

SPECIAL MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, AUGUST 29, 1974
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Absent--Councilmen Morrow and Bates.

Clerk---Edward Nielsen.

Mayor Wilson called the Special Meeting to order at 8:12 a.m.

Mayor Wilson announced this Special Meeting had been called for the purpose of discussing a request by the City to the Grand Jury for an investigation which refers to an independent investigation conducted under the auspices of the San Diego County Grand Jury into the specific allegations of police misconduct arising from the incident of the fatal shooting of Bernardo Gallardo.

Councilman Bates entered the Chambers.

Councilman Morrow entered the Chambers.

Herman Bacca, Henry Cole, Pete Merrill, Authur Shafer, John Jacobs, San Diego Urban League, Larry Schwartz, and Mr. L. Walden appeared to speak regarding the matter.


On motion of Councilman Ellis, a communication would be sent to the County Grand Jury thanking them for their efforts and pledging the full cooperation of the City Council.

There being no further business to come before the Council at this time, the Special Meeting was adjourned on motion of Councilman Bates, at 9:05 a.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

C0866

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, AUGUST 29, 1974
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Absent--None.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:06 a.m.

(Item 1)

Roll call was taken.

(Item 2)

Councilman Johnson gave the Invocation.

(Item 3)

Councilman Hubbard led the Pledge of Allegiance.

(Item 4)

Minutes of the Regular Meetings of Thursday, April 18, and May 2, 1974,
were presented by the City Clerk.

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

The Council at this time considered Requests for Continuances: Items 105,
118, 122, 123, 32 and 33.

(Item 105 - FAREP NO. 14)

NOTICED HEARINGS - Appeal of Middletown Property Owners Association, by
Carl Ludlow, chairman, from the decision of the Planning Commission in granting
the application of Dale St. Denis, owner/permittee, under Floor Area Ratio Excep-
tion Permit No. 14, to construct a two-story townhouse of six units with a total
floor area of 7,200 square feet on 10,000 square feet in the R-2A Zone, where the
zone allows 6,000 square feet, on the property located on the east side of Union
Street, between Spruce and Redwood Streets, more particularly described as Lots 2
and 3, Block 124 Middletown.

On motion of Councilman Bates, said hearing was continued to September 5,
1974, at the request of the appellant.

(Item 118)

OTHER RESOLUTIONS - (Continued from the Meetings of August 8, 15, and 22, 1974.) Endorsing and supporting Assembly Bill 3945 relating to establishment of a maximum tax rate for the San Diego Unified School District.

On motion of Councilwoman O'Connor, the proposed Resolution was filed.

(Item 122)

OTHER RESOLUTIONS - Urging Congress of United States to evaluate the current studies of the National Academy of Sciences and to sponsor continued research and analysis to set clean air standards at realistic levels that are necessary to protect the health of this nation; urging Congress of United States to cause continuing research in techniques to reduce polluting emissions from automobiles and to enact legislation assuring earliest production of "cleaner cars;" directing the City Manager and Planning Director to continue development of the air quality management plans and proposals cited in the attached report in a manner which is compatible with City goals and objectives; authorizing the City Manager and Planning Director to develop specific staffing assignments to assist in the high priority development of the Transportation Control Plan and a Parking Management Plan for the San Diego region; supporting inclusion of these activities into the regional air quality attainment and maintenance effort.

By common consent, the proposed Resolution was referred to the Transportation and Land Use Committee.

(Item 123)

OTHER RESOLUTIONS - Supporting Senate Bill 2168 regarding Health Hazards of Smoking and Nonpreemption of Regulation of Tobacco Smoking, and urging its adoption by the California State Assembly at the earliest possible time.

On motion of Councilman Bates, the proposed Resolution was continued to October 3, 1974, for further review.

(Item 32)

RESOLUTIONS - Three Resolutions relative to the final subdivision map of Morena Industrial Park, an 8-lot subdivision located easterly of the Atchison, Topeka and Santa Fe Railroad Right of Way at Avati Drive and Morena Boulevard.

On motion of Councilman Martinet, the proposed Resolutions were returned to the City Attorney at his request.

(Item 33)

RESOLUTIONS - Two Resolutions relative to the closing of a portion of Morena Boulevard in Pueblo Lots 1209, 1224, 1787 and 1788.

On motion of Councilman Martinet, the proposed Resolutions were returned to the City Manager at his request.

The Council considered the Consent Agenda, which consisted of Items 6, 7, 8, 9, 10b, 10c, 11, 12 (excluding e) 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, and 34.

The following Ordinances were introduced at the Meeting of August 15, 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 Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-None.

(Item 6 - CASE NO. 45-72-31 EoT.)

