

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, DECEMBER 19, 1974
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 8:43 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced Reverend Jerry W. White, First Church of the Nazarene, who gave the Invocation.

(Item 3)

Councilman Martinet led the Pledge of Allegiance.

Councilman Williams entered the Chambers.

(Item 4)

The City Manager informed the Council that the bid opening date had been changed for the paving and otherwise improving Camino Ruiz, Black Mountain Road, and Mira Mesa Boulevard, therefore, there was no Purchasing Agent report this date.

The item was continued to January 9, 1975, on motion of Councilman Hubbard.

(Item 6)

Mayor Wilson welcomed seventeen students from St. Vincents School, accompanied by Sister Martina.

Mayor Wilson addressed the group.

(Item 7)

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

(Item 8)

Minutes of the Regular Council Meeting of Thursday, July 25, 1974, were presented by the City Clerk.

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

(Item 9)

A communication from Alfonso Macy, AIA, representing American Institute of Architects, requesting permission to address the Council regarding City Planning Concerns, was presented.

Mr. Macy appeared to speak regarding said communication.

On motion of Councilman Williams, the communication was referred to the Planning Department and the City Manager for a report back to the Council and Mr. Macy that would comply with requested definition of general scope and budget.

Councilmen Bates and Morrow entered the Chambers.

(Item 10)

A communication from the Purchasing Agent reporting on the sale of 46 vehicles; the \$15,291 from this sale has been credited and deposited with the City Treasurer in Fund No. 522 (Central Garage and Machines Shop Working Capital), \$3,400 received was deposited with the City Treasurer and credited to Fund No. 100 (General Fund), was presented.

On motion of Councilman Johnson, said report was noted and filed.

The Council at this time considered requests for continuances: Items 100, 102, 110, 104, 201, 202, and 203.

(Item 100)

NOTICED HEARINGS: (Continued from the Meetings of May 23, and August 15, 1974.) Matters of: a) Rezoning a portion of the Southeast Quarter of Section 23, Township 14, South, Range 4 West, located on the west side of Carmel Valley Road, between Del Mar Scenic Parkway and the City of Del Mar city limits, from Zone A-1-1 to Zone R-2, and b) Appeals of the Torrey Pines Protective Association, by Jill K. Nyce, and Thomas G. Uter, and others from the decision of the Planning Commission in granting the application of Title Insurance and Trust Company (Trustee of Trust PR46933), owner, and the Baldwin Company, permittee, under Planned Residential Development Permit No. 85, to construct and operate a planned residential development of 68 dwelling units, swimming pool and clubhouse with storage and office facilities, off-street parking, and incidental accessory uses, located on the west side of Carmel Valley Road, between Del Mar Scenic Parkway and the City of Del Mar city limits, more particularly described as a portion of Section 23, Township 14 South, Range 4 West, in the A-1-1 (proposed R-2) Zone.

On motion of Councilman Johnson, the matter was continued to January 30, 1975, at the request of the Planning Department, in order to have the Torrey Pines Community Plan heard on January 23, 1975.

(Item 102)

NOTICED HEARINGS: Appeal of Torrey Pines Protective Association, by Kent R. Wilson, from the decision of the Planning Commission in granting the application of Pardee Construction Company, owner/permittee, under Planned Residential Development Permit No. 68, to construct and operate a planned residential development of 60 condominium dwelling units and recreation area at a density of 12.18 dwelling units per acre. The property is a portion of the Southeast 1/4 of the Southeast 1/4 of Section 23, Township 14 South, Range 4 West, all of Lot 3 and a portion of Lot 2, Torrey Pines Beach Subdivision, located on the east side of Carmel Valley Road, South of Del Mar Scenic Parkway in the R-2 and R-3 Zones.

On motion of Councilman Johnson, the matter was continued to January 30, 1975, at the request of the Planning Department, in order to have the Torrey Pines Community Plan heard on January 23, 1975.

(Item 110)

A proposed Resolution, authorizing the City Council to request the County of San Diego to de-obligate \$1,050,000 in the Comprehensive Health Care Project to allow the City of San Diego to utilize those funds; authorizing the City Manager to initiate a reprogramming of Model Cities Projects in accordance with Housing and Urban Development (HUD) Regulations to utilize the funds recouped from the Comprehensive Health Care Project for operation of other ongoing Model Cities Projects, was presented.

