

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, AUGUST 14, 1975
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 a.m.

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

Deputy Mayor Johnson called the Regular Meeting to order at 8:40 a.m.

(Item 250)

Roll Call was taken.

(Item 251)

Deputy Mayor Johnson introduced Reverend John W. Burgar of the First Baptist
Church of La Mesa, who gave the Invocation.

(Item 252)

Councilman Williams led the Pledge of Allegiance.

(Item 255)

A communication from Mary C. Cormier, requesting permission to address the
Council regarding the location of massage parlors in residential areas, was
presented.

Ms. Mary C. Cormier appeared to speak regarding said communication.

On motion of Councilman Ellis, the communication was referred to the City
Manager, City Attorney and the Planning Director for a report back to Ms. Mary C.
Cormier and the Council.

The Council considered requests for continuances: Items 300, 301, and 302.

(Item 300 - CASE NO. 33-74-2)

NOTICED HEARINGS: (Continued from the Meetings of November 14, and December 12,
1975.) Matter of rezoning property in the Navajo Community Area as described below
from Zone R-1-5 to Zones R-1-6, R-1-8, R-1-10, R-1-15, R-1-20, and R-1-40, or any
combination thereof: AREA 2 SUBAREA B - PARCEL B - Consists of approximately 158
acres of R-1-5 zoned land (undeveloped) generally bounded on the west and north by
Waring Road, on the north and east by College Avenue, and on the south by I-8.

Norman Seltzer and Dorothy Leonard, Navajo Community Planners, appeared to
speak regarding an indefinite continuance.

(Item 300 - Continued)

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

On motion of Councilman Ellis, the hearing was continued indefinitely to be renoticed when rescheduled, to permit completion of acquisition and formation of a park assessment district.

By common consent, the Council considered Items 301 and 302 simultaneously.

(Item 301)

NOTICED HEARINGS: (Continued from the Meeting of July 17, 1975.) Construction of Water Mains in Arroyo Sorrento Road, Tierra Del Sur, and an unnamed street on Resolution of Intention No. 213415: (a) Adoption of "8-vote" Resolution of Feasibility"; (b) Adoption of Resolution ordering work and directing Notice inviting bids; and (c) Authorizing the use of City Forces to do all necessary work of installing approximately 5,700 feet of 4-inch PVC pipe in Carmel Valley Road and El Camino Real in conjunction with the 1911 Improvement Act project for the improvement of Arroyo Sorrento Road, Tierra Del Sur, and an unnamed street.

(Item 302)

OTHER RESOLUTIONS: (Continued from the Meetings of June 19, and July 17, 1975.) Three Resolutions approving the acceptance by the City Manager of deeds relative to dedicating and naming Tierra Del Sur: (a) L. W. and Bernice L. Southerland (street purposes); (b) Leigh C. and Beatriz M. Rhett (street purposes); and (c) Giuseppe and Angelina Marandino (street purposes).

Jim McLaughlin, Engineering and Development Department, spoke on the continuance.

Larry L. Grogan, San Diego Gas and Electric Company, appeared to speak regarding the continuance.

RESOLUTION 214020, continuing the hearings on the proposed construction of water mains in Arroyo Sorrento Road, Tierra Del Sur, and an unnamed street, under Resolution of Intention No. 213415, adopted May 29, 1975, to the hour of 2:00 p.m., Thursday, September 18, 1975, was adopted on motion of Councilman Hubbard.

On motion of Councilman Hubbard, Item 302 was continued to the hour of 2:00 p.m., Thursday, September 18, 1975, for further review.

(Item 303 - T.M. 70-327)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the application of Reed Enterprises, Inc., by William L. Hamling, for special permission to waive underground utility requirements in connection with the subdivision map of Mission Square Subdivision, located at the southeast corner of Engineer Road and Ruffner Street in the M-1A Zone. It was reported that no written protests had been received.

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

(Item 303 - Continued)

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

RESOLUTION 214021, granting the application of Reed Enterprises, Inc., for special permission to waive underground utility requirements in Mission Square Subdivision.

(Item 304 - T.M. 71-340)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing of the application of Chilcote, Inc., by M. L. Chilcote, for special permission to waive underground utility requirements in connection with the subdivision map of Division Highlands Unit No. 5, located southerly of Pittsburg Avenue, northerly of Paradise Valley Road, and easterly of Ebbs Street in the R-1-5 Zone. It was reported that no written protests had been received.