ORDINANCE 11379 (New Series), amending Section 1 of Ordinance No. 10870 (New Series), adopted July 13, 1972, incorporating a portion of Rancho San Bernardo into M-IP Zone, as defined by Section 101.0435.1 of the San Diego Municipal Code.

(Item 7)

ORDINANCE 11380 (New Series), amending Chapter X of the San Diego Municipal Code by adding Article 4, Division 1, Section 104.0101, relating to Special Sign Districts.

(Item 8)

ORDINANCE 11381 (New Series), amending Chapter X, Article 3, Division 2, of the San Diego Municipal Code by amending Sections 103.0201, 103.0202.1, 103.0202.2, 103.0204.2 through 103.0204.7 and by adding Section 103.0204.8 relating to the Old San Diego Planned District and County Heritage Park.

(Item 9)

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

RESOLUTION 211389, Arrow Electric for construction of traffic signal and safety lighting systems at Washington Street and Dove Street, and El Cajon Boulevard and Utah Street, for the sum of \$36,293; authorizing the expenditure of \$41,450 out of Gas Tax Funds (220) and \$2,500 out of Capital Outlay Fund (245) for said purpose and related costs;

RESOLUTION 211390, California Neon Products for the purchase of Balboa Park signs for the sum of \$7,670; authorizing expenditure of \$15,000 out of Park and Recreation Bond Fund (725) for said purpose and related costs;

RESOLUTION 211391, authorizing the use of City Forces to do all work of removing old signs, installing new signs and constructing concrete mow strips as required; and

RESOLUTION 211392, International Business Machines for the lease of a data processing system for a period of four years ending December 31, 1978, at a cost of \$38,877 per month plus tax for the first 12 months and a cost of \$52,003 per month plus tax for the last 36 months, with an option to extend on a month-to-month basis beyond the four year period, for an actual cost for fiscal year 1975 (January through June) including tax and terms, of \$247,257.72.

(Item 10)

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

RESOLUTION 211393, F. Morton Pitt Company for the purchase of one night viewing device, for an actual cost including tax and terms, of \$3,169.40; and

RESOLUTION 211394, Stanley Andrews Sporting Goods, Crosthwaite Athletic Supply and Bill Smith Sporting Goods for the purchase of miscellaneous athletic supplies, as may be required for a period of one year ending July 20, 1975, for an actual estimated cost, including tax and terms, of \$5,209.36.

(Item 11)

RESOLUTION 211395, awarding a contract to Federal Deposit Insurance Corporation, for approximately 3,000 yards of wool face carpeting, for an actual estimated cost, including tax, of \$31,800, was adopted on motion of Councilman Bates.

(Item 12)

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

RESOLUTION 211396, Webb T.V. of Point Loma for the purchase of ten automatic scanning receivers and crystals, for an actual cost, including tax and terms, of \$1,356.80;

RESOLUTION 211397, Moore Business Forms, Inc. for the purchase of 200,000 traffic warnings PD-177, for an actual cost, including tax, terms, of \$3,896.56;

RESOLUTION 211398, Dorr-Oliver, Inc., for the purchase of a housing for a Dorrco Sulzer Disintegrator, for an actual cost, including tax, terms and freight, of \$1,624.00;

RESOLUTION 211399, Surveyor's Service Co. for the purchase of one wild T-2 Universal Theodolite, for an actual cost, including tax and terms, of \$3,105.80; and

RESOLUTION 211400, Varda for the purchase of 66 pieces of radio equipment for a total estimated cost, including terms, tax and freight, of \$1,759.

(Item 13)

The following Resolutions, relative to inviting bids, were adopted on motion of Councilman Bates:

RESOLUTION 211401, furnishing electric lamps for field floodlighting, as may be required for a period of one year ending November 30, 1975 in accordance with Specifications Document No. 748339;

RESOLUTION 211402, furnishing paints and coatings as may be required for the period of one year ending December 31, 1975, in accordance with Specifications Document No. 748340; and

RESOLUTION 211403, remodeling of a La Jolla Recreation Center in accordance with Specifications Document No. 748341.

(Item 14)

The following Resolutions, relative to inviting bids, were adopted on motion of Councilman Bates:

RESOLUTION 211404, construction of traffic signal and safety lighting systems at Cleveland and Washington Streets in accordance with Specifications Document No. 748342;

RESOLUTION 211405, certifying that the information contained in Environmental Negative Declaration No. 73-12-020C 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 211406, construction of Azalea Park - Phase II in accordance with Specifications Document No. 748343.

(Item 15)

RESOLUTION 211407, rejecting all bids theretofore received on May 2, 1974, pursuant to publication of notice calling for bids on furnishing tennis court resurfacing, was adopted on motion of Councilman Bates.