Deputy City Manager Graham answered questions directed by the Council.

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

(Item 104)

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION: (Continued from the Meeting of November 14, 1974.) Amending Ordinance No. 11254 (New Series) adding to the Permanent Rules of the Council Rule 34 relating to a Resolution of Attendance.

On motion of Councilman Ellis, the proposed Ordinance was continued to January 2, 1975, for further review.

Councilwoman O'Connor entered the Chambers.

Councilman Ellis moved to amend the hearing dates of Items 201, 202, and 203, Referral Agenda, listed under Committee on Transportation and Land Use, to read December 31, 1974, instead of December 23, 1974.

The Council considered the portion of the Consent Agenda dealing with Ordinances to be Introduced, which consisted of Items 12 and 13.

(Item 13)

A proposed Ordinance, setting aside and dedicating certain land in the Rancho Cabrillo-Mission Village Area for a public park and naming said park "Sandrock Canyon Open Space Park," was presented.

On motion of Councilman Morrow, the proposed Ordinance was amended to delete the phrase "naming said Park "Sandrock Canyon Open Sapce Park"", by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-None.

A proposed Ordinance, setting aside and dedicating certain land in the Rancho Cabrillo-Mission Village Area for a public park, was introduced, as amended, 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 12)

A proposed Ordinance, amending Chapter X, Article 2, Division 2 of the San Diego Municipal Code by amending Section 102.0209 relating to Dedications and Reservations, 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.

The Council considered the remainder of the Consent Agenda, which consisted of Items 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, and 33.

(Item 14)

RESOLUTION 212211, approving the acceptance by the City Manager of deed of Stadium Valley Town Homes Associates, conveying Lot "A" of Rancho Cabrillo Unit 6 and portions of Lot 40 of Rancho Mission of San Diego, was adopted on motion of Councilman Ellis.

(Item 15)

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

RESOLUTION 212212, Folsom Tennis Enterprises, Inc., for tennis court re-surfacing, Base Bid, including Additive Alternate for an actual estimated cost of \$29,400;

RESOLUTION 212213, Hacienda Landscape Co., for furnishing completed grounds maintenance for a twelve (12) month period ending December 8, 1975, for a total actual cost of \$20,280, with option of renew for an additional 12 month period, price subject to escalation in option period not to exceed 8% of bid;

RESOLUTION 212214, International Harvester Company, for the rental of one heavy tractor-bulldozer for a period of one year ending January 31, 1976, for an annual estimate of \$59,112, including tax and terms, with option to renew this rental agreement for two additional one-year periods;

(Item 15 - Continued)

RESOLUTION 212215, Federal Envelope for the purchase of envelopes for a total cost of \$8,162, including tax and terms;

RESOLUTION 212216, Oliver and Williams Corporation for elevator maintenance for passenger and service elevators in the San Diego Stadium, Casa Del Prado and Planetarium Hall of Science for a period of one year ending December 14, 1975, for an estimated annual cost of \$6,389.46, with option to renew for 4 additional 1-year periods; and

RESOLUTION 212217, Howard P. Kelly, Inc., for the purchase of two each fan-type table scales and weights at an actual cost of \$1,870.26, including escalation (10%), tax and terms.

(Item 16)

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

RESOLUTION 212218, J. G. Tucker & Sons for the purchase of eight each ventilator blowers for an actual cost of \$3,005.48, including tax and terms;

RESOLUTION 212219, Turfgrass Service Co., for the purchase of three each solution metering pumps for an actual cost of \$1,109.82, including tax and terms; and

RESOLUTION 212220, Debu Business Forms, for the purchase of 100,000 sets of parking complaint forms for an actual cost of \$2,579.43, including tax and terms.

(Item 17)

RESOLUTION 212221, inviting bids for furnishing electric flasher lights, battery operated, for a period of one year ending January 31, 1976, in accordance with Specifications Document No. 749554, was adopted on motion of Councilman Ellis.