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

The motion of Councilman Williams to close the hearing and grant the application subject to a Declaration of Covenant not to oppose an assessment district improvement, received no vote at this time.

City Manager McKinley answered questions directed by the Council.

The motion of Councilman Morrow to continue the hearing died for lack of a second.

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

RESOLUTION 214022, granting the application of Chilcote, Inc., for special permission to waive underground utility requirements in Division Highlands Unit No. 5.

On motion of Councilman Ellis, Council Policy 600-8, entitled "Underground Conversion of Utility Lines at Company Expense" was referred to the Committee on Public Facilities and Recreation for review and revision.

City Manager McKinley answered questions directed by the Council.

(Item 253)

Deputy Mayor Johnson welcomed fifteen students from ECC Memorial Adult Campus, accompanied by Miss Vivian Burrell.

Councilman Williams addressed the group.

Councilwoman O'Connor entered the Chambers.

(Item 350)

A proposed Resolution, authorizing an agreement with the Mt. View Tennis Club, a California non-profit corporation, for the purpose of sponsoring, managing and supervising the American Tennis Association Championship Tournament to be held in San Diego from August 18 through August 23, 1975; authorizing the Auditor and Comptroller to expend the sum of \$15,000 from the Transient Occupancy Tax Fund 223, American Tennis Association Tournament (52.30) to be used solely and exclusively for the above purpose, was presented.

The motion of Councilman Williams to adopt the proposed Resolution received no vote at this time.

Captain Bob Varner, U.S. Marines, Ret., appeared to speak in favor of the proposed Resolution.

City Manager McKinley and Financial Management Director Haden answered questions directed by the Council.

RESOLUTION 214023, authorizing an agreement with the Mt. View Tennis Club, a California non-profit corporation, for the purpose of sponsoring, managing, and supervising the American Tennis Association Championship Tournament to be held in San Diego from August 18 through August 23, 1975; authorizing the Auditor and Comptroller to expend the sum of \$15,000 from the Transient Occupancy Tax Fund 223, American Tennis Association Tournament (52.30) to be used solely and exclusively for the above purpose, was adopted on motion of Councilman Williams.

(Item 256)

A communication from Henry Lizano, Coordinator, San Diego Soccer Benefit, requesting permission to address the Council regarding a Benefit Soccer Game to be played in Balboa Stadium on Sunday, August 24, 1975, was presented.

Councilman Haro introduced Mr. Lizano, Coach and Trainer of the Southwestern Junior College Football/Soccer Team, to the Council.

Mr. Lizano appeared to speak regarding said communication, and introduced to the Council C.I.S. Football/Soccer Player of the Year Alex Fernandez, State Champion Mike Shell, Rene Mirimontez, and 4-year League Champion Bill Thornton.

Councilman Haro presented a proclamation to Mr. Lizano proclaiming the week of August 18 through 24, 1975, to be Football/Soccer Week in San Diego.

Deputy Mayor Johnson recessed the meeting at 9:43 a.m. Upon reconvening at 10:08 p.m., the Roll Call showed Councilmen Williams and Morrow absent.

(Item 164 - Unfinished Business from Wednesday, August 13, 1975)

A proposed Ordinance, continued from the Meeting of August 6, 1975, at City Attorney's request, amending Chapter X, Article 1, of the San Diego Municipal Code, by adding Section 101.0210 relating to Limitation on Time for Action Attacking Administrative Determination, was presented.

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

Councilman Williams entered the Chambers.

(Item 164 - Unfinished Business from Wednesday, August 13, 1975 - Continued)

On motion of Councilman Williams, the proposed Ordinance was referred to the Committee on Rules, Legislation and Intergovernmental Relations for review, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Haro and Mayor Wilson. Nays-Councilman Ellis. Absent-Councilman Morrow.

(Item 158 - Unfinished Business from Wednesday, August 13, 1975)

The matter of identification signs on the Central Federal Tower and the City's On-Premises Sign Ordinance, was presented.

