Williams, Bates and Mayor Wilson. Absent-Councilmen Morrow and Martinet.

(Item 108 - Continued)

The motion of Councilman Ellis that elected officials should resign prior to running for another elected position died for lack of a second.

On motion of Councilman Bates, Item 108 was continued to August 8, 1974, for the City Attorney to prepare ballot language.

(Item 109)


The proposed Resolution, ordering, calling, providing for and giving notice of a Special Election to be held in The City on November 5, 1974, for the purpose of submitting to the qualified voters of The City of San Diego propositions to amend the Charter of The City of San Diego; and/or propositions to incur general obligation bonded indebtedness by the City for certain municipal improvements; and consolidating said Special Municipal Election with the Statewide General Election to be held in said City on November 5, 1974, was continued to August 8, 1974, for preparation of ballot language on motion of Councilman Bates.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Bates, the Regular Meeting was adjourned at 8:27 p.m., on motion of Councilman Hubbard, in memory of Senator Wayne Morse, of Oregon, who passed away recently.



Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California