

REGULAR MEETINGS OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, AUGUST 21, 1975
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M. AND 2:00 P.M.

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

Absent--Councilmen Williams and Morrow.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 8:41 a.m.

(Item 250)

Roll Call was taken.

(Item 251)

Mayor Wilson introduced Reverend A. J. Marsteller of the Calvary Baptist
Church in El Cajon, who gave the Invocation.

(Item 252)

Councilman Martinet led the Pledge of Allegiance.

(Item 253)

The five visitors from Neighborhood House Youth Service Center were not
acknowledged.

Councilman Morrow entered the Chambers.

Councilman Williams entered the Chambers.

(Item 254)

A communication from Eddie L. Edwards, representing Edwards Southeast
Community Arts and Cultural Center, Inc., requesting permission to address
the Council regarding assistance in funding the Center, was presented.

Eddie L. Edwards appeared to speak regarding said communication.

On motion of Councilman Williams, the communication was referred to
the Committee on Public Facilities and Recreation and to the City Manager
for a report in two to three weeks.

(Item 300)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matters of: (a) proposed Uptown Community Plan, encompassing approximately 2,700 acres, including the neighborhoods of Hillcrest, Middletown, Park West, and Mission Hills, generally bounded by Mission Valley on the north, Park Boulevard and Balboa Park on the east, Downtown San Diego on the south, and I-5 and the Old San Diego Planned District on the west. The Plan contains seven basic elements: Residential; Commercial and Medical; Parks and Open Space; Educational and Cultural; Other Public Facilities; Transportation; and Community Environment. The Plan was developed with the overriding objective for the long range development of the Community: to accommodate growth at proper intensities and at appropriate locations, to preserve and enhance the Community's assets, and to prevent urban pressures from destroying these advantages; 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 Uptown Community Plan.

Mrs. Marsh appeared to speak in favor of the proposed Uptown Community Plan.

(Item 354)

A proposed Resolution, commending San Diego County Supervisor Jim Bates for his conscientious and dedicated service to the citizens of The City during his tenure of office as City Councilman from 1971 to 1975, was presented.

Councilman Williams presented San Diego County Supervisor Jim Bates with a plaque.

(Item 1 - Supplemental)

The hour of 9:00 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of August 7 and 14, 1975 for information regarding School Superintendent's authority to speak for the school district, 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.

(Item 354 - second time)

RESOLUTION 214059, commending San Diego County Supervisor Jim Bates for his conscientious and dedicated service to the citizens of The City during his tenure of office as City Councilman from 1971 to 1975, was adopted on motion of Councilman Williams.

(Item 1 - Supplemental - second time)

No one appeared to be heard.

The hearing was closed and the following Resolution adopted on motion of Councilman Haro.

RESOLUTION 214060, certifying that the information contained in Environmental Impact Report No. 73-4-003C, as amended, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report as amended has been reviewed and considered by the Council.

Planning Director Goff answered questions directed by the Council.

The motion of Councilman Haro to adopt Amendment 4 of the Plan, but to extend west to include the existing residential structure that is there as residential, received no vote at this time.

Assistant City Manager Graham answered questions directed by the Council.

The vote was then taken on Councilman Haro's motion to adopt Amendment 4 of the Plan, but to extend west to include the existing residential structure that is there as residential, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Haro and Mayor Wilson. Nays-Councilman Ellis. Absent-None.

On motion of Councilman Haro, Amendment 9 to the Plan was denied and only the portion that fronts on Cottonwood Road was adopted.

On motion of Councilman Haro, the following Resolution adopting the amendments to the San Ysidro Community Plan, as amended, was adopted.

RESOLUTION 214061, adopting the amended "San Ysidro Community Plan"; said plan shall become effective upon adoption of an appropriate amendment to the "Progress Guide and General Plan for the City of San Diego" incorporating said plans, an omnibus hearing on this and other amendments having been scheduled on or about December 4, 1975.

(Item 300 - second time)

Dick Silberman, Vicent Bonini and Dr. Victor Margutti appeared to speak before the Council.

Planning Director Goff answered questions directed by the Council.

Mr. Milne, Planning Department, gave a slide presentation.

Mrs. Sayre-Smith, Joyce Beers, Lee Gerlock, Mrs. Wesley Young and Hamilton Marston appeared to speak in favor of the proposed Uptown Community Plan.

Mayor Wilson announced today was Open House in the Council and Mayor Offices.

Mayor Wilson recessed the Meeting at 10:02 a.m. Upon reconvening at 10:18 a.m., the roll call showed Councilmen Williams and Morrow absent.

(Item 300 - Second Time - Continued)

On motion of Councilwoman O'Connor, the rules were suspended to allow more than 15 minutes testimony per side.

Councilmen Williams and Morrow entered the Chambers.

