

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - FRIDAY, DECEMBER 6, 1974
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Pursuant to Resolution 210363, adopted April 11, 1974, the Regular Meeting
of December 5, 1974, was changed to December 6, 1974, at 8:30 a.m., and was duly
published in the official newspaper of the City.

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

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced Reverend Leon F. Wyss, University Avenue Church
of the Nazarene, who gave the invocation.

(Item 3)

Councilman Ellis led the Pledge of Allegiance.

Councilman Bates entered the Chambers.

The Council considered requests for continuances: Item 106. -

(Item 106)

NOTICED HEARINGS: Appeal of Mr. and Mrs. Julius Blash, by Clyde E. Louk,
accountant, from the decision of the City Treasurer with respect to the payment
of Transient Occupancy Tax (Room Tax), pursuant to Sections 35.0108 and 35.0110
of the San Diego Municipal Code. The payment due is a result of a reaudit of
the books after a change of ownership of the El Portal Motel at 5252 El Cajon
Boulevard.

On motion of Councilman Ellis, the matter was continued to December 26,
1974, at the appellant's request.

The Council considered the Consent Agenda, which consisted of Items 5, 6,
7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25.

RESOLUTION NO. 210363 APR 11 1974

WHEREAS, a regular meeting of the City Council would fall on Thursday, November 28, 1974, Thanksgiving Day, a legal holiday; and

WHEREAS, Section 22.0101 of the San Diego Municipal Code, Rule 1, provides that such meeting should fall on the next business day; and

WHEREAS, the Council desires to conduct said meeting the day before Thanksgiving Day, Wednesday, November 27, 1974 pursuant to said Rule 1; and

WHEREAS, the regular meeting of the City Council of Thursday, December 5, 1974 falls at the time when the members of the Council will be attending the annual conference of the National League of Cities; and

WHEREAS, said meeting should be rescheduled for Friday, December 6, 1974 pursuant to said Rule 1; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. The regular meeting of November 28, 1974 shall be held on November 27, 1974 at 8:30 a.m.
2. The regular meeting of December 5, 1974 shall be held on December 6, 1974 at 8:30 a.m.

3. This resolution shall be published once in the official newspaper of the City during the week preceding November 27, 1974.

APPROVED: JOHN W. WITT, City Attorney

By Robert S. Teaze
Robert S. Teaze
Assistant City Attorney

RST:rb
4-10-74

The following Ordinances were introduced at the Meeting of November 21, 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 Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Morrow and Martinet.

(Item 5 - CASE NO. 29-74-4)

ORDINANCE 11454 (New Series), incorporating Lot C, Block 10, Las Alturas Unit No. 3, into M-1B Zone, as defined by Section 101.0435.2 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.

(Item 6)

ORDINANCE 11455 (New Series), establishing a Parking Meter Zone A and a Parking Time Limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the north side of Nutmeg Street, between First and Second Avenues, and authorizing the installation of parking meters and necessary signs.

(Item 7)

ORDINANCE 11456 (New Series), establishing a Parking Meter Zone A and a Parking Time Limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the east side of Second Avenue, between Ash and Beech Streets; south side of Beech Street, between Second and Third Avenues; west side of Third Avenue, between Beech and Ash Streets; and north side of Ash Street, between Third and Second Avenues, and authorizing the installation of parking meters and necessary signs.

(Item 8)

ORDINANCE 11457 (New Series), amending Chapter VI, Article 2, of the San Diego Municipal Code by adding Division 10 thereto, relating to Newsracks on Public Rights of Way--Locations.

(Item 9)

RESOLUTION 212139, authorizing the City Auditor and Comptroller to transfer \$2,500 within General Fund No. 100 (Unallocated Reserve) to the Department of Transportation, and authorizing expenditure of said funds for the purchase and installation of Newspaper Vending Modular Racks, was adopted on motion of Councilwoman O'Connor.

