

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, SEPTEMBER 26, 1974
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

Present--Councilmen Johnson, Hubbard, Ellis, and Mayor Wilson.
Absent--Councilmen O'Connor, Williams, Morrow, Martinet, and Bates.
Clerk---LaVerne E. Miller.

Mayor Wilson called the Regular Meeting to order at 8:34 a.m.

(Item 1)

Roll Call was taken.

Councilman Williams entered the Chambers.

Councilman Martinet entered the Chambers.

(Item 2)

Mayor Wilson introduced Reverend Louis Salca, Associate Pastor for St. Joseph's Cathedral, who gave the Invocation.

(Item 3)

Councilman Ellis led the Pledge of Allegiance.

Councilwoman O'Connor entered the Chambers.

(Item 6)

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

(Item 7)

Minutes of the Regular Council Meeting of Tuesday, January 8, and Thursday, April 11, 1974, were presented by the City Clerk.

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

Councilman Morrow entered the Chambers.

(Item 8)

A communication from Steven L. Randall, representing Ocean Beach Planning Group, requesting permission to address the Council regarding special election funds for the Ocean Beach Precise Plan, was presented.

David Diehl, Ocean Beach Planning Group Steering Committee, appeared to speak regarding said communication.

Councilman Bates entered the Chambers.

On motion of Councilman Martinet, the communication was referred to the City Manager, Planning Department and the City Attorney for a report and opinion back to the City Council and Mr. Diehl, within two weeks, on the feasibility of conducting a survey or election.

(Item 9)

A communication from Robert T. Kay, requesting permission to address the Council protesting the decision of the City Attorney of complaint about a 10' high tin fence on Mr. Kay's neighbor's property line, was presented.

On motion of Councilman Ellis, the communication was noted and filed and the Council expressed to Mrs. Kay the Council's sympathy on the loss of her husband and also the fact that the communication may be renewed at some future time, if in fact, she feels that is necessary.

(Item 10)

A communication from Gerrett L. Franklin, requesting permission to address the Council regarding cats in the neighborhood.

Mr. Gerrett Franklin did not appear.

On motion of Councilman Johnson, the communication was filed.

The Council considered requests for continuances: Item 33.

(Item 33)

RESOLUTIONS: A proposed Resolution, authorizing an agreement with the Economic Development Corporation to conduct a promotional and advertising program designed to publicize the industrial activity and development of San Diego; authorizing the expenditure of \$50,000 from Transient Occupancy Tax Fund 223 for said services, was presented.

The motion of Councilman Williams to continue the matter to October 10, 1974, died for lack of a second.

City Manager Moore answered questions directed by the Council.

The Council considered the Consent Agenda, which consisted of Items 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, and 41.

The following Ordinance was introduced at the Meeting of September 12, 1974. Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of its passage, a written or printed copy of said Ordinance.

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

(Item 11)

ORDINANCE 11400 (New Series), amending Chapter X, Article I, Division 5 of the San Diego Municipal Code by amending Section 101.0503, relating to Conditional Use Permit granted by the Zoning Administrator.

(Item 12)

The following Resolutions, relative to the beach restoration at Santa Clara Point in Mission Bay Park, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 211605, awarding contract to Silberberger Engineers, Inc., for the sum of \$18,800; authorizing the expenditure of \$39,500 out of Capital Outlay Fund (245) for said purpose and related costs; and

RESOLUTION 211606, authorizing the use of City Forces to do the work of removing dredged material from beach and using said material for restoration where suitable; cost not to exceed \$9,500.

(Item 13)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 211607, Industries Supply Co., Hanson's Pipe & Supply Co. of California, Contractor Supply and South Bay Foundry for cast iron water fittings, gate and tapping valves and tapping sleeves for an actual cost, including tax and terms, of \$39,083.50;

RESOLUTION 211608, Blue Seal Coverall and Uniform Supply for coverall and work uniform requirements for Police Department and Equipment Division of General Services Department, for a period of three years ending September 30, 1977, for an actual estimated cost for one (1) year of \$18,467.68;

RESOLUTION 211609, Lanco-Supreme, Inc., for Data Processing Center - Air Conditioning Equipment for the sum of \$8,956; authorizing the expenditure of \$11,200 out of Capital Outlay Fund (245) for said purpose and related costs; and

RESOLUTION 211610, Mission Ford Tractor for one each flail type mower for an actual cost, including tax and terms, of \$1,245.50.

(Item 14)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 211611, Arben Engineering Corporation for twenty-four buoys for an actual cost, including tax and terms, of \$2,644.49; and

RESOLUTION 211612, California Electronic Police Equipment Co. for 750 M Pistol Primers for a total cost, including tax and terms, of \$3,561.60.