(Item 16)

RESOLUTION 211408, vacating easement for sewer and drainage purposes, being unnecessary for present or prospective public use by the City, affecting that portion of Lots 8 to 12, inclusive, Block 85, Middletown Addition, was adopted on motion of Councilman Bates.

(Item 17)

RESOLUTION 211409, authorizing the divestment of City's easement interest by negotiated sale for the sum of \$60, of a portion of Lots 8 and 9, Block 100, Pacific Beach; authorizing the execution of a quitclaim deed, quitclaiming to Wallace and Mary Jane Korzon said interest in slope easement, was adopted on motion of Councilman Bates.

(Item 18)

RESOLUTION 211410, authorizing the execution of a quitclaim deed, quitclaiming to Gloria Lee Demers McColl, effecting the reversion of those abutter's rights of access to Westover Place, adjacent to Lot 1, McColl Subdivision, was adopted on motion of Councilman Bates.

(Item 19)

RESOLUTION 211411, approving the acceptance by the City Manager of deed from Penasquitos, Inc. (street purposes) - ANDOPRA WAY was adopted on motion of Councilman Bates.

(Item 20)

The following Resolutions, relative to El Cajon Boulevard, were adopted on motion of Councilman Bates:

RESOLUTION 211412, approving the acceptance by the City Manager of a deed from Standard Oil Company of California - (street purposes) - EL CAJON BOULEVARD; and

RESOLUTION 211413, approving the acceptance by the City Manager of a deed from Celeste Perry Tognazzini - (street purposes) - EL CAJON BOULEVARD.

(Item 21)

RESOLUTION 211414, authorizing an agreement with Cabrillo Festival, Inc., to promote and advertise the marine facilities; authorizing the expenditure of \$5,000 from Transient Occupancy Tax Fund 223 to provide funds for said purposes was adopted on motion of Councilman Bates.

(Item 24)

RESOLUTION 211415, authorizing to sell to the Chinese Consolidated Benevolent Association not more than 200 Mt. Hope Cemetery burial lots within an area designated by City for the sum of \$140 per lot, said purchase to be consummated within a five year period from date of this resolution with a minimum purchase of 40 lots per year with a condition that any lots not purchased within a specific year shall be deducted from the total allocation of said 200 lots, was adopted on motion of Councilman Bates.

(Item 25)

RESOLUTION 211416, approving the filing with the Department of Housing and Urban Development of an amendment to existing Fourth Year Neighborhood Development Program contract to provide additional grant funds in the amount of \$350,000 and to extend the current program six months to January 1, 1975 - City College Project and proposed study areas, was adopted on motion of Councilman Bates.

(Item 26)

RESOLUTION 211417, confirming the appointment by the Mayor of Mrs. Patricia E. Backman to the Board of Zoning Appeals for a term ending March 1, 1975, to fill the vacancy of Stephen P. Cushman, who has resigned, was adopted on motion of Councilman Bates.

(Item 27)

RESOLUTION 211418, confirming the appointments by the Mayor of the following persons to the Relocation Appeals Board: Agatha S. Lennard, October 1, 1974, Ruth A. Green, October 1, 1975, Mrs. Beverley Yip, Chairman, October 1, 1975, Ralph Jose Anievas, October 1, 1974, and Loch Crane, October 1, 1975, was adopted on motion of Councilman Bates.

(Item 28)

RESOLUTION 211419, confirming the reappointment by the Mayor of William J. Siembieda and Fred R. Livingstone to the Environmental Appeals Board for two-year terms ending March 1, 1976, was adopted on motion of Councilman Bates.

(Item 29)

RESOLUTION 211420, authorizing an agreement with V. R. Dennis Construction Company for the City to furnish water to said company at outside City rates for a period ending June 30, 1975, was adopted on motion of Councilman Bates.

(Item 30)

RESOLUTION 211421, authorizing an agreement with Solana Beach Sanitation District, superseding an existing agreement and amendments, for providing sewer service to areas within the City of San Diego adjacent to the Sanitation District and not feasibly served by the City's sewer system, was adopted on motion of Councilman Bates.

(Item 31)

RESOLUTION 211422, excusing Councilwoman Maureen O'Connor from the Committee on Rules, Legislation, and Intergovernmental Relations Meeting of August 23, 1974, was adopted on motion of Councilman Bates.

(Item 34)

The following Resolutions, relative to the final subdivision map of Scripps Ranch Unit No. 8, were adopted on motion of Councilman Bates:

RESOLUTION 211423, authorizing an agreement with Leadership Housing Systems, Inc., for completion of improvements in Scripps Ranch Unit No. 8, a 98-lot subdivision located northwesterly of Pomerado Road; and

RESOLUTION 211424, approving the final map of Scripps Ranch Unit No. 8 Subdivision and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program.