(Item 10)

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

RESOLUTION 212140, San Diego Janitor Supply for furnishing paper products for a period of one year ending November 30, 1975, for an actual estimated cost, including tax and terms, of \$75,997.55;

RESOLUTION 212141, Stardust Carpet Company, Inc. for installation of carpeting, portions of City Administration Building, for a total cost of \$3,357;

RESOLUTION 212142, Armor Elevator Company, Inc., for the repair of one passenger elevator at the Civic Theatre, for a total cost, including tax and terms, of \$5,503.62;

RESOLUTION 212143, Library Microfilms & Materials Company for the purchase of one microfilm reader, for an actual cost, including tax and terms, of \$1,372.70; and

RESOLUTION 212144, Contractor Supply Co. for the purchase of three hundred 1" service stops, for an actual cost, including tax and terms, of \$3,259.50.

(Item 11)

The following Resolutions, relative to construction of Water Main Replacement Group 197, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 212145, awarding a contract to Long, Marker & Howley Construction Co. for the sum of \$91,360; authorizing the expenditure of \$141,500 out of Water Revenue Fund No. 502 for said purpose and related costs; certifying that the information contained in the First Amendment to the Environmental Negative Declaration No. 73-004.1C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said First Amendment to Declaration has been reviewed and considered by the Council; and

RESOLUTION 212146, authorizing City forces to do all the work of performing operational checks, underground locating and various connections at different stages of the project; cost of said work not to exceed \$20,500.

(Item 12)

RESOLUTION 212147, awarding a contract to Fazio Construction Co. for the sum of \$20,312 for the construction of Monaco Street Storm Drain; authorizing the expenditure of \$27,500 out of Capital Outlay Fund No. 245 for said purpose and related costs, was adopted on motion of Councilwoman O'Connor.

(Item 13)

RESOLUTION 212148, inviting bids for furnishing two traffic signal controllers in accordance with Specifications Document No. 749328, was adopted on motion of Councilwoman O'Connor.

(Item 14)

RESOLUTION 212149, inviting bids for application of slurry seal coating in accordance with Specifications Document No. 749329, was adopted on motion of Councilwoman O'Connor.

(Item 15)

RESOLUTION 212150, vacating a drainage easement affecting Lot 6, G-W Industrial Park Unit 2, being unnecessary for present or prospective public use by the City, was adopted on motion of Councilwoman O'Connor.

(Item 16)

RESOLUTION 212151, authorizing the execution of a Quitclaim Deed, quitclaiming the Safeway Stores, Inc., effecting the reversion of those abutter's rights of access to Madden Avenue affecting Lot 1, Story Book Plaza, was adopted on motion of Councilwoman O'Connor.

(Item 17)

RESOLUTION 212152, authorizing the acceptance by the City Manager of deed of the County of San Diego (street purposes)- VIA LAS CUMBRES, was adopted on motion of Councilwoman O'Connor.

(Item 18)

RESOLUTION 212153, authorizing an agreement with Swan Constructors, Inc., for the collection of charges by City and reimbursement to Swan Constructors, Inc., for cost in excess of its pro rata share of the offsite sewer and water mains required for Casa de Alcalá Subdivision, was adopted on motion of Councilwoman O'Connor.

(Item 19)

RESOLUTION 212154, approving Change Order No. 1, issued in connection with the contract with Wil-Sar Construction Company, Inc., for Memorial Park and Recreation Center - Reconstruction of Shower Rooms, amounting to an increase in contract price of \$1,433, and an extension of time of 56 days to January 15, 1975, was adopted on motion of Councilwoman O'Connor.

(Item 20)

RESOLUTION 212155, authorizing a representative of the Police Department to attend the Forensic Geology and Soils Course to be held at the University of California, Berkeley Campus, on December 16 and 17, 1974, at no expense to the City, was adopted on motion of Councilwoman O'Connor.

(Item 21)

RESOLUTION 212156, designating the Ford Building in Balboa Park as an Aerospace Center and urging its development in time for the Bicentennial Celebration in 1976, was adopted on motion of Councilwoman O'Connor.

(Item 22)

RESOLUTION 212157, accepting the work done and authorizing a Notice of Completion in Scripps Ranch Unit 6; authorizing the acceptance of \$10,405.88 from the subdivider of Scripps Ranch Unit 6, to install a certain sewer in Pomerado Road which sewer is not needed at this time, was adopted on motion of Councilwoman O'Connor.

