

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, NOVEMBER 27, 1974
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 8:38 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced the Reverend Robert Buchanan, Associate Pastor of St. Charles Borromeo Church, who gave the Invocation.

Councilman Williams entered the Chambers.

(Item 3)

Councilman Ellis led the Pledge of Allegiance.

(Item 4)

A Special Order of Business: William Wiener, representing Senior Adult Services, Inc., presenting a citation to the Senior Citizens Division of the City in recognition of assistance given, was presented.

John Herman presented the citation to Evelyn Hermann.

Councilman Martinet entered the Chambers.

(Item 5)

A report from the City Manager and Planning Director, continued from the Meetings of October 10 and November 14, 1974, for draft survey and cost estimate and hearing before the Rules Committee, regarding the development of a format for a survey of community attitudes concerning the recommendations of the proposed Ocean Beach Precise Plan.

Planning Director Goff answered questions directed by the Council.

The motion of Councilman Bates to file the report received no vote at this time.

Mr. Tom Cosna appeared to speak before the Council.

Councilman Morrow entered the Chambers.

(Item 5 - Continued)

Dolores Frank, Joanne Deal, and Bill Oxbory appeared to speak before the Council.

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

(Item 6)

A communication from Wm. Ross Cabeen requesting permission to address the Council regarding the rezoning of the 5800 and 5900 blocks of Camino de la Costa in La Jolla, was presented.

At the request of the communicant, the matter was continued to January 16, 1975, on motion of Councilman Martinet.

(Item 7)

A communication from Anthony L. Hodges, requesting permission to address the Council regarding the placement of the office of the City Manager on the ballot in order to have better government, was presented.

Anthony L. Hodges appeared to speak regarding said communication.

On motion of Councilman Martinet, the communication was filed.

(Item 8)

A communication from Anthony L. Hodges, requesting permission to address the Council regarding the Police Department, was presented.

Anthony L. Hodges appeared to speak regarding said communication.

On motion of Councilman Bates, the communication was referred to the City Manager for a report and update in two weeks.

(Item 9)

A communication from G. Wesley Harker, Chairman of the Environmental Appeals Board, requesting permission to make an initial report of the Environmental Appeals Board to the City Council, was presented.

Mr. G. Wesley Harker appeared to speak regarding said communication.

On motion of Councilman Martinet, the communication was referred to the Rules, Legislation and Intergovernmental Relations Committee.

(Item 10)

A communication from Alice B. Zukor requesting permission to address the Council relative to traffic patterns on Broadway, was presented.

Mrs. Alice B. Zukor appeared to speak regarding said communication.

On motion of Councilman Hubbard, the communication was referred to the City Manager for a report to the Council and Mrs. Zukor within one week and meet with Mr. Gleason to discuss the modifications. There will be a Special Ad Hoc Committee Meeting, Friday, November 29, 1974, Room 2000.

(Item 11)

A communication from Merle G. Coady, representing the San Diego Optimist Youth Band, requesting permission to address the Council relative to a waiver of fees for use of Casa del Prado Auditorium for a Youth Band Concert to be presented on December 20, 1974, was presented.

Merle G. Coady appeared to speak regarding said communication.

On motion of Councilman Johnson, the communication was referred to the City Manager for a report back to Mr. Coady and the Council.

(Item 12)

A communication from Clifford S. Marks, representing the Child Psychology Institute of San Diego, requesting permission to address the Council relative to City support of a Developmental Research with Infants Project, was presented.

Clifford S. Marks appeared to speak regarding said communication.

On motion of Councilwoman O'Connor, the communication was referred to the City Manager for evaluation and to the Rules, Legislation and Intergovernmental Relations Committee to be referred to the Public Services and Safety Committee.

The Council considered requests for continuances: Items 104 and 108.

(Item 104 - T.M. 74-81)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the application of Rick Engineering Company, for Mackenzie Hill International Property Developers, for special permission to waive underground utility requirements, pursuant to Section 102.0206 of the San Diego Municipal Code, in connection with Booth Industrial Park Unit No. 2, located south of Ruffin Court and east of Ruffin Road, in the M-1A Zone. It was reported that no written protest had been received.

On motion of Councilman Ellis, the hearing was continued to December 12, 1974, at the request of the applicant.

(Item 108)

A proposed Resolution, amending Council Policy 600-11, entitled "Credit for Park and Recreation Facilities Provided by Subdivisions", was presented.

Marian Bear appeared to speak before the Council.

On motion of Councilman Ellis, the item was continued to January 16, 1975, for further review.

The Council considered the Consent Agenda which consisted of Items 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44.

The following Ordinances were introduced at the Meeting of November 14, 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, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-None.