Deputy City Attorney Valderhaug answered questions directed by the Council and presented a proposed Ordinance amending Chapter X, Article 1, Division 11 of the San Diego Municipal Code by adding Section 101.1113.1 relating to High-Rise Building Identification Wall Signs.

A proposed Ordinance, amending Chapter X, Article 1, Division 11 of the San Diego Municipal Code by adding Section 101.1113.1 relating to High-Rise Building Identification Wall Signs, was introduced, on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Haro and Mayor Wilson. Nays-None. Absent-Councilman Morrow.

(Item 162 - Unfinished Business from Wednesday, August 13, 1975)

Councilman Morrow entered the Chambers.

City Manager McKinley answered questions directed by the Council and presented the City Manager Report regarding the matter.

Mac Strobl, San Diego Taxpayer's Association, appeared to speak regarding the matter.

The motion of Councilman Ellis to amend the proposed Ordinance to show a decreased tax rate of \$1.73.3 received no vote at this time.

City Manager McKinley and Chief Deputy City Attorney Katz answered questions directed by the Council.

The vote was then taken on the motion of Councilman Ellis to amend the proposed Ordinance to show a decreased tax rate of \$1.73.3, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Haro and Mayor Wilson. Nays-Councilman Morrow. Absent-None.

A proposed Ordinance, fixing the Tax Rates and levying taxes for the Fiscal Year 1975-76, was introduced, as amended, on motion of Councilman Ellis, by the following vote: Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Haro and Mayor Wilson. Nays-Councilman Morrow. Absent-None.

(Item 163 - Unfinished Business from Wednesday, August 13, 1975)

A proposed Ordinance, continued from the Meeting of August 7, 1975, for information from the State, amending Ordinance No. 11650 (New Series) entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1975-76 and Appropriating the Necessary Money to Operate The City of San Diego for said Fiscal Year," was presented.

(Item 163 - Unfinished Business from Wednesday, August 13, 1975 - Continued)

The motion of Councilman Johnson to amend the proposed Ordinance by a reduction of \$471,156 from the Unallocated Reserve received no vote at this time.

Councilman Martinet left the Chambers.

The vote was then taken on the motion of Councilman Johnson to amend the proposed Ordinance by a reduction of \$471,156 from the Unallocated Reserve, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Haro and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

A proposed Ordinance, amending Ordinance No. 11650 (New Series) entitled "An Ordinance Adopting the Annual Budget for The Fiscal Year 1975-76 and Appropriating the Necessary Money to Operate The City of San Diego for said Fiscal Year," was introduced, as amended, on motion of Councilwoman O'Connor, by the following vote: Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Haro and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

(Item 254)

Fifteen students from Midway Adult School attended this Meeting accompanied by Ms. Dorothy Walsh, but not acknowledged by the Council.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Hubbard at 11:03 a.m., and the Mayor announced the Council would go into Executive Session immediately in the Council Conference Room, 12th Floor, City Administration Building, on pending litigation.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

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

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

Absent--None.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:12 p.m.

(Item 400)

Roll Call was taken.

There were no requests for continuances.

City Manager McKinley reported to the Council on the request from the
City of Riverside for assistance from the City's SWAT Team.

(Item 401)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time
and place set for the hearing, continued from the Meeting of August 7, 1975, for
City Attorney to give an opinion on possible conflict of interest, on the matters
of (a) proposed amendments to the San Ysidro Community Plan, which encompasses
approximately 1,600 acres and extends from the International Boundary to State
Route 75, and from the mesas east of I-805 to a westerly boundary approximately
1,400 feet west of I-5; and (b) proposed amendment to the Progress Guide and
General Plan for The City of San Diego - to amend the Map concerning that portion
covered by the San Ysidro Community Plan. It was reported that no written pro-
tests had been received.

Juan Orendain appeared to speak regarding the reopening of the hearing and
the introduction of new evidence.

Chief Deputy City Attorney Conrad and Planning Director Goff answered
questions directed by the Council.

On motion of Councilman Ellis, the matter was continued to Thursday,
August 21, 1975, 9:00 a.m., Time Certain, for information regarding the School
Superintendent's authority to speak for the School District.

(Item 450)

The matter of a review of Council Resolution No. 210316, adopted April 4,
1974, designating the area commonly referred to as "Black's Beach" as a Swimsuit
Optional Zone, was presented.