(Item 119)

The following proposed Resolutions relative to Campus Life - Sunset Cliffs Park: a - certifying that the information contained in the Environmental Negative Declaration No. 74-4-010P 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 b - authorizing the City Manager to execute a lease agreement for operation and maintenance of a youth retreat center and public meeting hall for social, cultural and educational activities on City property in Sunset Cliffs Park, for a period of five years, were presented.

Ruth Peyton and Mary Chipps, (Clairemont Town Council, appeared to speak in opposition to the proposed Resolutions.

Harold Ayers, Secretary of the Board of Campus Life, Ken Overstreet, Director of Campus Life, Dr. James Jackson, Dean of Students, Point Loma College, Dan McKinnon, and Neal Lindbergh appeared to speak in favor of the proposed Resolutions.

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

The Mayor welcomed 29 students from San Diego Adult School, 32nd Street Navel Station, accompanied by Colonel Riley.

The Council returned to consideration of Item 119 at this time.

The following Resolutions, relative to Campus Life - Sunset Cliffs Park, were adopted on motion of Councilman Williams:

RESOLUTION 211425, certifying that the information contained in the Environmental Negative Declaration No. 74-4-010P 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 211426, authorizing the City Manager to execute a lease agreement for operation and maintenance of a youth retreat center and public meeting hall for social, cultural and educational activities on City property in Sunset Cliffs Park, for a period of five years.

The Mayor recessed the Meeting at 10:04 a.m. Upon reconvening at 10:24 a.m., the roll call showed Mayor Wilson absent.

(Item 12e)

A proposed Resolution, relative to awarding a contract, Krasne's, Inc., for the purchase of 49 revolvers for a total cost, including tax, terms and less trade-in, of \$1,477.09, was presented.

City Manager Moore and Sergeant Hoyle, Police Department, answered questions directed by the Council.

RESOLUTION 211427, Krasne's, Inc., for the purchase of 49 revolvers for a total cost, including tax, terms and less trade-in of \$1,477.09, was adopted on motion of Councilman Martinet.

(Item 22)

A proposed Resolution authorizing an agreement with Willie L. White, to perform services as the Project Director of the Model Cities Supplemental Transportation Project for the period of September 1, 1974, through December 1, 1974, with an extension through June 30, 1975, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 211428, authorizing an agreement with Willie L. White, to perform services as the Project Director of the Model Cities Supplemental Transportation Project for the period of September 1, 1974, through December 1, 1974, with an extension through June 30, 1975, was adopted on motion of Councilman Hubbard.

(Item 23)

A proposed Resolution amending Council Policy No. 000-1 regarding the Council Policy Manual; rescinding Resolution No. 191955 adopted October 26, 1967, was presented.

(Item 23 - Continued)

City Clerk Nielsen and City Attorney Witt answered questions directed by the Council.

RESOLUTION 211429, amending Council Policy No. 000-1 regarding the Council Policy Manual; rescinding Resolution No. 191955 adopted October 26, 1967, was adopted on motion of Councilman Hubbard.

(Item 100)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the matter of rezoning portions of Lots 31 and 45, partition of Rancho Mission of San Diego, located on the north side of Camino del Rio North, approximately 1500 feet west of I-15 (Murphy Canyon Road), from Zone R-1-40 to Zone CO. It was reported that no written protests had been received.

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

Ashley Wilson appeared to speak in favor of the proposed rezoning.

The motion of Councilman Morrow to close the hearing, adopt the Environmental Impact Report and introduce the proposed Ordinance died for lack of a second.

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

The hearing was closed on motion of Councilman Hubbard.

A proposed Ordinance, incorporating portions of Lots 31 and 45, partition of Rancho Mission of San Diego, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 11116 (New Series), adopted September 6, 1973, 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, Morrow, Martinet, Ellis, and Deputy Mayor Williams. Nays-Councilman Bates. Absent-Mayor Wilson.

RESOLUTION 211430, certifying that the information contained in Environmental Impact Report No. 74-1-008P has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines and that said Report has been reviewed and considered by the Council, was adopted on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Ellis, and Deputy Mayor Williams. Nays-Councilman Bates. Absent-Mayor Wilson.