(Item 23)

RESOLUTION 212158, authorizing a lease agreement with Catherine V. W. Spencer, leasing approximately 2,200 acres in the Barrett Reservoir watershed for cattle grazing and general agriculture purposes for a 6-year period, which property has been appraised for agricultural purposes at \$33,000 by the Property Supervisor of the Property Department, at a rental of \$3,630 per year for the first three years and \$4,000 per year thereafter, was adopted on motion of Councilwoman O'Connor.

(Item 24)

The following Resolutions, authorizing First Amendment to agreements for the transportation of sewage, extending the expiration date from June 30, 1974, to June 30, 1979, with the following agencies, was adopted on motion of Councilwoman O'Connor:

RESOLUTION 212159, City of National City;
RESOLUTION 212160, City of La Mesa;
RESOLUTION 212161, Rolando Sanitation District; and
RESOLUTION 212162, Lemon Grove Sanitation District.

(Item 25)

RESOLUTION 212163, reaffirming the City's support for the 3-year Federal Aid Urban Program as approved by Council on August 29, 1974, and urging the County Board of Supervisors to approve the program without further delay, was adopted on motion of Councilwoman O'Connor.

(Item 100)

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 Camino Del Rio South (Route 163 to Mission Center) Underground Utility District. It was reported that no written protests had been received.

Property Director MacFarlane and City Manager Moore answered questions directed by the Council.

No one appeared to be heard.

Councilman Martinet entered the Chambers.

The hearing was closed on motion of Councilman Bates.

RESOLUTION 212164, establishing an Underground Utility District to be known and denominated as the Camino Del Rio South (Route 163 to Mission Center) Underground Utility District, was adopted on motion of Councilman Bates.

At the request of Councilman Ellis, a time certain was set for 3:00 p.m. for Executive Session to discuss pending litigation and personnel matters.

(Item 108)

By Unanimous Consent, the Council decided to set a time certain for Item 108 at 10:30 a.m.

(Item 102)

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 Juan Street - Heritage Park Underground Utility District. It was reported that eleven letter in opposition were received.

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

No one appeared to be heard.

Councilman Johnson left the Chambers.

On motion of Councilwoman O'Connor, the hearing was closed and the protests were overruled and by the same motion, the following Resolution was adopted:

RESOLUTION 212165, establishing an Underground Utility District to be known and denominated as the Juan Street - Heritage Park Underground Utility District.

(Item 101)

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 Camino Del Rio South (Scheidler Way to Fairmount Avenue) Underground Utility District. It was reported that one written protest had been received.

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

No one appeared to be heard.

On motion of Councilman Martinet, the hearing was closed and the protests were overruled and by the same motion, the following Resolution was adopted:

RESOLUTION 212166, establishing an Underground Utility District to be known and denominated as the Camino Del Rio South (Scheidler Way to Fairmount Avenue) Underground Utility District.

(Item 103)

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 Carleton Street (Scott Street to Shafter Street) Underground Utility District. It was reported that no written protests had been received.

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

No one appeared to be heard.

The hearing was closed and the following Resolution adopted on motion of Councilwoman O'Connor:

RESOLUTION 212167, establishing an Underground Utility District to be known and denominated as the Carleton Street (Scott Street to Shafter Street) Underground Utility District.

(Item 104)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of Melvin Shapiro from the decision of the Planning Commission in granting the application of Deems, Lewis & Partners, owner/permittee, under Floor Area Ratio Exception Permit No. 15, to construct a multi-unit structure approximately 150 feet in height on a 20,000 square foot lot, for a 4.0 FAR where a 1.9 FAR is allowed in the R-4 Zone. The following variances are also being requested for the project; front yard 12 feet 6 inches versus 15 feet; rear yard 12 feet 6 inches versus 48 feet; and interior side yard 25 feet versus 37 feet. The property is Lots G, H, I, and J, Block 387, Horton's Addition, located on the west side of Sixth Avenue between Thorn and Upas Streets, in the R-4 Zone.

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

Melvin Shapiro, Loftin Park, Margaret Van der Wettering, Laurence Cushman, Bill Lewis, Norman Claptrough, Celine Olson, and Phyllis Haynes appeared to speak regarding the matter.

The hearing was closed and the following Resolutions was adopted on motion of Councilman Bates by the following vote: Yeas-Councilmen O'Connor, Hubbard, Martinet, Ellis, Bates, and Mayor Wilson. Nays-Councilman Williams. Absent-Councilmen Johnson and Morrow.