(Item 13 - CASE NO. 22-74-1 - City-initiated)

ORDINANCE 11439 (New Series), incorporating Lot 15, Block 3, Drucker's Subdivision, into C-1S Zone, as defined by Section 101.0430 of the San Diego Municipal Code, and repealing Ordinance No. 4407 (New Series), adopted May 16, 1950, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 14 - CASE NO. 24-74-2)

ORDINANCE 11440 (New Series), incorporating Lots 3-6, Block 26, Roseville, into C-1S Zone, as defined by Section 101.0430 of the San Diego Municipal Code, and repealing Ordinance No. 32 (New Series), adopted September 12, 1932, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 15 - CASE NO. 49-74-1)

ORDINANCE 11441 (New Series), incorporating portions of Lot 67 of Rancho Mission of San Diego, S.C.C. No. 348, and a portion of Lot "F" in Lot 70 of Rancho Mission of San Diego, S.C.C. 15191, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 10893 (New Series), adopted August 22, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 16 - CASE NO. 33-74-3 - City-initiated)

ORDINANCE 11442 (New Series), incorporating that property in the Navajo Community Area, located north of Old Cliffs Road and known as Mission Valley Industrial Park Unit 1, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 8797 (New Series), adopted March 7, 1963, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 17 - CASE NO. 33-74-3 - City-initiated)

ORDINANCE NO. 11443 (New Series), incorporating that property in the Navajo Community Area, located east of Mission Gorge Road, south of Allied Road, west of Archwood Avenue, and north of Zion Avenue, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 10133 (New Series), adopted August 28, 1969, and Ordinance No. 8920 (New Series), adopted November 7, 1963, of the Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 18 - CASE NO. 33-74-3 - City-initiated)

ORDINANCE 11444 (New Series), incorporating that property in the Navajo Community Area, located east of Mission Gorge Road, south of Rainier Avenue, west of Holabird Street and north of Vandever Avenue, into R-3A Zone, as defined by Section 101.0412 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 19 - CASE NO. 33-74-2)

ORDINANCE 11445 (New Series), incorporating that property in the Navajo Community Area, located at the Southern Terminus of Birchwood Street, and known as Presbyterian Palisades, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 6911 (New Series), adopted March 29, 1956, of the Ordinances of The City of San Diego as the same conflict herewith.

(Item 20 - CASE NO. 33-74-1 - City-initiated)

ORDINANCE 11446 (New Series), incorporating that property in the Navajo Community, located at the southwest corner of Del Cerro Boulevard and College Avenue, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 7526 (New Series), adopted July 25, 1956, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 21 - CASE NO. 33-74-1 - City-initiated)

ORDINANCE 11447 (New Series), incorporating that property in the Navajo Community, located south of Navajo Road, west of Patrick Henry High School and east and north of Del Cerro Terrace Unit 3, into R-1-40 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 8545 (New Series) November 9, 1961, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 22 - CASE NO. 33-74-1 - City-initiated)

ORDINANCE 11448 (New Series), incorporating that property in the Navajo Community, located at the southeast corner of Navajo Road and Park Ridge Boulevard, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 8678 (New Series), adopted July 12, 1962, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 23 - CASE NO. 33-74-1 - City-initiated)

ORDINANCE 11449 (New Series), incorporating that property in the Navajo Community, located at the northeast corner of Jackson Drive and Golfcrest Drive, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 8795 (New Series), adopted March 7, 1963, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 24 - CASE NO. 49-74-2 - City-initiated)

ORDINANCE 11450 (New Series), incorporating that property in the Navajo Community, located south of Navajo Road, west of Bisby Lake Avenue, north of San Carlos Drive, and east of the Alley to the west of Bisby Lake Avenue, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 8114 (New Series), adopted May 31, 1959, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 25 - CASE NO. 49-74-2 - City-initiated)

ORDINANCE 11451 (New Series), incorporating that property in the Navajo Community, located south of San Carlos Drive, west of Lake Murray Drive, north of the Alley between Lake Baca Drive and San Carlos Drive, and east of the Alley between Bisby Lake Avenue and Lake Murray Drive, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 8309 (New Series), adopted June 9, 1960, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 26 - CASE NO. 49-74-2 - City-initiated)

ORDINANCE 11452 (New Series), incorporating that property in the Navajo Community, generally located south of Lynnhaven Land, west of Ashmere Drive, north of Lake Arrowhead Drive and east of Lake Murray Boulevard, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 8721 (New Series), adopted September 5, 1962, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 27)

ORDINANCE 11453 (New Series), amending Chapter IX, Article 3 of the San Diego Municipal Code by repealing Sections 93.00.0608, 93.0713, 93.00.0911, 93.00.1107, 93.01.0502, 93.01.0604, 93.01.0904, 93.01.1510 and 93.0401.2; by amending Sections 93.01.1109; and by adding 93.00.0920, all relating to plumbing and mechanical installations.

The following Resolutions were adopted on motion of Councilwoman O'Connor:

(Item 28)

RESOLUTION 212092, awarding contract to Pervo Paint Company for the purchase of paints and coatings as may be required for a period of one year ending December 31, 1975, for an actual estimated cost, including tax and terms, of \$30,558.53, subject to escalation not to exceed 10% (\$3,055.85) of bid prices.

(Item 29)

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

RESOLUTION 212093, Multisonics, Inc. for the purchase of one traffic signal controller for the intersection of Bernardo Center Drive and Rancho Bernardo Road, for an actual cost including tax and terms, of \$11,554; authorizing the expenditure of \$11,554 out of Federal Revenue Sharing Fund No. 2384 for above purpose and related costs;

RESOLUTION 212094, Royal Aluminum for the purchase of 4,000 each aluminum posts, for an actual cost, including tax and terms, of \$41,970.70;

RESOLUTION 212095, California Bearing Co. for the purchase of 200 feet of chain, for an actual cost, including tax and terms, of \$2,416.80, subject to an escalation not to exceed 15% (\$362.52) of the bid price;

RESOLUTION 212096, International Business Machines Corp., for a Lease/Purchase Plan for Data Processing Disk Packs for a period not to exceed five years beginning December 1, 1974, for a cost for fiscal 1974-75, including tax and terms, of \$3,837.04; and

RESOLUTION 212097, Cushman Motor Sales, Inc. for the purchase of one light utility vehicle, for an actual cost, including tax and terms, of \$2,809.