(Item 101)

The hour of 8:30 a.m. having arrived, the Deputy 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 Northwest 1/4 of Section 27, Township 18 South, Range 2 West, a portion of Lot 7 of Licensed Surveyor Map No. 45, a portion of Lot 1, Coronado Avenue Plaza, and a portion of Lot 13, Ocheltree Subdivision Unit 1, located at the northeast and northwest corners of Coronado Avenue and Outer Road in the South Bay community, from Zones CA and R-1-5 to Zones CR and CO. It was reported that no written protests had been received.

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

Bruce Cravens appeared to speak in favor of the proposed rezoning.

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

(Item 101 - Continued)

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating a portion of the Southwest 1/4 of the Northwest 1/4 of Section 27, Township 18 South, Range 2 West, a portion of Lot 7 of Licensed Surveyor Map No. 45, a portion of Lot 1, Coronado Avenue Plaza, and a portion of Lot 13, Ocheltree Subdivision Unit 1, into CR Zone, as defined by Section 101.0421.1 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 Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, and Deputy Mayor Williams. Nays-Councilman Bates. Absent-Mayor Wilson.

RESOLUTION 211431, certifying that the information contained in Environmental Negative Declaration No. 74-1-041P has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines and that said Declaration has been reviewed and considered by the Council, was adopted on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, and Ellis. Nays-Councilman Bates. Absent-Mayor Wilson.

(Item 102 - CASE NO. 38-74-4)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the matter of rezoning Lot 26, Balboa Shopping Center Resub. No. 1, located at the southwest corner of Mt. Abernathy Avenue and Chateau Drive, from Zone R-2 to Zone R-3. It was reported that no written protests had been received.

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

George Plum appeared to speak regarding the proposed rezoning.

The hearing was closed on motion of Councilman Johnson.

A proposed Ordinance, incorporating Lot 24, Balboa Shopping Center Resub. No. 1, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 9722 (New Series), adopted December 5, 1967, of the Ordinances of the City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates and Deputy Mayor Williams. Nays-None. Absent-Mayor Wilson.

RESOLUTION 211432, certifying that the information contained in Environmental Negative Declaration No. 74-2-012P has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines and that said Declaration has been reviewed and considered by the Council, was adopted on motion of Councilman Johnson.

(Item 103 - CUP 356-PC, AMEND NO. 2)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the appeal of R. Thomas Schorer, graphics design consultant to Donald N. Sharp Memorial Community Hospital, from the decision of the Planning Commission in failing to approve the hospital's request, under Conditional Use Permit No. 356-PC, Amendment No. 2, for three neon cross symbols, measuring 10 1/2 feet square, on three faces of the hospital building, located on the easterly side of Kearny Villa Road, between Frost Street and Vista Hall Avenue, in the R-1-5 Zone. It was reported that no written protests had been received.

(Item 103 - CUP 356-PC, AMEND NO. 2)

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

Tom Schorer and Marian Bear, representing Clairemont Mesa Development Committee, appeared to speak in regard to the appeal.

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

RESOLUTION 211433, sustaining the appeal of R. Thomas Schorer, graphics design consultant to Donald N. Sharp Memorial Community Hospital and granting the request to amend Conditional Use Permit No. 356-PC to allow the installation of three neon cross symbols, measuring 10-1/2 feet square, on three faces of the hospital building, located on the easterly side of Kearny Villa Road, between Frost Street and Vista Hall Avenue, in the R-1-5 Zone.

(Item 104)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the appeal of Southeast San Diego Development Committee, by Jewell D. Hooper, corresponding secretary, from the decision of the Planning Commission in approving the application of C. H. Watt, owner/permittee, for a Conditional Use Permit No. 407-PC to construct and operate an automobile dismantling facility, located on the north side of Commercial Street, between 24th and 25th Streets, more particularly described as Lot 39, Block 14, Lincoln Park, in the M-2 Zone. It was reported that no written protests had been received.

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

Edgar Finley, Tony Bedford, and Mrs. Finley appeared to speak regarding the appeal.

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

RESOLUTION 211434, certifying that the information contained in Environmental Negative Declaration No. 74-1-029P has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 211435, denying the appeal of the Southeast San Diego Development Committee, by Jewell D. Hooper and granting the C.H. Watt, Conditional Use Permit No. 407-PC, in the form and with the terms and conditions as set forth in the permit.

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

Upon reconvening at 2:13 p.m., the roll call showed Councilman Bates and Mayor Wilson absent.

(Item 110)

A proposed Ordinance, continued from the Meeting of August 22, 1974, amending Ordinance No. 11330 (New Series) by amending exhibits B and C which are attached thereto and made a part thereof, relating to streets having a two-hour parking time limit and streets having a one-hour parking time limit; establishing a Two-Hour Parking Time Limit and Parking Meter Zone (Rate A) on both sides of A, B, and C Streets, between Eighth and Ninth Avenues, and Eighth and Ninth Avenues, between A, B, and C Streets, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, was presented.