RESOLUTION 212168, denying, by a vote of 6-1 the appeal of Melvin Shapiro, and granting to Deems, Lewis & Partners, Permittee, Floor Area Ratio Exception Permit No. 15 in the form and with the terms as set forth in the permit.

NOTE: The Environmental Impact Report was adopted later in the meeting after Unanimous Consent #2, second time.

By Unanimous Consent granted to Councilman Martinet, a communication from Clark Waite, representing the "Save Jutland Canyon Committee" presenting grounds for reopening the Jutland Canyon issue, was presented.

Alice Buck, representing Clark Waite, appeared to speak regarding said communication.

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

The item was trailed and no action was taken at this time.

Mayor Wilson recessed the Meeting at 10:33 a.m. Upon reconvening at 10:54 a.m., the Roll Call showed Councilmen Johnson, Williams, and Morrow absent.

Councilman Williams entered the Chambers.

(Item 108)

A proposed Ordinance, amending Chapter IV of the San Diego Municipal Code by adding Article 5, Division 1, Sections 45.0101, 45.0102, 45.0103, 45.0104, 45.0105, 45.0106, 45.0107, 45.0108, 45.0109, 45.0110 and 45.0111, and by amending Chapter V, Article 2 of the San Diego Municipal Code by Repealing Sections 52.40 and 52.40.1, all relating to the Prohibition of Smoking in certain areas used by or open to the public, was presented.

(Item 108 - Continued)

Councilwoman O'Connor presented a report from the Committee on Public Services and Safety regarding the matter.

The motion of Councilman Bates to introduce the Ordinance received no vote at this time.

The Council discussed the proposed Ordinance and received suggested amendments from the City Manager and City Attorney.

Dr. Ralph Broander and John Suitts, Pacific Beach Businessman's Association, appeared to speak regarding the proposed Ordinance.

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

Change the word 'and' to 'or' in the first sentence of Section 45.0103;

Define the term "Service Lines", as follows, and add to Section 45.0102: "Service Lines" shall be defined as any indoor line of two (2) or more persons awaiting service of any kind, regardless of whether or not such service involves the exchange of money. Such service shall include, but is not limited to, sales, giving of information, directions or advice, and transfers of money or goods.

Add the following wording to Section 45.0103c - "except in zones designated for smoking by the City Manager. Such smoking zones shall not exceed twenty percent (20%) of the seating capacity of each room or area."

Revising Section 45.0107 EXCEPTIONS to read as follows:

a. Smoking shall be permitted in any room in which it is otherwise prohibited herein if the owner, operator, manager or other person having control of such room files with the City Manager a written statement from a mechanical engineer registered in the State of California, certifying that such room is ventilated with a mechanical ventilation system which complies with one of the following:

1. An outdoor air change of at least twenty-five (25) cubic feet per minute, per occupant, the occupant load to be determined in accordance with Section 3301(d) of the 1973 Uniform Building Code, on file with the City Clerk, or

2. A system utilizing filters which achieve eighty percent (80%) efficiency, as described in National Bureau of Standards dust spot method, or other equipment which is equally effective. Such system shall have sufficient capacity to process the air content of the room served every fifteen (15) minutes, or less.

b. The above ventilation exceptions shall not apply to the following areas where smoking is to be absolutely prohibited: elevators, service lines, public transportation facilities open to the public, public health care facilities as regulated in Section 45.0103(b), theaters as regulated in Section 45.0103(d), and restrooms open to public use.

c. In ventilated areas as herein described, the smoking area shall be separated from the non-smoking area and shall not exceed fifty percent (50%) of the seating capacity.

(Item 108 - Continued)

Delete (at the suggestion of Councilman Ellis) provision 'c' within Section 45.0108 ENFORCEMENT AND APPEAL.

A proposed Ordinance, amending Chapter IV of the San Diego Municipal Code by adding Article 5, Division 1, Sections 45.0101, 45.0102, 45.0103, 45.0104, 45.0105, 45.0106, 45.0107, 45.0108, 45.0109, 45.0110 and 45.0111, and by amending Chapter V, Article 2 of the San Diego Municipal Code by repealing Sections 52.40 and 52.40.1, all relating to the Prohibition of Smoking in certain areas used by or open to the public, was introduced, as amended, on motion of Councilman Bates, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson and Morrow.