(Item 30)

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

RESOLUTION 212098, furnishing Aqueos Film Forming Foam as may be required for a period of one year ending February 29, 1976, in accordance with Specifications Document No. 749258;

RESOLUTION 212099, furnishing two vibrator rollers, in accordance with Specifications Document No. 749259;

RESOLUTION 212100, furnishing one each laboratory sterilizer, in accordance with Specifications Document No. 749260; and

RESOLUTION 212101, furnishing 100 police revolvers, in accordance with Specifications Document No. 749261.

The following Resolutions were adopted on motion of Councilwoman O'Connor:

(Item 31)

RESOLUTION 212102, inviting bids for construction of safety lighting systems on Mission Boulevard between El Carmel Place and San Diego Place, in accordance with Specifications Document No. 749262.

(Item 35)

RESOLUTION 212103, authorizing an Agreement with Chet Cunningham, including any extensions and amendments thereof, to provide services as Technical Writer under San Diego Police Department's "Hazardous Situations" Project Grant adopted March 12, 1974, by Resolution No. 210113; authorizing an Agreement with one or more additional qualified individuals, if additional or replacement Technical Writer services are required under the "Hazardous Situations" Project Grant.

(Item 36)

RESOLUTION 212104, authorizing the City Auditor and Comptroller to expend the sum of \$3,564 out of the General Purpose Revolving Fund (534) to cover the cost of attendance of 11 Police Lieutenants to the State-required Peace Officers Standards and Training certified middle management course; City to be fully reimbursed by Post for said expenditure plus 60% of the officers' salaries (\$6,255).

(Item 37)

RESOLUTION 212105, authorizing the Police Department to accept donations from private individuals and businesses for the Police Department Community Relations Christmas Program (Operation 1000); any funds received for the program to be placed in Deposit Trust Fund No. 3021 and controlled by the City Auditor and Comptroller.

(Item 38)

RESOLUTION 212106, amending Council Policy No. 800-2 regarding improvements to cover an entire block.

(Item 39)

RESOLUTION 212107, amending Council Policy No. 800-5 entitled "Median Openings"; rescinding Resolution No. 169954, adopted March 14, 1964.

(Item 40)

RESOLUTION 212108, confirming the appointment by the Mayor of Arthur Hamilton Marston, Jr., as a City representative on the San Diego County Water Authority Board for a term ending March 5, 1979, to fill the vacancy of Henry Hoyt, who has resigned.

(Item 41)

The following Resolutions, accepting the work done and authorizing a Notice of Completion in the following Subdivisions were adopted on motion of Councilwoman O'Connor:

(Item 41 - Continued)

RESOLUTION 212109, South Bay Trailer Park;
RESOLUTION 212110, Mesa Village Unit 6;
RESOLUTION 212111, Mesa Village Unit 7;
RESOLUTION 212112, Mesa Village Unit 8;
RESOLUTION 212113, Mesa Village Unit 9; and
RESOLUTION 212114, Gateway Estates.

(Item 42)

The following 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, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 212115, authorizing an Agreement with MacKenzie Hill Inc., for completion of improvements;

RESOLUTION 212116, approving the Final Map; and

RESOLUTION 212117, authorizing an Agreement with MacKenzie Hill Inc., for construction of improvements on Morena Boulevard, a distance of approximately 2,200 feet, within the limits of Morena Industrial Park Subdivision, and to provide for reimbursement by the City out of Gas Tax Fund No. 220 in an amount not to exceed \$41,284.00.

(Item 43)

The following Resolutions relative to the closing of a portion of Morena Boulevard in Pueblo Lots 1209, 1224, 1787 and 1788, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 212118, certifying that the information contained in the Environmental Negative Declaration No. 73-2-1009P 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 212119, vacating a portion of Morena Boulevard in connection with the Morena Industrial Park Subdivision; portions to be vacated have been superseded by relocation.

(Item 44)

RESOLUTION 212120, approving the acceptance by the City Manager of a Deed of Glendale Federal Savings and Loan Association, conveying to the City all of Kensington Heights Extension Unit 2 and a portion of Lot 47, Rancho Mission of San Diego, was adopted on motion of Councilwoman O'Connor.

Mayor Wilson recessed the Meeting at 10:02 a.m. Upon reconvening at 10:20 a.m., the roll call showed Councilmen Williams, Ellis and Bates absent.

Councilman Ellis entered the Chambers.

Councilman Bates entered the Chambers.