(Item 18)

The following Resolutions, accepting the work done and authorizing a notice of completion in the following subdivisions, were adopted on the motion of Councilman Ellis:

RESOLUTION 212222, Mira Mesa Verde Unit 19; and

RESOLUTION 212223, Raleigh Industrial Park Unit 1.

(Item 19)

The following Resolutions, relative to land improvements in San Diego Park District No. 5 (Standley Park Assessment District), were adopted on motion of Councilman Ellis:

RESOLUTION 212224, declaring intention to order certain improvements within said City pursuant to Municipal Improvement Act of 1913; describing the district to be benefited by said improvements and to be assessed to pay the cost and expense thereof; omitting certain public property from assessment; determining and declaring that bonds shall be issued under the Improvement Act of 1911 to represent unpaid assessments; providing for contributions by the City and by the San Diego Unified School District; providing for the use of any surplus amount remaining in the Improvement Fund after completion of the improvement; and referring the proposed improvement to the Superintendent of Streets to make and file a written report;

(Item 19 - Continued)

RESOLUTION 212225, approving a report prepared pursuant to the Municipal Improvement Act of 1913; and fixing the time and place for hearing protests and objections to the improvements, diagram and assessment described and contained in the report, and whether public convenience and necessity requires such improvements and giving notice thereof;

RESOLUTION 212226, directing the City Clerk to give notice inviting sealed bids for the purchase of improvement bonds and the construction of improvements; and

RESOLUTION 212227, certifying that the information contained in Environmental Impact Report No. 74-2-003C, as amended, 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.

(Item 21)

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

RESOLUTION 212228, Edward C. Hall (park reserve purposes);

RESOLUTION 212229, Tudor Arthur Hayes (park reserve purposes); and

RESOLUTION 212230, Ruth L. Schulman, Richard Carl Levi and Norman George Levi (park reserve purposes).

(Item 22)

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

RESOLUTION 212231, George W. and Ida Esser Cunradi (park reserve purposes);

RESOLUTION 212232, O. W. Martin and Peter F. Bullen (park and reserve purposes);

RESOLUTION 212233, John F. Euston (park reserve purposes); and

RESOLUTION 212234, Louise L. Kipp (park reserve purposes).

(Item 23)

RESOLUTION 212235, authorizing an agreement with Tucker & Kater Landscape Architects for landscape architectural services required for the design of the Southeast San Diego Sports Field; authorizing the expenditure of \$30,000 out of Capital Outlay Fund No. 245 for said services, was adopted on motion of Councilman Ellis.

(Item 24)

RESOLUTION 212236, authorizing an agreement with Delawie, Macy & Henderson, AIA, for architectural services required for the preliminary design of the Plaza de Panama and El Prado Areas of Balboa Park; authorizing the expenditure of \$10,000 out of Park and Recreation Bond Fund No. 725, for design, construction and related expenses in connection with the above-mentioned project, was adopted on motion of Councilman Ellis.

(Item 25)

RESOLUTION 212237, authorizing the use of City Forces to do all work of installing three ornamental lights on Juan Street between Harney Street and Hortensia Street; authorizing the expenditure of not to exceed \$5,000 out of Capital Outlay Fund No. 245 for above stated purposes, was adopted on motion of Councilman Ellis.

(Item 27)

RESOLUTION 212238, approving Change Order No. 2, Revision 1, issued in connection with the contract with Valley Crest Landscape for construction of landscape development of Mission Bay Interchange, said change amounting to an increase in the contract price of \$5,483.39, and an extension of time of 5 days to January 2, 1975, in which to complete said contract, was adopted on motion of Councilman Ellis.

(Item 28)

RESOLUTION 212239, amending Council Policy 600-2 entitled, "Rezoning - Dedications and Improvements," was adopted on motion of Councilman Ellis.

(Item 29)

RESOLUTION 212240, amending Council Policy No. 800-4, entitled "Construction of Drainage Facilities"; rescinding Resolution No. 194065, adopted June 27, 1968, was adopted on motion of Councilman Ellis.