(Item 15)

The following Resolutions, relative to inviting bids, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 211613, furnishing traffic signal controllers for the intersections of Golfcrest Drive-Jackson Drive and Santo Road-Tierrasanta Boulevard in accordance with Specifications Document No. 748621; and

RESOLUTION 211614, furnishing twenty-five transit buses, with option to purchase 75 additional buses in accordance with Specifications Document No. 748622.

(Item 16)

RESOLUTION 211615, inviting bids for underground fuel storage for Northern Police Facility in accordance with Specifications Document No. 748623, was adopted on motion of Councilwoman O'Connor.

(Item 17)

RESOLUTION 211616, inviting bids for Mission Hills Park Comfort Station in accordance with Specifications Document No. 748624, was adopted on motion of Councilwoman O'Connor.

(Item 18)

RESOLUTION 211617, authorizing the Purchasing Agent to advertise for sale and sell 25 vehicles so used, obsolete or depreciated as to be unfit or undesirable for use or retention by the City, was adopted on motion of Councilwoman O'Connor.

(Item 19)

The following Resolutions, relative to improving Draper Avenue, Macaulay Street and Third Avenue, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 211618, certifying that the information contained in Environmental Impact Report No. 73-4-009C 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 211619, awarding a contract to Griffith Company; and -

RESOLUTION 211620, authorizing the expenditure of \$9,139.87 out of Gas Tax Fund 219 for the purpose of providing funds for the City's contribution and related costs in connection with the contract with Griffith Company.

(Item 20)

RESOLUTION 211621, awarding a contract to Sapper Construction Company to pave and otherwise improve the Alley in Block I, Silver Terrace; the Alley in Block 10, Silver Terrace; Alley in Block D, Silver Terrace Addition and Block 16, Mission Bay Park Tract, was adopted on motion of Councilwoman O'Connor.

(Item 21)

RESOLUTION 211622, authorizing the execution of a Quitclaim Deed quitclaiming to Mira Mesa Shopping Center revestment of those abutters rights of access in and to Camino Ruiz, and easements for sewer and drain purposes over a portion of Lot 5, Mira Mesa Shopping Center Unit 5, was adopted on motion of Councilwoman O'Connor.

(Item 22)

RESOLUTION 211623, approving the acceptance by the City Manager of Deed of James and Melva Curtis (street purposes) - SAN PASQUAL STREET; authorizing the expenditure of \$2,800 from Gas Tax Fund 219 to provide funds for street acquisitions required for the Educational/Cultural Complex, was adopted on motion of Councilwoman O'Connor.

(Item 23)

RESOLUTION 211624, authorizing the extension of a Lease Agreement with Edward G. Rodriguez of the facility at 1846 Logan Avenue for the operation of the Model Cities Senior Citizens Program through December, 1974, was adopted on motion of Councilwoman O'Connor.

(Item 24)

RESOLUTION 211625, authorizing a First Amendment to Agreement with Alfredo Larin, A.I.A., Architect, for professional services in connection with the design and construction of Silverwing Park and Recreation Building; authorizing the expenditure of \$3,700 out of Capital Outlay Fund (245) for the above stated services and related expenses - supplementing Resolution No. 209807 by that amount, was adopted on motion of Councilwoman O'Connor.

(Item 25)

RESOLUTION 211626, authorizing a First Amendment to Agreement with Kawasaki/Theilacker & Associates for landscape architectural services for the Park and Recreation Department, was adopted on motion of Councilwoman O'Connor.

(Item 26)

RESOLUTION 211627, accepting the contribution of \$300 from Mr. and Mrs. Jacob Korevaar for use in connection with the San Diego Park District No. 3, Mission Hills Canyon, and commending and publicly expressing a debt of gratitude to the donors; funds to be deposited in Special Fund 3711, was adopted on motion of Councilwoman O'Connor.

(Item 27)

RESOLUTION 211628, authorizing the Chairman of the Park and Recreation Board to travel to Denver, Colorado, to attend the National Recreation Park Association (NRPA) Congress from October 20 through October 25, 1974; authorizing the expenditure of a sum not to exceed \$387 out of General Fund 100 to provide funds for registration, travel and miscellaneous expenses, was adopted on motion of Councilwoman O'Connor.

(Item 28)

RESOLUTION 211629, authorizing Suggestion Awards to the following employees: Charles T. McAfee - General Services, Street Division - \$75; and Anita L. Belew - Police Department - \$75, was adopted on motion of Councilwoman O'Connor.

(Item 29)

RESOLUTION 211630, Confirming the appointment by the Mayor of William A. Villarino to the Park and Recreation Board for a term ending March 1, 1976, to fill the vacancy of Jose Carlos Pena, who has resigned, was adopted on motion of Councilwoman O'Connor.