(Item 100)

The hour of 8:30 a.m. having arrived, the Mayor announced that in the matter of proposed Padre Glen Canyon South Park District - Park District No. 12-H-2, this is the time and place fixed for the hearing of protests and objections on the Report of the City Manager, prepared pursuant to resolution of intention, Resolution No. 211702, of October 3, 1974. Any and all persons having any protest or objection to the proposed acquisition, the extent of the assessment district or the proposed assessment may appear before the Council and show cause why the same should not be carried out and ordered in accordance with the Report and resolution of intention. This is also the time and place fixed for the public hearing whether the public convenience and necessity require the acquisition and whether it should be ordered without application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

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

City Clerk Nielsen further stated that pursuant to Resolution No. 211704, notice was given and sealed bids for the purchase of bonds to be issued were received as follows:

N.K. McPhail & Company, net interest cost \$165,930.15, effective interest rate 8.2926%.

Stern Brenner, \$160,764.28 net interest rate of 8.0345%.

City Clerk Nielsen stated to hold bidders guarantee of good faith of \$20,000 in the form of a cashier's check appears unreasonable, therefore the City Council would be asked to authorize the substitution of another negotiable instrument in place of the cashier's check.

Mr. James A. McLaughlin, Engineering and Development Department, reported that as of November 14, the original time of the hearing, protests were submitted by owners representing 72.9% of the assessable area within the district, since that time, we received withdrawals of protest representing 5% for a net present protest of 67.4%. He also stated that he had received communications or petitions in favor of the project by owners representing 25.7% of the assessable area within the district. He also stated that there had been no increases since November 14, 1974.

Mr. Richard Burt, Special Counsel, reviewed the background of this proceeding and explained the general purpose and procedures to be employed.

Mr. James A. McLaughlin, Engineering and Development Department, reported that having removed the remaining undeveloped parcel of land from the district, in computing protests, the figure based on subdivided developed lots is 50.54%. He stated that the City's share of \$63,000 is 15% of the total amount.

Councilman Williams entered the Chambers.

(Item 100 - Continued)

Mr. James A. McLaughlin reported that pursuant to the Resolution of Intention which was adopted on October 3, we have prepared the report filed with the Clerk on the Jutland Canyon District. The report indicates that the acquisition is proposed to be made in accordance with Division 8 of the San Diego Park District Procedural Ordinance of 1969, as amended, as indicated by the Bond Counsel, the acquisition consists of the certain open space lands within the City which have value for Park and Recreation purposes. It is proposed to acquire said lands by negotiated purchase at a price not to exceed fair market value as established by the appraisal of an independent fee appraiser and the acquisition is to be financed by the Special Assessment District plus a cash contribution by the City amounting to 15% or \$63,750 from the Environmental Growth Fund. The report also describes and depicts the lands to be acquired by and is presented on a City Drawing No. 16347D, filed in the Office of the City Clerk. Part 2 of the report also indicates a breakdown of the cost which indicate that the estimated acquisition cost including closing cost and title search and so forth amount to \$395,000, the estimated incidental expense and bond discount amount to \$40,000 which brings the total project cost to \$425,000 with the City's contribution of \$63,750 then the total assessable cost to the district amount to \$361,250. A diagram is also included with the report and attached to the report which shows the boundaries and the dimensions of the subdivided land within the district and each such subdivision being numbered by a separate number on the diagram. Part four of the report shows a proposed assessment of the total amount of the estimated cost and expense for the proposed acquisition which is apportioned on the various properties. The low bid was from Stern Brenner, which included a bond discount amounting to 94.27% which was approximately 10% over the money allocated in the project funding for the bond discount, however taken from a total amount of the total project costs, this amounts to an increase of less than 1% of the total project cost and therefore no modified roll has been prepared and it is felt that the project contingencies can handle this type of an increase. Copies of the diagram and the assessment map and the assessment roll are in the Chamber for inspection. Exhibit A which is before you on your left, shows the area to be acquired shaded in the green, with the boundary of the proposed district shown in the dashed red line surrounding the property proposed for assessment. The assessments range from approximately \$320 for the nonabutting properties to \$1,604 for the abutting properties. It's my judgment as Superintendent of Streets that all of the lands within the proposed district would be benefited by the proposed acquisition and that the proposed assessment which has been apportioned upon several properties and subdivisions of land in the district is in proportion to the estimated benefit to be received, from the proposed acquisition. As we indicated previously, the efforts on the part of the Community to preserve open space dates back as far as 1967. Most of the Community plans were conceived with the idea that major canyons with the area would be preserved in their natural state and included in the Park Reserve System. On August in 1969, a petition containing approximately 10,000 signatures of registered voters within the area was submitted to the City to attest to the Community support for the acquisition of the open space area. In April, 1971, the Council initiated proceedings to acquire canyons within the Tecolote complex of which this is one. Later that year, authorized funds in which for an appraisal which was obtained

(Item 100 - Continued)

by an independent fee appraiser. The proposed Open Space acquisition is a part of the Tecolote complex and this particular canyon has been identified as satellite canyon E. It proposed approximately 65 acres of undeveloped land which are suitable for park purposes in the vicinity of Jutland Drive, Morena Boulevard, and Arguillio Avenue. There has been a proposed plan to residential development for this site known as Stonehaven; proposes approximately 150 condominium units with access to Jutland Drive and Gettes Drive. An Environmental Report for that project has been cleared by the Appeals on August 26 of this year and the PRD is being heard by the Planning Commission and the Tentative Map for the development will be considered by the Subdivisions Review Board upon conclusion of the PRD hearing.