(Item 30)

CERTIFICATE OF CITY CLERK

I, EDWARD NIELSEN, City Clerk of The City of San Diego, California,
DO HEREBY CERTIFY the results of the canvass of the Special Municipal Election held
on Tuesday, NOVEMBER 5, 1974, to be as follows, to wit:

- (a) The whole number of votes cast in the City was 238,675 ;
- (b) The measures voted upon, and the number of votes
given for and against each measure are as follows,
to wit:

PROPOSITION G

CITY OF SAN DIEGO CHARTER AMENDMENT. AMEND SECTION 18 OF THE
CHARTER OF THE CITY OF SAN DIEGO.

Amend Section 18 to change the time in which
publication of ordinances and resolutions of
a general nature is required from ten to fifteen
days after final passage.

For said proposition the vote was	<u>104,538</u>
Against said proposition the vote was	<u>82,883</u>
The total vote was	<u>187,421</u>

PROPOSITION H

CITY OF SAN DIEGO CHARTER AMENDMENT. AMEND SECTION 113
OF THE CHARTER OF THE CITY OF SAN DIEGO.

Amend Section 113 to provide that the Purchasing
Agent rather than the City Clerk publish the
notice calling for bids on City contracts for
official advertising and that the notice be
published for one day rather than ten.

For said proposition the vote was	<u>73,968</u>
Against said proposition the vote was	<u>113,238</u>
The total vote was	<u>187,206</u>

(Item 30 - Continued)

PROPOSITION J

CITY OF SAN DIEGO CHARTER AMENDMENT. AMEND SECTION
98 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Amend Section 98 to change the right of the Manager
to make alterations in contracts without Council
approval from an amount not to exceed \$500 to an
amount which does not exceed 10% of the original
contract price or \$10,000 in the aggregate.

For said proposition the vote was	<u>65,613</u>
Against said proposition the vote was	<u>123,682</u>
The total vote was	<u>189,295</u>

PROPOSITION K

CITY OF SAN DIEGO CHARTER AMENDMENT. AMEND SECTION
35 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Amend Section 35 to change the limit for purchases
of supplies, materials, equipment and insurance
without advertising for sealed bids from \$5,000 to
\$10,000 and to change the limit for purchases without
Council approval from \$1,000 to \$10,000 when competitive
prices are obtained.

For said proposition the vote was	<u>63,058</u>
Against said proposition the vote was	<u>126,043</u>
The total vote was	<u>189,101</u>

PROPOSITION L

CITY OF SAN DIEGO CHARTER AMENDMENT. AMEND SECTION
12 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Amend Section 12 to require Council members, including the
Mayor, to devote full time to the duties of their office
and not engage in any outside employment, trade, business
or profession which interferes or conflicts with those
duties.

For said proposition the vote was	<u>116,446</u>
Against said proposition the vote was	<u>76,295</u>
The total vote was	<u>192,741</u>

(Item 30 - Continued)

PROPOSITION M

CITY OF SAN DIEGO CHARTER AMENDMENT. AMEND SECTION
120 OF THE CHARTER OF THE CITY OF SAN DIEGO.

Amend Section 120 to limit the 5 percent credit on
Civil Service examinations for former members of the
United States Armed Forces to a 5-year period and, among
other clarifying changes, to change certain phrases and
words in the section from "Army, Navy, Marine Corps,
or any division thereof" to "the United States Armed
Forces," from "wife" to "spouse," from "widow" to
"surviving spouse," and from "United States Veterans'
Bureau" to "United States Veterans' Administration."

For said proposition the vote was

86,646

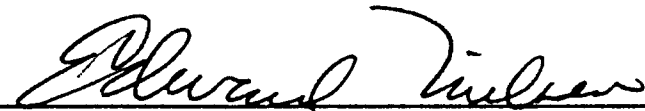
Against said proposition the vote was

104,236

The total vote was

190,882

- (c) The number of votes given in each precinct for and
against each measure are recorded in the Election
Returns Book, which book is authorized and is
considered as a part of the record of the Council.


EDWARD NIELSEN, City Clerk of The City
of San Diego, California.

(SEAL)

Dated at San Diego, California,

on December 19, 1974.