(Item 30)

RESOLUTION 211631, confirming the following appointments by the Mayor to the La Jolla Shores Planned District Advisory Board for terms expiring as indicated: John H. Hinrichs, Jr., Chairman, April 1, 1976; Richard C. Dahlberg, April 1, 1976; William C. Kellogg, April 1, 1975; Mrs. Pat Miller, April 1, 1975; R. F. Bachman, April 1, 1975; Mrs. Patricia M. Aeder, April 1, 1976; and Eugene Weston, III (Architect), April 1, 1976, was adopted on motion of Councilwoman O'Connor.

(Item 31)

RESOLUTION 211632, authorizing an Agreement with the Inter-Museum Council to conduct an advertising and public relations program aimed at increasing attendance at Balboa and Presidio Parks' Museums, was adopted on motion of Councilwoman O'Connor.

(Item 32)

RESOLUTION 211633, authorizing an agreement with Mission Bay Associates for the purpose of advertising and promoting events in Mission Bay Park which are most likely to gain national recognition for the Park as an aquatic recreation area and promoting The City of San Diego, was adopted on motion of Councilwoman O'Connor.

(Item 34)

RESOLUTION 211634, authorizing an Agreement with Central City Association of San Diego defining services to be provided and payment therefor in connection with the Downtown Improvement Area; authorizing the expenditure of \$81,300 out of Fiscal 1975 Downtown Improvement Area Budget, Fund 225, for said services, was adopted on motion of Councilwoman O'Connor.

(Item 35)

The following Resolutions, relative to authorizing Preferential Nonexclusive Use and Occupancy Permits with the following organizations for sports, club meetings and related social activities, for the period July 1, 1974, through June 30, 1975, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 211635, Southern California Association of Camera Clubs, Inc. - Photo-Arts Building, Balboa Park;

RESOLUTION 211636, Balboa Shuffleboard Club - 2225 Sixth Avenue;

RESOLUTION 211637, Balboa Park Horseshoe Club - Balboa Park Horseshoe Pits;

RESOLUTION 211638, East San Diego Adult Recreation Club - Recreation Center;

RESOLUTION 211639, La Jolla Shuffleboard Club, Inc. - Scripps Park;

RESOLUTION 211640, La Jolla Tennis Club, Inc. - Tennis Pro Shop, La Jolla Community Center;

RESOLUTION 211641, Pacific Beach Town Council, Inc. - portions of Blocks B and D, Mission Bay Park Tract;

RESOLUTION 211642, Patrick Sandison Club - Morley Field Shuffleboard Center;

(Item 35 - Continued)

RESOLUTION 211643, Redwood Bridge and Shuffleboard Club, Inc. - Balboa Park;

RESOLUTION 211644, San Diego Botanical Garden Foundation, Inc. - Room 104, (La Sala) Casa del Prado, Balboa Park;

RESOLUTION 211645, San Diego Floral Association, Inc. - southwest office in Room 105, Casa del Prado, Balboa Park;

RESOLUTION 211646, San Diego Fly Fishermen's Club - fly-casting pond at Morley Field;

RESOLUTION 211647, San Diego Lawn Bowling Club - Building 606, Balboa Park;

RESOLUTION 211648, San Diego Model Railroad Club - southwest room of the House of Charm, Balboa Park;

RESOLUTION 211649, San Diego Roque Club - Redwood Bridge and Shuffleboard Club, Balboa Park; and

RESOLUTION 211650, Balboa Tennis Club Inc. - Wilbur Folsom Tennis Center, Balboa Park.

(Item 36)

RESOLUTION 211651, authorizing the submission and execution of necessary extensions and amendments to the First Year Police Department "Strike Force Robbery" Office of Criminal Justice Planning (OCJP), Grant Contract, extending the grant period from "November 1, 1973, through October 31, 1974," to "November 1, 1973, through November 30, 1974," was adopted on motion of Councilwoman O'Connor.

(Item 37)

RESOLUTION 211652, awarding a contract to Sapper Construction for construction of Solola Avenue Drainage Channel for the sum of \$75,678; authorizing the expenditure of \$98,300 out of Capital Outlay Fund 245 for said purpose and related costs, was adopted on motion of Councilwoman O'Connor.

(Item 38)

RESOLUTION 211653, awarding a contract to Shamrock Electric Co. for Data Processing Center Air Conditioning and Electrical Additions for the sum of \$49,997; authorizing the expenditure of \$61,000 out of Capital Outlay Fund 245 for said purpose and related costs; rejecting the request of September 12, 1974, for a Change Order extending the completion dates and Shamrock Electric Co. shall be required to complete the contract work under the bonus-penalty provisions described in the contract in the time specified, was adopted on motion of Councilwoman O'Connor.