City Manager Moore answered questions directed by the Council.

Judge Wilkey, Chairman of the Downtown Y.M.C.A., appeared to speak in favor of the proposed Ordinance.

Councilman Bates entered the Chambers.

Roger Martin, Executive Director of the Downtown Y.M.C.A., and William Dick, Auto Parks Corporation, appeared to speak in favor of the proposed Ordinance.

Frank Curran, representing the Central City Association, appeared to speak in opposition of the proposed Ordinance.

The motion of Councilman Bates to file the proposed Ordinance died for lack of a second.

The motion of Councilwoman O'Connor to introduce the proposed Ordinance failed for lack of five affirmative votes, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Ellis and Deputy Mayor Williams. Nays-Councilmen Johnson, Morrow, Ellis and Bates. Absent-Mayor Wilson.

The motion of Councilman Martinet to reconsider the item and continue the matter to September 5, 1974, died for lack of a second.

On motion of Councilman Morrow, the proposed Ordinance was reconsidered, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, and Deputy Mayor Williams. Nays-Councilman Bates. Absent-Mayor Wilson.

The motion of Councilman Morrow to continue the proposed Ordinance to September 5, 1974, died for lack of a second.

On motion of Councilwoman O'Connor, Rule 9 was suspended to allow for additional time to discuss the matter.

On motion of Councilman Martinet, the proposed Ordinance was continued to September 5, 1974, for the City Attorney to prepare an Ordinance for two-hour parking in the block surrounding the Y.M.C.A.

The Deputy Mayor recessed the Meeting at 3:32 p.m. Upon reconvening at 3:45 p.m., the roll call showed Councilman Bates and Mayor Wilson absent.

(Item 106 - CUP 410-PC)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for hearing of the appeal of V. R. Dennis Construction Company, by J. Gary Dennis, corporate secretary, from the decision of the Planning Commission in denying the application of Mission Gorge Development Company, owner, and V. R. Dennis Construction Company, permittee, under Conditional Use Permit No. 410-PC, to operate, for 10 years, a sand borrow pit on a 10.75 acre tract of vacant land located on the south side of Mission Gorge Road, between Old Cliffs Road and Princess View Drive, more particularly described as portions

(Item 106 - CUP 410-PC - Continued)
of Lots 6 and 7, Lot 62 of Rancho Mission, in the A-1-1 Zone. It was reported that three letters in opposition had been received.

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

Councilman Bates entered the Chambers.

J. Gary Dennis and Dixon Goen appeared to speak in favor of the proposed Ordinance.

Dorothy Leonard, Mrs. Thomas Leach, Virginia Fulsom, Wade Moore, Helen Bohois, George Hoff, and Lea Barr appeared to speak in opposition to the appeal.

Councilman Bates left the Chambers.

The motion of Councilman Hubbard to close the hearing, adopt the Resolution certifying that the information contained in Environmental Impact Report No. 73-12-1017P has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Report has been reviewed and considered by the Council, and grant the appeal, failed due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson, Hubbard, Martinet, and Ellis. Nays-Councilmen O'Connor, Morrow, and Deputy Mayor Williams. Absent-Councilman Bates and Mayor Wilson.

(Item 10a)

Councilman Bates entered the Chambers.

RESOLUTION 211436, awarding a contract to Environmental Care, Inc. for the complete landscape maintenance of 64 selected sites for a period of 12 months ending August 8, 1975, with an option to renew the contract for two additional 1-year periods, for an actual estimated cost of \$147,147, was adopted on motion of Councilwoman O'Connor.

The Deputy Mayor recessed the Meeting at 5:06 p.m. Upon reconvening at 5:21 p.m., the roll call showed Councilmen O'Connor, Morrow, Martinet and Bates absent.

Councilmen O'Connor, Martinet, and Bates entered the Chambers.

Councilman Morrow entered the Chambers.

(Item 107 - LCP NO. 45)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeals of Clairemont Mesa Development Committee and Stevenson Canyon Area Homeowners from the decision of the Planning Commission in granting the application of De Anza View Medical-Dental Center, Inc., owner/permittee, under Land Conservation Permit No. 45, to develop property located on the northerly side of Balboa Avenue, easterly of Moraga Avenue more particularly described as a portion of Lot 3, Partition of Pueblo Lot 1209, S.C.C. No. 8341, in the R-1-5 (LC OVERLAY) Zone. It was reported that no written protests had been received.

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

Sybil Ingber and Marian Bear appeared to speak in favor of the appeal.

Guy Winton, and Jim Federhart appeared to speak in opposition to the appeal.