(Item 30 - Continued)

The following Resolution, declaring the results of the canvass of the special municipal election held on November 5, 1974, on six propositions to amend the City Charter, was adopted on motion of Councilman Ellis:

RESOLUTION 212241, declaring the results of the canvass of the special municipal election held on November 5, 1974, on six propositions and to amend the City Charter.

The Resolution finds and determines that Propositions G and L received the affirmative vote of a majority of the qualified voters voting on said propositions and are hereby declared to have been approved. Propositions H, J, K and M did not receive the affirmative vote of a majority of the qualified voters voting on said propositions and are hereby declared to have failed.

The City Clerk shall make public the results of the canvass of the special municipal election by publication of a copy of this resolution.

(Item 31)

The following Resolutions, relative to the following final subdivision maps, were adopted on motion of Councilman Ellis:

RESOLUTION 212242, authorizing an agreement with The Pepper Tree Company a one-lot subdivision located southerly of Camino del Rio South, between Texas Street and I-805; and

RESOLUTION 212243, approving the final map of the Pepper Tree Company Subdivision;

RESOLUTION 212244, authorizing an agreement with L & J Properties, a one-lot subdivision located on the south side of Ronson Road, east of Mercury Street, for completion of improvements; and

RESOLUTION 212245, approving the final map of Robson Industrial Center Subdivision.

(Item 32)

RESOLUTION 212246, directing the City Manager to explore the possibility of reimbursing Mr. and Mrs. Harold Welcher of 5375 Bonita Drive, San Diego, California for any future sewer connections made into the lateral paid for by the Welchers between their property and the closest available public sewer at the east end of Coban Street, was adopted on motion of Councilman Ellis.

(Item 33)

RESOLUTION 212247, authorizing the City Manager to extend the contract for group health insurance with Blue Cross of Southern California for a period of six months ending June 30, 1975, was adopted on motion of Councilman Ellis.

(Item 13 - Continued)

The portion of the proposed Ordinance involving naming of park lands was referred to the Park and Recreation Board and the Serra Mesa Community Planning group, 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 11)

A proposed Ordinance, amending Chapter IV of the San Diego Municipal Code by adding Article 5, Division I, 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 the the Prohibition of Smoking in certain areas used by or open to the public, was presented.

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

John Suitts, Pacific Beach Business Association, Don Irwin, United Business Commission, Ted Luch, Executive Director of San Diego Grocers Association, Mrs. Shefeik, Arlene Van de Wetering, Marian Bear, and Richard M. Connors appeared to speak regarding the matter.

(Item 11 - Continued)

The motion of Councilman Ellis to amend the proposed Ordinance by striking the wording "or by serving any person who violates this article by smoking in a posted No Smoking area," in Section 45.0109, received no vote at this time.

The motion of Councilman Johnson to review the proposed Ordinance within 6 months received no vote at this time.

The vote was then taken on the motion of Councilman Ellis to amend the proposed Ordinance, which failed due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen Hubbard, Martinet, Ellis, and Mayor Wilson. Nays-Councilmen Johnson, O'Connor, Williams, Morrow, and Bates. Absent-None.

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

The vote was then taken on the motion of Councilman Johnson to review the proposed Ordinance within 6 months, which passed unanimously by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-None.

The following Ordinance was introduced, as amended, at the Meeting of December 6, 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.

ORDINANCE 11459 (New Series), amending Chapter IV of the San Diego Municipal Code by adding Article 5, Division I, 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.

Mayor Wilson welcomed twenty-five students from San Diego Adult School, accompanied by Col. Martin Reilly.

Mayor Wilson addressed the group.

Mayor Wilson recessed the Meeting at 10:15 a.m. Upon reconvening at 10:34 a.m., the Roll Call showed Councilman Bates absent.

(Item 113)

A proposed Resolution, inviting bids for police towing privilege for a period of three years ending November 30, 1977 - Specifications Document No. 748729, was presented.

On motion of Councilwoman O'Connor, the matter was continued to December 26, 1974, at the request of the attorney for towing operators.