(Item 39)

RESOLUTION 211654, directing the City Clerk to give Notice inviting sealed bids for the purchase of Bonds for the Park District No. 12F - Tecolote Canyon, was adopted on motion of Councilwoman O'Connor.

(Item 40)

RESOLUTION 211655, approving the concept of providing a water delivery system to the Arroyo Sorrento area by installation of a water main and appurtenances along Carmel Valley Road, El Camino Real (Frontage Road), Arroyo Sorrento Road, Tierra Del Sur and an unnamed street; certifying that the information contained in the Environmental Impact Report No. 72-12-024C 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 Councilwoman O'Connor.

(Item 41)

RESOLUTION 211656, directing the Planning Commission to consider amendments to Municipal Code Sections 101.0435.2, M-1B Zone, and 101.0436, M-1A Zone, to accomplish the following objectives: a) to achieve parity between the two zones in the matter of fencing around storage and related areas; b) to set standards and criteria for fencing and screening around storage and related areas, taking both visual acceptability and security needs into account; and c) to assure that maintenance enforcement is provided for, was adopted on motion of Councilwoman O'Connor.

(Item 5)

A proposed Ordinance, amending Section 26.32 of Chapter 11, Article 6, of the San Diego Municipal Code relating to the Community Relations Board, was presented.

On motion of Councilwoman, the proposed Ordinance was withdrawn from the Public Services and Safety Committee and placed on the Adoption Agenda of the Meeting of October 3, 1974, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Martinet, Ellis, Bates, and the Mayor. Nays-Councilmen Johnson, and Hubbard. Absent-None.

(Item 33)

A proposed Resolution, authorizing an Agreement with the Economic Development Corporation to conduct a promotional and advertising program designed to publicize the industrial activity and development of San Diego; authorizing the expenditure of \$50,000 from Transient Occupancy Tax Fund 223 for said services, was presented.

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

Councilwoman O'Connor left the Chambers.

On motion of Councilman Williams, the item was continued to October 10, 1974, to allow the City Manager to develop an appropriate paragraph to amend the contract to accomplish continuing Economic Development Corporation, as having the responsibility and role in implementation of what subsequently evolves from the plan.

Councilwoman O'Connor entered the Chambers.

(Item 100 - CASE NO. 61-72-4)

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 August 17 and October 19, 1972, and April 19, August 30, and September 27, 1973, at owner's request, on the matter of rezoning property in the Miramar Reservoir Area (approximately 1,097.11 acres), located east of Interstate Highway 15, south of Poway Road, west of the San Diego City Limits, and north of Miramar Reservoir, from Zone R-1-5 to Zone A-1-10. It was reported that no written protests had been received.

(Item 100 - CASE NO. 61-72-4 - Continued)

No one appeared to be heard.

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

The motion of Councilman Morrow to close the hearing, adopt the E.I.R.

Resolution and introduce an Ordinance for A-1-10 Zoning died for lack of a second.

Mr. Miller, Planning Department, answered questions directed by the Council.

On motion of Councilman Hubbard, the matter was continued to October 10, 1974, and the City Clerk was directed to notify owner(s).

(Item 101)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on vacating Alleys in Block 2, Vernon Park - under Resolution of Intention 211348. It was reported that no written protests had been received.

City Manager Moore, and J. R. Crosby, Community Development, answered questions directed by the Council.

Councilman Williams left the Chambers.

The hearing was closed on motion of Councilman Martinet, and the following Resolutions adopted.

RESOLUTION 211657, certifying that the information contained in Environmental Negative Declaration No. 73-2-1001P 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 211658, vacating the Alleys in Block 2, Vernon Park.

(Item 102)

Councilman Williams entered the Chambers.

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing establishing an Underground Utility District to be known and denominated as the Palm Avenue, 16th Street and 14th Street, Underground Utility District. It was reported that no written protests had been received.

City Manager Moore and Jim McLaughlin, Community Development, answered questions directed by the Council.

The hearing was closed on the motion of Councilman Williams.

RESOLUTION 211659, establishing an underground utility district to be known and denominated as the Palm Avenue, 16th Street to 14th Street, Underground Utility District, was adopted on motion of Councilman Williams.

(Item 103 - CASE NO. 48-74-3)

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 portion of the Northwest 1/4, Section 35, Township 18 South, Range 2 West, Record of Survey 2371, (approximately 18 acres), located on the south side of proposed Highway 75 between Beyer Boulevard and Del Sur Boulevard, from Zone A-1-10 to Zone M-1B. It was reported that no written protests had been received.

The motion of Councilman Bates to close the hearing, adopt the E.I.R. Resolution and introduce an Ordinance for M-IP Zoning died for lack of a second.

Bill Haines, Industrial Real Estate Broker, Caldwell Banker, appeared to speak in favor of M-1B Zoning.