The City's participation of 15% was established in conformance with the Council Policy in that this particular fits into the Class B category with only two access points and a minimum of flat areas. The proposed district as shown on Exhibit A consists of 484 parcels of land with a breakdown as follows:

101 of those parcels are what we would call abutting properties, that is they would have a contiguous or a common line with the open space acquisition (a Common Property Line).

8 of the parcels are semi-abutting properties which are oriented or located in very close proximity to the canyon and the lot itself is already entered into the canyon, but they do not have a common ownership line with the open space area.

There are 307 nonabutting properties; and

5 large parcels of land which were assigned to various ranges of equivalent units.

There are many benefits, which accrue to a neighborhood in the adjacent properties as a result of the acquisition of the open space within the neighborhood. These benefits are a direct result of the change in status of the land from that of a private ownership which would be subject to development to a publicly owned property in which the park values would be the only permitted use under law. As a result of this change in status, we would anticipate that the following benefits would accrue: 1. There would be a maintenance of the neighborhood amenities by avoiding perhaps overcrowding of the public facilities. You would also maintain a living space within the facilities. You would also maintain a living space within the neighborhood which is necessary for the individual's well-being. It would provide a passive recreational facility within the neighborhood which would be accessible to all. Provide an area where the natural environment could be sustained and encouraged, we would also prevent the grading of the canyon which would result in silting problems at least initially downstream areas during periods of heavy runoff and blowing dust in the dryer periods. Also there would be a preservation of the scenic vistas both from the canyon rim and from adjacent vista point. Some of these benefits can be asserted as general benefits to the neighborhood and would extend back from the canyon rim. There are however, certain benefits that accrue only to the adjacent properties and can be enjoyed only by those adjacent properties. Therefore should be considered as special benefits for those properties. As was the case in the spread of

(Item 100 - Continued)

the assessment for the main Tecolote we have assigned a weighted value to the abutting property that's the property which has a common ownership line and is on the rim canyon so to speak, we have assigned those properties a value of 5 times the amount of the nonabutting properties. Semi-abutting properties, those properties which are essentially on the canyon but do not have common ownership lines, we have assigned a value of 2 1/2 times the nonabutting properties. As I indicated, the assessments as they are spread and presented to you in the roll indicate that the nonabutting properties have an assessment of \$320. Semiabutting properties have an assessment of \$802 and the abutting properties have an assessment of \$1,604. There are 5 large parcels which have equivalent units ranging from 14 to 127 units depending upon the frontage and the area of the land proposed. This concludes our report. We are available for questions relating to the report.

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

Nick Halverson appeared to speak before the Council regarding the calculation of protests.

Mr. Cain summarized the written protests received stating that most of the protests were in the form of signatures on petitions. He also summarized the letters of protests which gave specific reasons for protest.

On motion of Councilman Martinet, the rules were suspended to permit a more lengthy presentation than is permitted under the rules of procedure, approximately 4 minutes per person.

Mr. Roger Hedgecock, representing the Save Jutland Canyon Committee, appeared to speak before the Council.

Mr. Clark Waite presented a slide presentation.

Alice Buck, Shirli Miller, Marian Bear and Mary C. Heising appeared to speak before the Council.

Mayor Wilson recessed the Meeting at 12:04 p.m., to reconvene at 2:00 p.m.

Upon reconvening at 2:10 p.m., the roll call showed Councilmen Williams, Morrow, Martinet and Bates absent.

(Item 106)

A proposed Resolution, authorizing a Third Amendment to Option Agreement between the City and Recreation Specialists, Inc., extending the term for an additional three months commencing December 28, 1974 and ending March 27, 1975, was presented.

City Manager Moore answered questions directed by the Council.

Councilman Bates entered the Chambers.

Councilman Williams entered the Chambers.

Councilman Martinet entered the Chambers.

(Item 106 - Continued)

RESOLUTION 212121, authorizing a Third Amendment to Option Agreement between the City and Recreation Specialists, Inc., extending the terms for an additional three months commencing December 28, 1974 and ending March 27, 1975, was adopted on motion of Councilman Martinet.

(Item 100 - Second Time)

Charlene Meenan and Robert Carberry appeared to speak before the Council.

Councilman Morrow entered the Chambers.

Marlene Ebert, James E. Jones, Eilliam Dirkson, T.L. Woodward and June Beyers appeared to speak before the Council.

Councilman Bates left the Chambers.

Councilman Bates entered the Chambers.

Myles Broxton, Rita Kelly, Ronald Williamson, Robert Stewart, Seth Horne and Arthur Smith appeared to speak before the Council.

The motion of Councilman Johnson to close the hearing, file the proposed Resolutions a through d and adopt a Resolution ordering abandonment of proceedings received no vote at this time.

Mayor Wilson recessed the Meeting at 3:50 p.m. Upon reconvening at 4:05 p.m., the roll call showed Councilmen O'Connor, Williams, Martinet and Bates absent.

Councilman Martinet entered the Chambers.

Councilwoman O'Connor entered the Chambers.

(Item 32)

A proposed Resolution, inviting bids for complete skinning, slicking and trimming of five hundred twenty-six (526) Phoenix and Washingtonia Specia Palms - Specifications Document No. 749263, was presented.