(Item 20)

A proposed Resolution, approving the acceptance by the City Manager of deed of Pardee Construction Company conveying Lot 181, Park Ridge Unit 4 (park purposes); authorizing the expenditure of \$66,325.82 from Capital Outlay Fund No. 245 and \$75,949.18 from Park District Fund No. 11372, for a total of \$142,275, for the purpose of acquiring San Carlos Park.

Deputy City Manager Graham answered questions directed by the Council.

Councilman Bates entered the Chambers.

The motion of Councilman Morrow to continue the matter to December 26, 1974, for further review, received no vote at this time.

Leonard Frank of Pardee Construction Company appeared to speak regarding the matter.

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

(Item 26)

A proposed Resolution, approving Change Order No. 1, issued in connection with the contract with F. B. Cook Corporation for the construction of the Point Loma Treatment Plant Drop Structure Reconstruction - Phase II, said change amounting to a decrease in contract price of \$7,200, was presented.

Deputy City Manager Graham answered questions directed by the Council.

Marian Bear appeared to speak regarding the matter.

RESOLUTION 212248, approving Change Order No. 1, issued in connection with the contract with F. B. Cook Corporation for the construction of the Point Loma Treatment Plant Drop Structure Reconstruction - Phase II, said change amounting to a decrease in contract price of \$7,200, was adopted on motion of Councilman Morrow.

(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 13th Street between B and C Streets - on Resolution of Intention 212035. It was reported that no written protests had been received.

Ron Lochhead, Engineering and Development Department, answered questions directed by the Council.

The hearing was closed on motion of Councilman Hubbard.

The following Resolutions, were adopted on motion of Councilman Hubbard:

RESOLUTION 212249, certifying that the information contained in Environmental Impact Report No. 73-2-013C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council; and

RESOLUTION 212250, vacating 13th Street between B and C Streets.

(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 appeals of Soledad Canyon Preservation Association, by Mary Christian Heising, Albert C. Smith, by Richard A. Gant, attorney, Adare F. and Geraldine E. McAllister, and from others, from the decision of the Planning Commission in granting the application of Marine Builders Company, Inc., owner/permittee, for an amendment to Planned Residential Development Permit No. 42 by revising the plot plan, changing the numbers and types of units, deleting the golf course and substituting two swimming pools, additional tennis court and incidental accessory uses. The property is a portion of Pueblo Lot 1254 and La Jolla Golf and Tennis Club Unit No. 1, located east of Soledad Mountain Park, between Sagebrush Court and La Jolla Scenic Drive South, in the R-1-20 and R-1-20 (LC Overlay) Zones. It was reported that 4 letters in opposition had been received.

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

On motion of Councilman Johnson, Rule 9 was suspended to permit a maximum of thirty-five minutes for each side for presentation of appeals.

Mary Christian Heising, Alice Buck, Tom Chadwick, Marian Bear, Richard A. Gant, Geraldine McAllister, Captain Frank Rostrom, Alice Molten, Richard Weisser, Courtland Paul, and Tom Henry appeared to speak regarding the matter.

The Mayor recessed the Meeting at 12:00 noon, to reconvene at 2:00 p.m.

Upon reconvening at 2:02 p.m., the Roll Call showed Councilmen Williams and Bates absent.

Chief Deputy City Attorney Conrad and J. Crosby, Engineering and Development Department, answered questions directed by the Council.

Councilmen Williams and Bates entered the Chambers.

The hearing was closed on motion of Councilman Johnson.

RESOLUTION 212251, denying, by a vote of 8 to 1, the appeals of Soledad Canyon Preservation Association, Albert C. Smith, Adare F. and Geraldine E. McAllister, and others, and granting to Marine Builders Company, Inc., Planned Residential Development Permit No. 42 Amendment No. 2, in the form and with the terms and conditions as set forth in the permit, was adopted on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-Councilman Bates. Absent-None.

(Item 106)

A proposed Ordinance, repealing Ordinance No. 9708 (New Series) concerning restrictions on use of Federal Funds for urban renewal projects and Resolution No. 190326 establishing Council Policy No. 700-20 relating to the same subject, was introduced on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Bates, and Mayor Wilson. Nays-Councilman Morrow. Absent-None.