City Manager McKinley answered questions directed by the Council.

(Item 450 - Continued)

The motion of Councilman Johnson to refer the matter to the Park and Recreation Board for an indepth investigation to result in recommendation to the Council received no vote at this time.

James Milch, Chairman, Park and Recreation Board, appeared to speak regarding the matter.

The motion of Councilman Ellis to Suspend Rule #9, Procedure for Debate, died for lack of a second.

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

(Item 402. - CASE NO. 60-74-6)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning portions of the northwest quarter of the northwest quarter of the southwest quarter of the southeast quarter, Section 1, Township 14 south, Range 4 west, S.B.B.M., located on the north side of Via de la Valle, east of San Andres Drive, from Zone A-1-10 to Zone CA. It was reported that no written protests had been received.

The Council discussed the item.

On motion of Councilman Hubbard, the matter was continued to Thursday, August 28, 1975, 2:00 p.m., at the request of the applicant.

(Item 403. - CASE NO. 60-75-5)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning a portion of Lot 1, Miramar Industrial Tract Unit 8, located on the north side of Miramar Road, west of the A.T. and S.F. Railroad right-of-way, from Zone M-1A to Zone M-1B. It was reported that no written protests had been received.

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

(Item 450 - Continued)

Joseph Chirra and Victor Van Saanen appeared to speak in favor of the motion to refer the item to the Park and Recreation Board.

Charles White, Jim Huffman, President, Ocean Beach Town Council, David Slamp, J. C. Norther, and Craig Clarke, President, La Jolla Farms Association, appeared to speak in opposition to the motion to refer the item to the Park and Recreation Board.

The vote was then taken on the motion to refer the matter to the Park and Recreation Board for an indepth investigation to result in recommendation to the Council, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Haro and Mayor Wilson. Nays-Councilmen Hubbard, Martinet and Ellis. Absent-None.

Mayor Wilson recessed the Meeting at 3:53 p.m. Upon reconvening at 4:26 p.m., the Roll Call showed Councilman Martinet absent.

(Item 403 - Continued)

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

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

RESOLUTION 214024, certifying that the information contained in Environmental Impact Report No. 75-01-25P 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.

A proposed Ordinance, incorporating Parcel 1, Parcel Map No. 3953, being a portion of Lot 1, Miramar Industrial Tract Unit 8, into M-1B Zone as defined by Section 101.0435.2 of the San Diego Municipal Code, and repealing Ordinance No. 10923 (New Series), adopted September 14, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced, as amended, on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Haro and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

(Item 404 - CASE NO. 60-75-7)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning portions of Lots 6 and 7 and the east half of the southwest quarter, Section 6, Township 15 South, Range 2 West, S.B.B.M., R.O.S. 6001, located on the north side of Miramar Road between Padgett Street and Cabot Drive, from Zone A-1-10 to Zones M-1A and M-1B. It was reported that no written protests had been received.

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

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

RESOLUTION 214025, certifying that the information contained in Environmental Impact Report No. 75-01-18P 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.

A proposed Ordinance, incorporating portions of Lots 6 and 7 and the east half of the southwest quarter, Section 6, Township 15 South, Range 2 West, S.B.B.M., R.O.S. 6001, into M-1B Zone, as defined by Section 101.0435.2 of the San Diego Municipal Code and repealing Ordinance 10936 (New Series), adopted October 5, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced, on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Haro and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

(Item 405)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the application of Mrs. Cynthia Erickson, doing business as Classic Limousine Service, for a Certificate of Public Convenience and Necessity to operate one Automobile for Hire, for the purpose of offering a bilingual automobile-for-hire service within the City, utilizing a classic 1970 Cadillac Fleetwood Limousine, in accordance with Section 72.13 of the San Diego Municipal Code. It was reported that no written protests had been received.

City Manager McKinley answered questions directed by the Council.

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

(Item 405 - Continued)

RESOLUTION 214026, granting, to Mrs. Cynthia Erickson, dba Classic Limousine Service, a Certificate of Public Convenience and Necessity to operate an automobile for hire pursuant to the provisions of Section 72.11 of the San Diego Municipal Code.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 4:36 p.m. on motion of Councilman Johnson.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

LaVerne E. Miller

Asst. City Clerk of The City of San Diego, California