Councilman Bates entered the Chambers.

Councilman Williams entered the Chambers.

City Manager Moore answered questions directed by the Council.

RESOLUTION 212122, inviting bids for complete skinning, slicking and trimming of five hundred twenty-six (526) Phoenix and Washingtonia Specia Palms, in accordance with Specifications Document No. 749263, was adopted on motion of Councilman Ellis.

(Item 33)

A proposed Resolution, inviting bids for trimming of approximately twenty-eight thousand eight hundred and thirteen (28,813) Phoenix, Washingtonia Arecatrum Specie Palms and twenty thousand four hundred and forty (20,440) Broadleaf Street Trees - Specifications Document No. 749264, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 212123, inviting bids for trimming of approximately twenty-eight thousand eight hundred and thirteen (28,813) Phoenix and Washington Arecastrum Specia Palms and twenty thousand four hundred and forty (20,440) Broadlead Street Trees, in accordance with Specifications Document No. 749264, was adopted on motion of Councilman Ellis.

(Item 34)

A proposed Resolution, authorizing an Agreement with Mission Bay Lessees' Association, to operate and advertise a promotional program designed to increase the year-round use of Mission Bay Park and to gain national recognition of Mission Bay Park as an aquatic recreational area, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 212124, authorizing an Agreement with Mission Bay Lessees' Association, to operate and advertise a promotional program designed to increase the year-round use of Mission Bay Park and to gain national recognition of Mission Bay Park as an aquatic recreational area, was adopted on motion of Councilman Ellis.

(Item 100 - Third Time)

The vote was then taken on Councilman Johnson's motion to close the hearing, file the proposed Resolutions a through d, refer the topic of pursuing the canyons to the Rules Committee to be referred to the Committee on Public Facilities and Recreation, and adopt the following Resolution, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-Councilmen Williams and Bates. Absent-None.

Mr. Williamson appeared to speak before the Council.

(Item 101)

The hour of 2:00 p.m. having arrived, the Mayor announced that in the matter of proposed Jutland Canyon Park District - Park District No. 12E, this is the time and place fixed for the hearing of protests and objections on the Report of the City Manager, prepared pursuant to resolution of intention, Resolution No. 211696, of October 3, 1974. Any and all persons having any protest or objection to the proposed acquisition, the extent of the assessment district or the proposed assessment may appear before the Council and show cause why the same should not be carried out and ordered in accordance with the Report and resolution of intention. This is also the time and place fixed for the public hearing whether the public convenience and necessity require the acquisition and whether it should be ordered without application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

(Item 101 - Continued)

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

City Clerk Nielsen also reported that pursuant to Resolution No. 211698, notice was given and sealed bids for the purchase of bonds to be issued were received as follows:

N.K. McPhail, net interest cost of \$130,860.40, effective rate 9.7225%; and

Harry Zahl net interest cost of \$122,768.00, effective rate 9.1213%.

City Clerk Nielsen stated to hold bidders' guarantee of good faith of \$20,000 in the form of a cashier's check appears unreasonable, therefore the City Council would be asked to authorize the subscription of another negotiable instrument in place of the cashier's check.

Mr. Cain, Engineering and Development Department, reported that as of November 14, the original time of the hearing, we had written communications and protest representing 79% of the assessable area within the assessment district, there have been no withdrawals since that time so we still have an effective 79% protest, I might add one further comment based on information that was requested on the Jutland protest of the 79%, this represents 121 parcels out of the total district of 147 and of those 121, 34 are non-residents parcels. One is an R-4 apartment building site and these segregated out, these 35 parcels represents 17.9% of that 70% protest.

Mr. Richard Burt, Special Counsel, reviewed the background of this proceeding and explained the general purpose and proceedings to be employed.

James A. McLaughlin, Engineering and Development Department, stated that the report of the City Manager was filed in the Office of the City Clerk on October 3, 1974, in conformance with the Resolution of Intention, indicates that the proposal to acquire the land by negotiated purchase not to exceed a fair market value as established by an independent fee appraisal, and that the acquisition was to be financed through a Special Assessment District plus the cash contribution by the City amounting to \$27,000. The report included by reference the acquisition plats as well as the diagram, and the proposed Assessment Roll.

It also indicated that the estimated cost of the acquisition including incidental expenses and bond discount amounted to a total project cost of \$270,000 with the City's contribution of 10% or \$27,000, the net assessable cost of the district would be \$243,000. The acquisition proposed in this satellite canyon known as Satellite Canyon H-2 or Padre Glen Canyon amounts to approximately 10.6 acres of undeveloped land lying north of Clairemont Boulevard east of Arey Street. Two subdivisions have recently been proposed in the canyon, one is called Surbean Place Unit No. 2, which is a 13-lot single family proposal in the block just south of Gesner and east of Frankford Streets. The other is Mission Bay View Estates, which is a 37-lot single family proposal in the three blocks immediately north and east of the previous subdivision.

(Item 101 - Continued)

These subdivisions would provide their own road system within the Canyon and would grade out the paths for building sites. No time schedule has been set for the subdivision, they are being revised before being resubmitted to the Planning Department. The proposed acquisition includes the Old Paper Subdivision, the canyon area may consist of 25 foot lots laid out on grid pattern without regard to the topography. Consequently, a resubdivision of the land would be required before it could be utilized efficiently.