Councilman Williams left the Chambers.

Councilman Williams entered the Chambers.

The hearing was closed on motion of Councilman Morrow.

RESOLUTION 211660, certifying that the information contained in Environmental Negative Declaration No. 74-3-036P 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.

A proposed Ordinance, incorporating a portion of the Northwest 1/4, Section 35, Township 18 South, Range 2 West, Record of Survey 2371, into M-IP Zone, as defined by Section 101.0435.1 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, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 4)

Mary R. Giglitto, Vice Chairman, 1974 Cabrillo Festival, Inc., presented Tom Tucker, Superintendent of the Cabrillo Monument, and Captain Cabrillo and the Queen of the Cabrillo Festival, Mary Jane Silva. The Mayor welcomed the party to the Chambers.

(Item 104 - CASE NO. 48-74-5)

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 portions of Lots A-205 and A-206, of Addition No. 3 to San Ysidro, and a portion of Northeast 1/4 of the Northeast 1/4, Section 2, Township 19 South, Range 2 West, (approximately 2.3 acres), located on the southerly side of Calle Primero, approximately 600 feet northwesterly of Cottonwood Road, from Zone A-1-1 to Zone M-1B. It was reported that no written protests had been received.

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

The motion of Councilman Williams to close the hearing, adopt the E.I.R. Resolution and introduce an Ordinance for M-IP Zoning received no vote at this time.

(Item 104 - CASE NO. 48-74-5 - Continued)

Roger Wooley, Harold Crane and Hugh Horn appeared to speak regarding the matter.

The hearing was closed on the motion of Councilman Williams.

RESOLUTION 211661, certifying that the information contained in Environmental Negative Declaration No. 74-3-002P 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.

A proposed Ordinance, Incorporating portions of Lots A-205 and A-206, of Addition No. 3 to San Ysidro, and a portion of Northeast 1/4 of the Northeast 1/4, Section 2, Township 19 South, Range 2 West, into M-IP Zone, as defined by Section 101.0435.1 of the San Diego Municipal Code, and repealing Ordinance No. 10292 (New Series), adopted May 5, 1970, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced, as amended, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-Councilman Hubbard. Absent-None.

The Mayor recessed the Meeting at 10:35 a.m. Upon reconvening at 10:54 a.m., the roll call showed Councilmen Morrow, Martinet, and Bates absent.

(Item 105 - CASE NO. 28-74-2 - City-initiated)

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 Lot 28, Waterville Heights, located on the south side of Hughes Street between Audrey Lane and Jodi Street, from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, R-1 or any combination thereof. It was reported that no written protests had been received.

Councilman Bates entered the Chambers.

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

Councilman Martinet entered the Chambers.

Mr. Benneth Lindholm appeared to speak regarding the matter.

Councilman Morrow entered the Chambers.

George Mueller, Charlotte Banks, George Lee and Fran Jackson appeared to speak regarding the matter.

The motion of Councilman Hubbard to close the hearing, adopt the E.I.R. Resolution, and introduce an Ordinance for R-2 Zoning, as amended, received no vote at this time.

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

(Item 5 - CASE NO. 28-74-2 - City-initiated - Continued)
Mayor Wilson left the Chambers.

Deputy Mayor Williams assumed the Chair.

The vote was then taken on the previous motion of Councilman Hubbard and the hearing was closed.

RESOLUTION 211662, certifying that the information contained in Environmental Negative Declaration No. 74-4-014C 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.

A proposed Ordinance, incorporating a portion of Lot 28, Waterville Heights, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 184 (New Series), adopted March 20, 1933, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced, as amended, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, and Bates. Nays-None. Absent-Mayor Wilson.

(Item 106)

The hour of 8:30 a.m. having arrived, Deputy Mayor Williams announced this was the time and place set for the hearing on the matters of a) application of Cush Tours, Inc., doing business as Smedley's Towne Tours, by Stephen P. Cushman, for Certificates of Public Convenience and Necessity to operate five additional automobiles for hire, to conduct sightseeing tours within The City of San Diego, in accordance with Section 72.13 of the San Diego Municipal Code; and b) application of Cush Tours, Inc., doing business as Smedley's Towne Tours, for transfer of three Certificates of Public Convenience and Necessity for the operation of automobiles for hire from two English double-deck London buses and one highway coach to two Overland stages, Model 30, 400 Dodge chassis, and one Overland stage, Model 22, 350 Dodge chassis, in accordance with Section 72.16 of the San Diego Municipal Code. It was reported that no written protests had been received.

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

Ray Hall appeared to speak regarding the matters.