Chief Deputy City Attorney Conrad answered questions directed by the Council.

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

RESOLUTION 211437, certifying that the information contained in Environmental Impact Report No. 73-12-1028P has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Report has been reviewed and considered by the Council; and

RESOLUTION 211438, denying the appeals of Clairemont Mesa Development Committee and Stevenson Canyon Area Homeowners, and granting to De Anza View Medical-Dental Center, Inc., Land Conservation Permit No. 45 in the form and with the terms and conditions as set forth in the permit.

(Item 108)

RESOLUTION 211439, making a finding that the development proposed by the De Anza View Medical-Dental Center is in the public interest and to recommend that the State Department of Transportation approve a change in access control on Balboa Avenue allowing the medical center to construct a commercial driveway, was adopted on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis and Mayor Wilson. Nays-Councilman Bates. Absent-None.

(Item 109)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on matters of: a) application of Bill's Cab Company of Solana Beach, by William J. Jenkins, for two limited Certificates of Public Convenience and Necessity to operate taxicabs in the Del Mar Heights/Terrace areas of the City, said certificates to be limited to a six-month period, pursuant to Section 72.10(m) of the San Diego Municipal Code; and b) making a finding that the rates to be charged by Bill's Cab Company of Solana Beach, namely; 60¢ for the first 1/5 mile, 10¢ for each additional 1/5 mile, and \$5.00 per hour waiting time, are just and reasonable. It was reported that no written protests had been received.

The motion of Councilman Bates to adopt the Resolution granting the application and making a finding on the rates received no vote at this time.

(Item 109 - Continued)

Assistant to City Manager Breslauer, Mr. Edwards, and Chief Deputy City Attorney Conrad answered questions directed by the Council.

The vote was then taken on Councilman Bates' motion to close the hearing, adopt the Resolution granting the application and making a finding on the rates, which passed unanimously, and the following Resolution was adopted:

RESOLUTION 211440, granting two Limited Certificates of Public Convenience and Necessity to a six-month period and the pick-up areas of the Del Mar Heights/Terrace areas, and that the following rates to be charged by Bill's Cab Company have been found to be just and reasonable: (a) Flag Drop Rate - 60¢ for the first 1/5 mile, (b) 10¢ for each additional 1/5 mile following the first 1/5 charged against the flag drop, and (c) \$6.00 per hour waiting time.

(Item 114)

The following proposed Resolutions authorizing agreements for Model Cities Programs from July 1, 1974, through December 31, 1974, and authorizing the expenditure of certain sums out of Model Cities Fund 2904 for said projects, was presented.

Chief Deputy City Attorney Conrad and Model Cities Director Pendleton answered questions directed by the Council.

The motion of Councilwoman O'Connor to adopt the proposed Resolutions and remove from all contracts a notice affixed to the contracts and approved at the Meeting of August 22, 1974, regarding reporting procedures for fiscal activities under all Model Cities contracts, and instruct the City Attorney to determine whether or not the control system suggested by Councilman Hubbard, a voucher from the Director of the Agency sent to the Auditor/Comptroller for expenditures, was a possible system that could be employed regarding approval of expenditures, passed unanimously and the following Resolutions were adopted:

RESOLUTION 211441, Young Women's Christian Association of Southeast San Diego - Community Movie and Cultural Arts Project - \$24,000;

RESOLUTION 211442, The Regents of the University of California - Employee Development Programs - \$50,000;

RESOLUTION 211443, San Ysidro School District - San Ysidro Schools Project - \$267,000;

RESOLUTION 211444, San Diego Urban League, Inc. - Business Outreach Project - \$196,000;

RESOLUTION 211445, County of San Diego - Child Care Project - \$70,000;

RESOLUTION 211446, United States Department of Housing and Urban Development - Supplemental Transportation Project - \$175,000;

RESOLUTION 211447, United States Department of Housing and Urban Development - Senior Citizens Project - \$72,000;

RESOLUTION 211448, United States Department of Housing and Urban Development - Youth Employment Project - \$80,000; and

RESOLUTION 211449, County of San Diego, County Health Care Agency - Comprehensive Health Care Project through June 30, 1975 - \$370,000.

(Item 111)

A proposed Ordinance, amending Chapter 11, Article 2, of the San Diego Municipal Code by adding Division 23, establishing the Department of Legislative Analyst, was presented.

Chief Deputy City Attorney Conrad answered questions directed by the Council.

A proposed Ordinance, amending Chapter 11, Article 2, of the San Diego Municipal Code by adding Division 23, Sections 22.2301 and 22.2302 relating to the Department of Legislative Analyst, was introduced on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Martinet, Ellis, Bates and Mayor Wilson. Nays-Councilmen Hubbard and Morrow. Absent-None.