The original acquisition proposed in the Tecolote Complex did not include the block 114. However, since this land appeared to be identical topographically with the rest of the acquisition and if development of this property would appear to have a substantial affect on the open space project, we did include this block as the additional land to be included with the proposed for acquisition. The estimated cost of the acquisition as he indicated was \$230,000. It is estimated that based on the independent fee appraisal, there are 141 parcels of land within the boundaries shown on Exhibit A, the boundary is represented by the red dashed line, these consist of 39 abutting parcels, one semi-abutting parcel, 91 nonabutting parcels, with three large parcels which are given a varying amount of equivalent units, one City-owned property, 2 of those 25 lots are City-owned, and would be assessed and proposed to be assessed as are the other properties within the district. Utilizing the 5-1 ratio for the abutting properties, as we have in the previous open space districts since Tecolote Main Canyon, we would yield about 352 equivalent units which would given an assessment of \$689, approximately, for the nonabutting property, \$1,723 for the semi-abutting properties and \$3,446 for abutting properties. The three large properties that have been assigned the proper number of equivalent units are based on the lot pattern and the ability to utilize the pattern for legal building sites or lacking a lot pattern or length of the frontage on the open sapce acquisition. The diagram and the Assessment Roll are available on the counter for your investigation. It is our opinion that all of the lands in the proposed district will be benefited by the proposed acquisition and the proposed assessment, have been apportioned on the several parcels of subdivisions land in the district, in proportion to their estimated benefit. We will be available for additional questions should the Council desire.

Mr. Cain summarized the written protest received stating the reasons for the protests as follows: (1) the people thought this particular open space area was unnecessary because of the closeness of the community to Mission Bay, which is about 3/8 to 1/2 miles to the west across Mission Boulevard from the _____ shown in the district; (2) some people are paying on street bonds of an assessment district that was formulated about four or five years ago for the paving of Denver, Gesner, Edison and Chicago and some of these other streets on the westerly side of the assessment district, and they felt that an additional assessment for the open space would be an intolerable burden on top of the existing street bonds; (3) several people stated that the entire City should pay the cost of the acquisition if it was to be used by everyone and dedicated as a public park that it shouldn't be a small group of local residents, it should be bought and paid for by the City; (4) the assessment district seems to be somewhat lopsided in that area south of Clairemont Drive was included in the assesement district accept for one partial block,

(Item 101 - Continued)

the main reason for that being that the land south of Clairemont Drive drops sharply off and Clairemont Drive is on more or less of an embankment as it comes off of the mesa in the quad area and this creates almost a barrier wall of dirt with a street on top of it to these people on the south side of Clairemont Drive so we didn't feel that there was benefit to these people on the south side of Clairemont Drive; and (5) slopes were so steep in the proposed acquisition and the terrain so rugged that it would not lend itself to a park and recreation use.

Marian Bear appeared to speak before the Council.

On motion of Councilman Martinet, the hearing was closed, the proposed Resolutions a through d filed, the following Resolution adopted:

RESOLUTION 212126, ordering abandonment of proceedings.

(Item 102)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the paving and otherwise improving Miramar Road - on Assessment Roll No. 3845. It was reported that no written appeals has been received.

No one appeared to be heard.

The motion of Councilman Johnson to close the hearing and adopt the Resolution confirming the assessment, received no vote at this time.

James A. McLaughlin, Engineering and Development, answered questions directed by the Council.

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

RESOLUTION 212127, confirming and approving the Street Superintendent's modified and corrected Assessment No. 3845 for paving and otherwise improving Miramar Road from I-805 Freeway to Old Miramar Road, under Resolution of Intention No. 208358, adopted on July 10, 1973, authorizing said Superintendent to attach his warrant thereto and issue in the same manner and form provided by law; said warrant, diagram, and assessment to be recorded in the office of said Street Superintendent, and in the office of the County Recorder.

(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 the construction and modification of an ornamental lighting system on Market Street and Sixth Avenue - on Assessment Roll No. 3861. It was reported that no written appeals had been received.

No one appeared to be heard.

On motion of Councilman Hubbard, the hearing was closed and the following Resolution was adopted:

RESOLUTION 212128, confirming and approving the Street Superintendent's Assessment No. 3861, covering the cost of construction and modification of an ornamental lighting system on Market Street and Sixth Avenue, under Resolution of Intention No. 209054, adopted October 18, 1973, authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; said warrant, diagram, and assessment to be recorded in the office of said Street Superintendent, and in the office of the County Recorder.

(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 the matters of: (a) application of Red Cab Co. of San Diego, Inc., by O. D. Hedrick, for four Certificates of Public Convenience and Necessity to operate Taxicabs in the City of San Diego pursuant to Section 72.01 of the San Diego Municipal Code; (b) application of Red Cab Co., Inc., by Bill Sale, for four Certificates of Public Convenience and Necessity to operate Taxicabs in the City of San Diego pursuant to Section 72.01 of the San Diego Municipal Code; and (c) application of Diamond Cab Co. of San Diego County, Inc., by Mrs. Jessie Moore, for 48 Certificates of Public Convenience and Necessity to operate Taxicabs in the City of San Diego pursuant to Section 72.01 of the San Diego Municipal Code. It was reported that no written protests had been received.