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

RESOLUTION 211663, granting five Certificates of Public Convenience and Necessity to Cush Tours, Inc., dba Smedley's Towne Tours, to operate automobiles for hire pursuant to the provision of Section 72.11 of the San Diego Municipal Code; and

RESOLUTION 211664, approving the transfer of three Certificates of Public Convenience and Necessity for automobiles for hire for two English double-deck London buses and one highway coach to two Overland stages, Model 30, 400 Dodge chassis, and one Overland stage, Model 22, 350 Dodge chassis.

Councilman Bates requested that the City Clerk list the recommendations of the Ad Hoc Committee on Taxicabs on the docket in the future.

By common consent, the Council considered Items 107 and 108 simultaneously.

(Item 107 & 108)

The hour of 8:30 a.m. having arrived, Deputy Mayor Williams announced this was the time and place set for the hearing on (107) Appeal of Victor. T. Wigglesworth from the decision of the Planning Commission in denying his appeal from the decision of the Subdivision Review Board denying the tentative map of a proposed subdivision known as Bayview Dell, a 28-lot subdivision of a portion of Lot 134, Morena, located northerly of Kane Street, easterly of Illion Street, in the R-1-5 Zone, and (108) a proposed Resolution, authorizing and directing the City Manager to prepare plans for the acquisition, improvement and maintenance of the Western Hills Park Assessment District, together with cost estimates. It was reported that no written protests had been received.

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

Deputy Mayor Williams recessed the Meeting at 11:55 a.m. to be reconvened at 2:00 p.m.

Upon reconvening at 2:16 p.m., the roll call showed Councilmen Morrow, Bates, and Mayor Wilson absent.

Don Worley appeared to speak regarding the matters.

Councilman Bates entered the Chambers.

Councilman Morrow entered the Chambers.

John T. Quinn, Assistant Chancellor of Catholic Diocese, Richard Wilson, Mrs. Marston Sargent, Marian Bear, Chairwoman, Clairemont Mesa Town Council, Ed Wilson, and Ron Wright appeared to speak regarding the matters. -

By common consent, Rule 9, Procedure for Debate, was suspended to allow an additional 10 minutes to each side for testimony to be taken.

James Owings, Mr. Francis, Roy McCotter, Barbara Soulier and Bill Curran appeared to speak regarding the matters.

Jim McLaughlin, Community Development, and Mr. Gutzmer, Park and Recreation Department, answered questions directed by the Council.

Councilman Bates left the Chambers.

Councilman Bates entered the Chambers.

(Item 107 & 108 - Continued)

The motion of Councilman Martinet to approve the Western Hills Park Assessment District, and continue for 9 months the Resolution granting or denying the appeal of Victor T. Wigglesworth died for lack of a second.

The City Attorney ruled the Council could not delay a decision on a subdivision map that long.

The motion of Councilman Morrow to deny the tentative map of a proposed subdivision known as Bayview Dell died for lack of a second.

Councilman Ellis left the Chambers.

Councilman Ellis entered the Chambers.

Councilman Ellis left the Chambers.

Councilman Bates left the Chambers.

Deputy Mayor Williams recessed the Meeting at 3:49 p.m. Upon reconvening at 4:06 p.m., the roll call showed Councilmen O'Connor, Bates, and Mayor Wilson absent.

The motion of Councilman Martinet to adopt Item 108 and continue Item 107 for 9 months died for lack of a second.

Councilwoman O'Connor entered the Chambers.

Ken Klein, Planning Department, and City Manager Moore answered questions directed by the Council.

Councilman Bates entered the Chambers.

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

On motion of Councilman Martinet, Item 108 was continued to October 10, 1974, for the City Manager to redesign the boundaries and get a report from the University if they will come up with a fixed price on the property, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, and Deputy Mayor Williams. Nays-Councilman Bates. Absent-Mayor Wilson.

On motion of Councilman Morrow, the hearing was closed and Item 107 was continued to October 10, 1974, for a report on proposed park assessment district boundaries and cost, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, and Deputy Mayor Williams. Nays-Councilmen Bates. Absent-Mayor Wilson.

Mayor Wilson entered the Chambers.

The following Ordinance was introduced at the Meeting of September 5, 1974. Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of its passage, a written or printed copy of said Ordinance.

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

(Item 109 - CASE NO. 29-74-2 - City-initiated - Area I - Subarea C.)

ORDINANCE 11401 (New Series), incorporating that property in the Southeast San Diego Community bounded on the north by Kenwood Street and rear lot line between Wunderlin and Brooklyn Avenues, on the west generally by Radio Drive, on the south by Akins Avenue, and on the east by Imperial Avenue, and 69th Street, into R-1-6 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 116 (New Series), adopted January 3, 1933, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

Mayor Wilson announced there would be an Executive Session on Items 110 and 111 and on litigation.