(Item 105)

A proposed Ordinance, amending Chapter II, Article 2, Division 23, of the San Diego Municipal Code by amending Section 22.2302 relating to the Department of Legislative Analyst, was presented.

On motion of Councilman Bates, the proposed Ordinance was amended to delete the phrase 'semi-annually', from paragraph 2, page 3, and place in its stead the word 'quarterly'.

A proposed Ordinance, amending Chapter II, Article 2, Division 23 of the San Diego Municipal Code by amending Section 22.2302 relating to the Department of Legislative Analyst, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-None. Councilman Hubbard was excused from voting because of a law suit.

(Item 107)

A proposed Resolution, continued from the Meeting of December 12, 1974, due to lack of time, directing the City's Comprehensive Planning Organization (CPO) delegate to request the CPO Board of Directors' reconsideration of the Transportation Control Plan Update, was presented.

Mary Clarke, Committee on Transportation and Land Use Consultant, and Assistant Transportation Director Campillo answered questions directed by the Council.

Mr. Leder, Comprehensive Planning Organization, appeared to speak regarding the matter.

RESOLUTION 212252, directing the City's Comprehensive Planning Organization (CPO) delegate to request the CPO Board of Directors' reconsideration of the Transportation Control Plan Update, was adopted on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, and Mayor Wilson. Nays-Councilmen Morrow and Bates. Absent-None.

The Mayor recessed the Meeting at 3:49 p.m. Upon reconvening at 4:02 p.m., the Roll Call showed Councilmen O'Connor, Williams, Martinet, and Bates absent.

(Item 108)

A proposed Resolution, authorizing the City Treasurer to invest or reinvest funds of The City of San Diego or to sell or exchange securities so purchased until such future time as the delegation of the within authority is revoked, and the City Treasurer further shall make a monthly report of such transactions to this Council. This authority shall commence on January 1, 1975, the day the amended Government Code, Section 53601, becomes law, was presented. (This Resolution will enable the Treasurer to invest in bankers acceptances when advantageous to the City.)

Deputy City Manager Graham answered questions directed by the Council.

Councilwoman O'Connor entered the Chambers.

RESOLUTION 212253, authorizing the City Treasurer to invest or reinvest funds of The City of San Diego or to sell or exchange securities so purchased until such future time as the delegation of the within authority is revoked, and the City Treasurer further shall make a monthly report of such transactions to this Council. This authority shall commence on January 1, 1975, the day the amended Government Code, Section 53601, becomes law, was adopted on motion of Councilman Hubbard.

Councilman Bates entered the Chambers.

(Item 109)

RESOLUTION 212254, recognizing the North City West Property Owners Association as the North City West Community Planning Organization with its initial responsibility being the refinement of implementation proposals for the North City West Community Plan prepared by City staff; directing the City Manager to coordinate with and assist the Association in the refinement of implementation proposals; and directing the Planning Department to work with the Association on an "as available basis" on matters related to planning until such time as the plan is adopted and precise plans are subsequently included within the department's work program budget, was adopted on motion of Councilman Hubbard.

Planning Director Goff answered questions directed by the Council.

The Mayor recessed the Meeting at 4:10 p.m. to convene the Meeting of the Committee of the Whole.

Upon reconvening at 4:26 p.m., the Roll Call showed Councilman Martinet absent.

(Item 111)

A proposed Resolution, authorizing an agreement with the County of San Diego for purchase of an undivided one-half interest in an area schematically shown as Cowles Mountain Recreation Area in the Navajo Community Plan; authorizing the expenditure of \$1,105,000 out of Capital Outlay Fund No. 245, for the purchase of the above described property, and a proposed Ordinance, amending Ordinance No. 11348 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1974-75 and Appropriating The Necessary Money to Operate The City of San Diego for Said Fiscal Year" by establishing Capital Improvements Program #29-269 entitled "Cowles Mountain Park Land Acquisition" and transferring the necessary monies within the Capital Outlay Fund No. 245, were presented.

Deputy City Manager Graham answered questions directed by the Council.