(Item 4)

Mayor Wilson welcomed and addressed twenty students from Westwood Elementary School, who were accompanied by Mr. Ton Bankhead.

Mayor Wilson recessed the Meeting at 12:11 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:13 p.m., the Roll Call showed Councilmen Johnson, Morrow, Bates, and Mayor Wilson absent.

By Unanimous Consent granted to Councilman Martinet, further discussion of a communication from Clark Waite, representing the "Save Jutland Canyon Committee" presenting grounds for reopening the Jutland Canyon issue, was held.

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

Mayor Wilson entered the Chambers and assumed the Chair.

On motion of Councilman Ellis, the issue was referred to the City Attorney to respond to this citizens group to point out the legal problems as to why it cannot be reconsidered for one (1) year, and refer the matter to the Jutland Canyon Park District boundaries, and future park district boundaries, and the method of establishing assessment district boundaries, to the Committee on Rules, Legislation and Intergovernmental Relations for referral to the Committee on Transportation and Land Use.

(Item 104 - Continued)

RESOLUTION 212169, certifying that the information contained in Environmental Impact Report No. 74-4-007P, as amended, 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, was adopted on motion of Councilwoman O'Connor.

(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 appeal of Ocean Beach Community Planning Group, by Dolores Frank, from the decision of the Planning Commission in granting the application of John and Colleen Crowson, owner/permittee, under Floor Area Ratio Exception Permit No. 17, to construct a 418-square foot second story addition to an existing single family residence. The addition will make a total floor area of 1,364 square feet or a FAR of .4848 on a 2,500-square foot lot where the R-2 Zone allows a .40 FAR or 1,000 square feet. The request also includes a front yard and side yard setback variance. The property is the northeast 50 feet of Lots 25 and 26, Block 38, Ocean Beach, located on the south side of Coronado Avenue between Ebers Street and Sunset Cliffs Boulevard, in the R-2 Zone. It was reported that one letter in opposition was received.

Councilman Bates entered the Chambers.

Ken Klein, Planning Department, answered questions directed by the Council. Dolores Frank and Mrs. James (Day) A. Martin appeared to speak in favor of the appeal.

Vic Wigglesworth and John Crowson appeared to speak in opposition to the appeal.

The hearing was closed on motion of Councilman Martinet.

RESOLUTION 212170, denying, by a vote of 6 to 1, the appeal of Ocean Beach Community Planning Group, by Dolores Frank, and granting to John and Colleen Crowson, Permittee, Floor Area Ratio Exception Permit No. 17, in the form and with the terms and conditions as set forth in the permit, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Martinet, Ellis, and Mayor Wilson. Nays-Councilman Bates. Absent-Councilmen Johnson and Morrow.

The following Ordinance was introduced, as amended, at the Meeting of November 21, 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.

(Item 107)

ORDINANCE 11458 (New Series), incorporating that property in the Southeast San Diego Community, located on the north and south side of Market Street, between 51st Street and Pitta Street, into R-1-5 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, was adopted on motion of Councilman Williams, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson, and Morrow.

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

(Item 109)

A proposed Resolution, continued from the Meetings of October 24, November 5 and 21, 1974, for further review of new agreement, declaring Princess Park Estates, Inc., subdivider of Princess Del Cerro Unit 6 Subdivision, to be in default under the terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider and to Houston General Insurance Company; authorizing the City Manager to complete or cause to be completed said improvements, was presented.

City Manager Moore, Ron Lochhead, Engineering and Development Department, and Chief Deputy City Attorney Conrad answered questions directed by the Council.

Councilman Johnson entered the Chambers.

On motion of Councilman Ellis, the proposed Resolution was filed and the following Resolution adopted:

RESOLUTION 212171, authorizing an agreement with Princess Park Estates, Inc., and American Building Arts for the installation and completion of certain public improvements in Princess Del Cerro Unit No. 6 subdivision, which agreement is guaranteed by Bond Nos. 41334 and 41335, issued by Houston General Insurance Company; terminating subdivision improvement agreement executed as Document No. 743147.