(Item 112)

A proposed Ordinance, amending Chapter 11, Article 2, of the San Diego Municipal Code by amending Section 22.1801 relating to City Departments by adding the Department of Legislative Analyst, was introduced on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Martinet, Ellis, Bates and Mayor Wilson. Nays-Councilmen Hubbard and Morrow. Absent-None.

(Item 113)

A proposed Ordinance, amending Ordinance No. 11331 (New Series), as amended, to create the unclassified position of Legislative Analyst and establish a schedule of compensation therefor, was introduced on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Martinet, Ellis, Bates and Mayor Wilson. Nays-Councilmen Hubbard and Morrow. Absent-None.

Councilman Ellis left the Chambers.

(Item 115)

RESOLUTION 211450, requesting the State Commission of Housing and Community Development change at the earliest possible date, the regulations added to Article 4, Title 25, California Administrative Code, Subsections 1092(b) and 1092(e), to provide that the regulations in Section 1092 become effective six months after adoption by the Commission or six months after adoption by the local governing body of the noise element of the local Master Plan, whichever is the later time; and that acoustical analyses be required only for those residential buildings located within exterior community noise equivalent level contours of 65dB of airport noise sources and vehicular and industrial noise sources, was adopted on motion of Councilwoman O'Connor.

(Item 116)

The following Resolutions, relative to Federal Aid Urban (FAU) Program, were adopted on motion of Councilman Johnson:

RESOLUTION 211451, authorizing the City Manager to notify the San Diego County Board of Supervisors that the Program for the three fiscal years ending June 30, 1976, as recommended by the City-County Thoroughfare Advisory Committee, is acceptable to The City of San Diego; and

RESOLUTION 211452, authorizing the City Manager to execute a Master Agreement with the State of California for the implementation of that portion of the program within the City and to make individual project applications and provide information detailing the individual projects as necessary to obtain the funds available.

(Item 117)

Two proposed Resolutions, continued from the Meeting of August 22, 1974, due to lack of time, relative to awarding contracts, were presented.

Assistant City Manager Graham answered questions directed by the Council.

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

RESOLUTION 211453, Mission Chemical Company for furnishing Janitorial Services for the San Diego Stadium for a period of one year ending August 31, 1975, for an actual estimated cost of \$88,794; and

RESOLUTION 211454, Warren T. Lassabe, Inc., and Harbor Building Maintenance for furnishing complete landscape maintenance and irrigation of the Downtown Beautification District and Centre City Way; and complete cleaning and maintenance of Centre City Way for a period of 12 months ending July 31, 1975, with options to renew the contracts for two additional one-year periods, for an actual estimated cost of \$79,402.32.

(Item 120)

RESOLUTION 211455, appointing the firm of Gray, Cary, Ames and Frye as special counsel to provide legal services in connection with Superior Court CASE No. 357078, Wesley Bliier, et al, v. City of San Diego, involving Tecolote Canyon Open Space Park Assessment District No. 12F, was adopted on motion of Councilwoman O'Connor.

Chief Deputy City Attorney Conrad answered questions directed by the Council.

(Item 121)

RESOLUTION 211456, authorizing a Second Amendment to Joint Powers Agreement with the Comprehensive Planning Organization to provide that the County shall have a weighted voting power of 40 and The City of San Diego a weighted voting power of 30 in connection with 31 specific A-95 projects as approved in principle by Resolution No. 211094, adopted on July 11, 1974, was adopted on motion of Councilman Bates.

(Item 124)

RESOLUTION 211457, authorizing a Consultant Agreement with Frank Willard for the purpose of rendering certain technical and professional services in connection with implementing a computerized Information and Document Retrieval System (IDRS) for the months of July and August, 1974, was adopted on motion of Councilman Bates. Assistant City Manager Graham answered questions directed by the Council.

(This resolution was superseded by the adoption of Resolution 211603 on 9-19-1974.)

By common consent, the Council decided to reconsider Item 123.

(Item 123)


On motion of Councilwoman O'Connor, the matter was reconsidered.

On motion of Councilman Martinet, the proposed Resolution was filed.

(Item 5)

On motion of Councilman Johnson, the communication of Mrs. Norman Greene requesting permission to address the Council regarding litter on local, state and federal thoroughfares, was filed.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Johnson, Councilman Williams, and Mayor Wilson, the Regular Meeting was adjourned at 8:05 p.m. in memory of Charles Lindbergh, William Fleming, James Earl Gilliam, and Mrs. Elizabeth Sibley Gonzalez, on motion of Councilman Johnson.


DEPUTY Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California