RESOLUTION 212255, authorizing an agreement with the County of San Diego for purchase of an undivided one-half interest in an area schematically shown as Cowles Mountain Recreation Area in the Navajo Community Plan; authorizing the expenditure of \$1,105,000 out of Capital Outlay Fund No. 245, for the purchase of the above described property, was adopted on motion of Councilman Ellis.

A proposed Ordinance, amending Ordinance No. 11348 (New Series), as amended, entitled "An Ordinance Adopting The Annual Budget for the Fiscal Year 1974-75 and Appropriating the Necessary Money to Operate The City of San Diego for said Fiscal Year" by establishing Capital Improvements Program #29-269 entitled "Cowles Mountain Park Land Acquisition" and transferring the necessary monies within the Capital Outlay Fund No. 245, was introduced on motion of Councilman Ellis, by the following vote: Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

(Item 112)

A proposed Resolution, adopting the following proposed time schedule for development and implementation of a Sewer Revenue Program (Clean Water Grant Program):

<u>DATE</u>	<u>ACTION</u>
December 15, 1974	1. User Classes Identified 2. Industrial Users categorized by class of wastes
July 15, 1975	Draft of Sewer Use Ordinance completed. Draft of revised Revenue Program to SWRCB/EPA for approval including: 1. Proposed User Charge System 2. Proposed Industrial Cost Recovery System 3. Tax Inventory, if required
November 30, 1975	Sewer Use Ordinance and Approved Revenue Program adopted by City Council and in operation;

was presented.

(Item 112 - Continued)

Deputy City Manager Graham answered questions directed by the Council.
RESOLUTION 212256, adopting the following proposed time schedule for development and implementation of a Sewer Revenue Program (Clean Water Grant Program):

<u>DATE</u>	<u>ACTION</u>
December 15, 1974	1. User Classes Identified 2. Industrial Users categorized by class of wastes
July 15, 1975	Draft of Sewer Use Ordinance completed. Draft of revised Revenue Program to SWRCB/EPA for approval including: 1. Proposed User Charge System 2. Proposed Industrial Cost Recovery System 3. Tax Inventory, if required
November 30, 1975	Sewer Use Ordinance and Approved Revenue Program adopted by City Council and in operation;

was adopted on motion of Councilman Bates.

(Item 20 - Continued)

Deputy City Manager Graham and Assistant Property Director Hagar answered questions directed by the Council.

RESOLUTION 212257, approving the acceptance by the City Manager of deed of Pardee Construction Company conveying Lot 181, Park Ridge Unit 4 (park purposes); authorizing the expenditure of \$66,325.82 from Capital Outlay Fund No. 245 and \$75,949.18 from Park District Fund No. 11372, for a total of \$142,275, for the purpose of acquiring the above land for San Carlos Park, was adopted on motion of Councilman Ellis.

Under Unanimous Consent granted to Mayor Wilson, the following Resolution was adopted on motion of Councilman Bates:

RESOLUTION 212258, instructing the City delegates to the Human Care Services Policy Committee to vote for the option of a Joint Powers Agreement with a staff organization independent of the City or the County for the Human Care Services Program.

Councilman Bates left the Chambers.

Under Unanimous Consent granted to Mayor Wilson, the following Resolution was adopted on motion of Councilman Hubbard:

RESOLUTION 212259, authorizing the City Manager to expend from Transient Occupancy Tax Fund 223 the sum of \$3,000 to be paid to the San Diego Convention and Visitors Bureau as part payment of additional rental of the San Diego Sports Arena required for the NCAA Basketball Tournament.

Under Unanimous Consent granted to Councilwoman O'Connor, the following Resolution was adopted on motion of Councilman Morrow:

RESOLUTION 212260, excusing Councilwoman Maureen O'Connor from meetings of the City Council and Council committees during the period December 27, 1974, through January 8, 1975.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Hubbard and Mayor Wilson, the Regular Meeting was adjourned in memory of Dr. Fraser L. Macpherson, one of the founders of the San Diego Society for Crippled Children, and Captain F. H. Luckel, USN, ret., a former Republican assemblyman who represented San Diego's 78th District for 16 years, at 5:12 p.m., on motion of Councilman Williams.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Eleanor Wilson

City Clerk of The City of San Diego, California