(Item 110)

A proposed Resolution, continued from the Meetings of October 24 and November 21, 1974, at City Manager's request, declaring Victor J. Schulman, and San Diego Trust and Savings Bank, subdividers of Silver Frontier Resubdivision No. 1, to be in default under the terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdividers and to San Diego Trust and Savings Bank as Financial Institution; authorizing the City Manager to complete or cause to be completed said improvements, was presented.

City Manager Moore, Ron Lochhead, Engineering and Development Department, and Chief Deputy City Attorney Conrad answered questions directed by the Council.

Councilman Bates requested that the City Manager furnish a cost-recovery study on extensions of time on subdivisions.

On motion of Councilman Hubbard, the proposed Resolution was filed, and the following Resolution was adopted:

RESOLUTION 212172, granting an extension of time to December 1, 1975, to Victor J. Schulman and San Diego Trust and Savings Bank, subdividers of Silver Frontier Resubdivision No. 1, within which to complete the improvements required by the agreement.

(Item 111)

A proposed Resolution, authorizing 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.

On motion of Councilwoman O'Connor, the item was filed, as it was previously adopted on November 27, 1974, under Unanimous Consent as Resolution 212136.

(Item 112)

A proposed Resolution, creating the San Diego American Revolution Bicentennial Committee which shall consist of nine (9) members who shall serve without compensation; members shall be appointed by the Mayor and confirmed by the Council; Mayor shall designate one (1) member to serve as Chairman; the Committee shall be responsible for organizing, promoting and coordinating community participation in the Nation's 200th anniversary, was presented.

Councilman Bates moved to amend the proposed Resolution, and the following Resolution was adopted, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Ellis, Bates, and Mayor Wilson. Nays-Councilman Martinet. Absent-Councilman Morrow:

RESOLUTION 212173, creating the San Diego American Revolution Bicentennial Committee which shall consist of 19 members who shall serve without compensation; members shall be appointed, one by each Councilman and the remainder by the Mayor and confirmed by the Council; Mayor shall designate one member to serve as Chairman; the Committee shall be responsible for organizing, promoting and coordinating community participation in the Nation's 200th anniversary.

(Item 113)

A proposed Resolution, authorizing a representative of the City to appear before the December 12 hearing of the Local Agency Formation Commission regarding South San Diego detachment; authorizing them to testify in opposition to such proposed detachment, was presented.

Mrs. Ruth Schnider appeared to speak regarding the matter.

The motion of Councilman Martinet to continue the item to December 12, 1974, died for lack of second.

The Council had further discussion on the matter.

On motion of Councilman Martinet, the matter was continued to December 12, 1974, for further review.

Mayor Wilson recessed the Meeting at 3:45 p.m. to go into Executive Session to discuss pending litigation and personnel matters.

Upon reconvening at 5:17 p.m., the Roll Call showed Councilmen O'Connor, Morrow and Bates absent.

By Unanimous Consent granted to Councilman Ellis, the matters of (1) a moratorium during the Christmas holiday season on the provisions of the Broadway Bus Accommodation Plan and (2) other possible modifications and strategies regarding the Broadway Bus Accommodation Plan, were presented.

Councilwoman O'Connor entered the Chambers.

Transportation Director Simpson answered questions directed by the Council. The motion of Councilman Ellis to restore the painting and stripping of the streets, less meters, as it was prior to the present painting and stripping died for lack of a second.

Mrs. Alice Zukor, Ken Willardson, Mr. Schaeffer, Lyle Black, Norman Interline, Bill Burk, Mr. and Mrs. Rattig, and Former Mayor Curran, Center City Association, appeared to speak regarding the matters.

RESOLUTION 212174, declaring a moratorium concerning the "Broadway Bus Accommodation Plan," approved by City Council on October 10, 1974, to be in effect until such time as the City Council takes further action regarding the matter; authorizing the use of City Forces to do all the necessary work in conjunction with said moratorium, was adopted on motion of Councilman Ellis, by the following vote: Yeas-Councilmen Johnson, O'Connor, Martinet, Ellis, and Mayor Wilson. Nays-Councilmen Hubbard and Williams, Absent-Councilmen Morrow and Bates.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Ellis at 6:40 p.m.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward Wilson
City Clerk of The City of San Diego, California