(Item 112)

A proposed Resolution, authorizing the expenditure of \$2,500 from Special Environmental Growth Fund 2505 for Independent Fee Appraisal Services in connection with the proposed acquisition of land for the Crest Canyon Park Reserve (Open Space) Assessment District, was presented.

The motion of Councilman Morrow to adopt received no vote at this time.

City Manager Moore answered questions directed by the Council.

Marian Bear appeared to speak regarding the proposed Resolution.

RESOLUTION 211665, authorizing the expenditure of \$2,500 from Special Environmental Growth Fund 2505 for Independent Fee Appraisal Services in connection with the proposed acquisition of land for the Crest Canyon Park Reserve (Open Space) Assessment District, was adopted on motion of Councilman Morrow.

(Item 113)

RESOLUTION 211666, directing the City Manager to implement the concepts and strategies included in the Management Planning Program for the priority setting, administration and delivery of Human Care Services, was adopted on motion of Councilwoman O'Connor.

(Item 114)

A proposed Resolution, authorizing a Second Amendment to Joint Agreement with the County of San Diego for the Human Care Services Program; authorizing the expenditure of \$1,050,000 out of General Fund 100 for the above purpose, was presented.

City Manager Moore answered questions directed by the Council.

(Item 114 - Continued)

RESOLUTION 211667, authorizing a Second Amendment to Joint Agreement with the County of San Diego, for the Human Care Services Program; authorizing the expenditure of \$1,050,000 out of General Fund 100 for the above purpose, was adopted on motion of Councilman Williams.

(Item 115)

A proposed Resolution, urging the Congress of the United States to cause continuing research regarding techniques to reduce polluting emissions from automobiles and to enact legislation assuring earliest production of "cleaner cars"; authorizing and directing the City Manager to transmit to the Chief Administrative Officer of the County of San Diego, The City of San Diego's evaluation of the County's proposed Regional Air Quality Strategy; supporting the development of a regional Parking Management Plan in lieu of mandatory facility-by-facility review of local land use and transportation projects by the Environmental Protection Agency or any other agency; directing the City Manager and Planning Director to continue development of air quality management plans and proposals in a manner which is compatible with City goals and objectives, and to develop specific staffing assignments to assist in the high priority development of the Transportation Control Plan and a Parking Management Plan for the City of San Diego, was presented.

City Manager Moore and James Gleason, Environmental Quality Department, answered questions directed by the Council.

The motion of Councilman Hubbard to adopt the proposed Resolution and approve the recommendations submitted by the Committee on Transportation and Land Use and additionally that the City's delegate make a condition of our participation in the Regional Plan a reimbursement of the staff used for that planning effort and as a condition of our participation in recommended planning process that all the Cities, including The City of San Diego, have as stated in the Position Paper, the right for the individual Council, by 4/5's vote of the Council, to have an override position and additionally that the City conduct its own efforts to develop a Parking Management Plan, received no vote at this time.

Mr. Tipton and Mr. Stacks appeared to speak regarding the proposed Resolution.

RESOLUTION 211668, urging the Congress of the United States to cause continuing research regarding techniques to reduce polluting emissions from automobiles and to enact legislation assuring earliest production of "cleaner cars"; authorizing and directing the City Manager to transmit to the San Diego County Board of Supervisors and the Comprehensive Planning Organization, its member agencies, the State Air Resources Board and the Environmental Protection Agency, The City of San Diego's position paper; supporting the development of a regional Parking Management Plan in lieu of mandatory facility-by-facility review of local land use and transportation projects by the Environmental Protection Agency or any other agency; directing the City Manager and Planning Director to continue development of air quality management plans and proposals in a manner which is compatible with City goals and objectives, and to develop specific staffing assignments relating to the independent regional planning team to explore with the Comprehensive Planning Organization the utilization of their \$100,000 federal grant to assist in deferring the costs in supporting said planning team, was adopted, as amended, on motion of Councilman Hubbard.

(Item 116)

A proposed Resolution, authorizing the City Manager to execute an application for a federal grant in the amount of \$6,388,149 on behalf of the San Diego Transit Corporation with the Urban Mass Transit Administration (UMTA), U.S. Department of Transportation, to aid in the financing of a Mass Transportation Capital Improvement Grant for 75 new 51-passenger buses; 30 new 19 to 22-passenger buses; 105 two-way communications radios; 105 registering fareboxes; one radio communications base station and console; numerous operational support equipment, and assorted items of office furniture and equipment to be used in conjunction with City Transit Service, was presented.

The motion of Councilwoman O'Connor to adopt received no vote at this time. City Manager Moore answered questions directed by the Council.

Tom Prior appeared to speak regarding the proposed Resolution.

The motion of Councilman Ellis to refer the proposed Resolution to the Rules Committee for referral to the Committee on Transportation and Land Use received no vote at this time.