City Manager Moore answered questions directed by the Council.

The motion of Councilman Bates to deny the applications received no vote at this time.

William Sale, Jack Moreno, John Draper and Bill Hilton appeared to speak before the Council.

Councilwoman O'Connor left the Chambers.

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

RESOLUTION 212129, denying the application of Red Cab Company for four Certificates of Public Convenience and Necessity;

RESOLUTION 212130, denying the application of Radio Cab Company for four Certificates of Public Convenience and Necessity; and

RESOLUTION 212131, denying the application of Diamond Cab Company for forty-eight Certificates of Public Convenience and Necessity.

(Item 107)

A proposed Resolution, approving Comprehensive Planning Organization's reports R-1-a and R-1-b dealing with Transportation Corridors and Freeway Plan, was presented.

Mr. Ken Selzer appeared to speak before the Council.

Councilman Bates left the Chambers.

Transportation and Land Use Committee Consultant Mary Clarke answered questions directed by the Council.

Councilman Bates entered the Chambers.

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

Councilman Morrow left the Chambers.

The motion of Councilman Ellis to adopt the Resolution, as amended by City Staff and the Transportation and Land Use Committee at its meeting of November 5, 1974, died for lack of a second.

Councilman Morrow entered the Chambers.

Councilman Hubbard seconded Councilman Ellis' motion to adopt the following Resolution, as amended by City Staff and the Transportation and Land Use Committee at its November 5, 1974 meeting, which passed unanimously:

RESOLUTION 212132, adopting the Comprehensive Planning Organization (CPO) Recommended Transportation Corridors, to include: (1) Regionwide Transit Agenda Report (R-1-a) and (2) Freeway Plan Agenda Report (R-1-b), respectively, subject to amendments.

Floyd Moore answered questions directed by the Council.

On motion of Councilman Hubbard, the CPO Delegate was directed to use the weighted vote if needed, which passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Martinet, Ellis and Mayor Wilson. Nays-Councilman Bates. Absent-Councilwoman O'Connor.

(Item 109)

RESOLUTION 212133, recognizing that the amount of assistance for the Comprehensive City Demonstration Program shall be deducted from the amount of grants which the City is eligible to receive for fiscal year 1975 under such Housing and Community Development Act of 1974; authorizing the amendment of the Model Cities Transition Application approved by Resolution No. 211231 for the purpose of accepting additional transitional funds in the amount of \$57,400 to be used during the transition period; directing the City Manager to prepare and submit to the Department of Housing and Urban Development the Model Cities Revised Programming Budget which will include the allocation of the additional \$57,400 and will allow for the necessary budget transfers to close out First, Second and Third Year budget variances for transition and close out activities, was adopted on motion of Councilman Bates.

(Item 1 - Supplemental)

A proposed Resolution, continued from the Meeting of November 21, 1974, inviting bids for installation of Fire Station #28 Security Fence - Specifications Document No. 749235, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 212134, inviting bids for installation of Fire Station #28 security fence, in accordance with Specifications Document No. 749235, was adopted on motion of Councilman Morrow.

(Item 2 - Supplemental)

RESOLUTION 212135, authorizing the City Auditor and Comptroller to transfer \$955,000.00 from the Federal Revenue Sharing Fund No. 2384 to the Linda Vista Redevelopment Project Fund No. 985 for the purpose of furthering and implementing the Linda Vista Redevelopment Project, was adopted on motion of Councilman Bates by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilwoman O'Connor.

By Unanimous Consent granted to Councilwoman O'Connor, a proposed Resolution, authorizing the City Manager to execute an Agreement with the County of San Diego for the administration of the Senior Citizens Job Development and Employment Program by the County, was presented.

RESOLUTION 212136, authorizing the City Manager to execute an Agreement with the County of San Diego for the administration of the Senior Citizens Job Development and Employment Program by the County, was adopted on motion of Councilman Bates.

By Unanimous Consent granted to City Manager Moore, a proposed Resolution, authorizing the use of decals, to read: "Legal Fare is 5¢ less than Meter Reads", rather than mechanical adjustments to accomplish flag drop rate changes to taximeters as required by Council Resolution No. 210013, was presented.

RESOLUTION 212137, authorizing the use of decals, to read: "Legal Fare is 5¢ Less than Meter Reads", rather than mechanical adjustments to accomplish flag drop rate changes to taximeters as required by Council Resolution No. 210013, was adopted on motion of Councilman Williams.

By Unanimous Consent granted to Councilman Williams, a proposed Resolution, designating City spaces be decorated with Christmas lights between sundown and midnight during the period of December 15, 1974 to January 1, 1975, was presented.

RESOLUTION 212138, designating City spaces be decorated with Christmas lights between sundown and midnight during the period of December 15, 1974 to January 1, 1975, was adopted on motion of Councilman Martinet by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-Councilman Bates. Absent-Councilwoman O'Connor.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Martinet, the Regular Meeting was adjourned at 6:34 p.m. in memory of Emil Karas, former San Diego Charger, on motion of Councilman Martinet.

Mayor of The City of San Diego, California

ATTEST:

Charles G. W. W. W.
City Clerk of The City of San Diego, California