The motion of Councilman Ellis to continue the proposed Resolution to October 10, 1974, and refer to the Rules Committee for referral to the Committee on Transportation and Land Use, failed due to lack of five affirmative votes, by the following vote: Yeas-Councilmen Councilman Morrow, Ellis, Bates, and Mayor Wilson. Nays-Councilmen Johnson, O'Connor, Hubbard, Williams, and Martinet. Absent-None.

RESOLUTION 211669, authorizing the City Manager to execute an application for a federal grant in the amount of \$6,388,149 on behalf of the San Diego Transit Corporation with the Urban Mass Transit Administration (UMTA), U. S. Department of Transportation, to aid in the financing of a Mass Transportation Capital Improvement Grant for 75 new 51-passenger buses; 30 new 19 to 22-passenger buses; 105 two-way communications radios; 105 registering fareboxes; one radio communications base station and console; numerous operational support equipment, and assorted items of office furniture and equipment to be used in conjunction with City Transit Service, was adopted on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Bates, and Mayor Wilson. Nays-Councilman Morrow. Absent-None.

On motion of Councilwoman O'Connor, the item was referred to the Rules Committee for referral to the Committee on Transportation and Land Use to consider application with respect to the funding of additional operating costs.

(Item 117)

RESOLUTION 211670, authorizing the Sale by Negotiation to the Florentine Company of the City's Fee Title Interest in a portion of Lot 6, Block 2, Vernon Park together with alley closings adjacent, for the sum of \$450; authorizing execution of a Grant Deed to said Company, was adopted on motion of Councilman Martinet.

Under Unanimous Consent granted to City Attorney Witt, a proposed Resolution, approving the settlement in the matter of Fore Pro, Inc., debtor in proceedings for arrangement under Chapter XI of the Federal Bankruptcy Act, to sell assets to The City of San Diego and to the James C. Pagni Company, was presented.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

RESOLUTION 211671, approving the settlement in the matter of Fore Pro, Inc., Debtor in proceedings for arrangement under Chapter XI of the Federal Bankruptcy Act, to sell assets to The City of San Diego and to the James C. Pagni Company, was adopted on motion of Councilman Morrow.

The Mayor recessed the Meeting at 5:41 p.m. into Executive Session to discuss Items 110 & 111 and litigation.

Upon reconvening at 6:58 p.m., the roll call showed Councilmen Hubbard and Bates absent.

Councilman Hubbard entered the Chambers.

(Item 110)

A proposed Ordinance, continued from the Meetings of August 22, September 5 and 19, 1974, amending Ordinance No. 11331 (New Series) entitled "An Ordinance Establishing A Schedule of Compensation For Officers and Employees of The City of San Diego for the Fiscal Year 1974-75," by amending Sections 6 and 7 thereof relating to overtime compensation pursuant to the Fair Labor Standards Act of 1938, as amended, was continued to October 3, 1974, and referred to the City Attorney to prepare an amendment to the Salary Ordinance which will have the effect of providing that premium overtime will be computed for those who were included as eligible for premium overtime prior to the amendments to the Fair Labor Standards Act on the basis that had existed prior to those amendments and that those classifications newly included by the amendments to the Act will have computation of premium overtime provided on the basis indicated in the amendments to the Act, on motion of Councilman Williams.

(Item 111)

A proposed Resolution, continued from the Meetings of September 5 and 19, 1974, rescinding Council Policy 300-2, "Employee Compensation for Overtime Work," was continued to October 3, 1974, on motion of Councilman Williams.

(Unanimous Consent)

RESOLUTION 211672, authorizing the retention of the firm of Knutson, Tobin and Meyer to represent the interests of The City of San Diego in that Superior Court Action No. 358163 entitled Hubbard v. City of San Diego, et al., was adopted on motion of Councilwoman O'Connor.

Councilwoman O'Connor left the Chambers.

Councilman Bates entered the Chambers.

The Council discussed the Transportation Study and Plan for the period through 1995.

The motion of Councilman Hubbard that Routes 56 and 125, between I-8 and I-15 be incorporated into the Staged Development Freeway and Express Plan, and that the circulation element of the County General Plan be included as a part of the 1995 San Diego Freeway and Expressway Plan, received no vote at this time.

On motion of Councilman Williams, the Council's CPO delegate was instructed to seek a continuance until the next regular meeting to permit the City Council to examine and take a position on the inclusion in the CPO Plan of the two designated routes, 56 and 125, between I-8 and I-15.

The motion of Councilman Hubbard to instruct the Council's CPO delegate to offer an amendment to include these two routes should a continuance be denied passed unanimously.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 7:18 p.m. on the motion of Councilman Hubbard.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California