(Special Order of Business)

Garrett Eckbo, representing Environmental Monthly Magazine, appeared to present the following awards to The City of San Diego: Pedestrianism, Creative Land Use and Noise Pollution Abatement, which were accepted by Don Robbins of the Transportation Department, Assistant to Planning Director Paul Foxworthy and Noise Abatement and Control Administrator Jim Dukes.

(Item 300 - Second Time - Continued)

Bob Butler appeared to speak before the Council.

Albert Gabbs, James E. Smith, Tom Webber, Mrs. Eltilie Wallace, Mrs. Belle Baraceanu, Mrs. Harold West, Mr. Carl Patlaf, Mr. Robert Butler, an attorney representing Mr. and Mrs. Stewart F. Booth, Anabelle Gabbs appeared to speak before the Council in opposition to the Uptown Community Plan.

Mr. George Haverstick, Mr. Charles Barr and J. F. Holtmeyer appeared to speak before the Council.

Planning Director Goff and Mr. Milne answered questions directed by the Council.

Councilman Morrow left the Chambers.

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

RESOLUTION 214062, adopting the "Uptown Community Plan"; said plan shall become effective upon adoption of an appropriate amendment to the "Progress Guide and General Plan for the City of San Diego" incorporating said plan, an omnibus hearing on this and other amendments having been scheduled on or about December 4, 1975.

The following Resolution was adopted on motion of Councilwoman O'Connor: RESOLUTION 214063, certifying that the information contained in Environmental Impact Report No. 74-2-037C 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.

(Special Order of Business)

Councilman Martinet introduced Mr. and Mrs. Charles Langley and Mr. and Mrs. Flaggship of Sydney, Australia, who were present in the Chambers.

Mayor Wilson recessed the Meeting at 12:13 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:15 p.m., the Roll Call showed all present.

(Item 112 - Unfinished Business from the Meeting of Wednesday, August 20, 1975.)

A proposed Resolution, accepting the offer of the North City West Property Owners Association to reimburse this city in an amount not to exceed \$5,000 for the contract cost of retaining the necessary municipal financial consultant for implementing the financing provisions of the North City West Community Plan; directing the City Manager to follow Council Policy 300-7 for the selection of said municipal financial consultant and report back to the Council with a proposed contract; directing the City Manager, the Planning Director, and the City Attorney to cooperate with the North City West Community Planning Group, residents, property owners or their representatives in the precise plan area, and the municipal financial consultant retained pursuant to this resolution, in the preparation of a Draft Precise Plan, a Financial Plan Element, and a Master Environmental Impact Report covering the precise plan area, directing the Planning Director to analyze and report to the Planning Commission on the Precise Plan and the Master Environmental Impact Report for the Precise Plan, including his recommendations; directing the Planning Commission to notice a public hearing on said Precise Plan within a reasonable time period after receipt of the Planning Director's report, directing the City Manager to present for approval, in conjunction with hearings called on the Precise Plan, the Financial Plan Element; directing the City Manager, the Planning Director and the City Attorney, if they feel it necessary, to offer suggestions and recommendations on any possibly needed enabling legislation to facilitate the implementation of the North City West Plan, was presented.

William Kronberger, representing North City West Property Owners Association, appeared to speak before the Council.

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

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

William Kronberger, representing the North City West Property Owners Association, appeared to speak before the Council.

Planning Director Goff answered questions directed by the Council.

The motion of Councilman Williams to continue the item one month for Mr. Kronberger to come back with an agreed upon definition of the study, failed due to lack of five affirmative votes, by the following vote: Yeas-Councilmen O'Connor, Williams and Mayor Wilson. Nays-Councilmen Johnson, Hubbard, Morrow, Martinet, Ellis and Haro. Absent-None.

Planning Director Goff answered questions directed by the Council.

Mr. Kronberger, representing the North City West Property Owners Association, answered questions directed by the Council.

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

(Item 112 - Unfinished Business from the Meeting of Wednesday, August 20, 1975 - Continued)

RESOLUTION 214064, accepting the offer of the North City West Property Owners Association to reimburse this city in an amount not to exceed \$5,000 for the contract cost of retaining the necessary municipal financial consultant for implementing the financing provisions of the North City West Community Plan; directing the City Manager to follow Council Policy 300-7 for the selection of said municipal financial consultant and report back to the Council with a proposed contract; directing the City Manager, the Planning Director, and the City Attorney to cooperate with the North City West Community Planning Group, residents, property owners or their representatives in the precise plan area, and the municipal financial consultant retained pursuant to this resolution, in the preparation of a draft Precise Plan, a Financial Plan Element, and a Master Environmental Impact Report covering the precise plan area; directing the Planning Director to analyze and report to the Planning Commission on the Precise Plan and the Master Environmental Impact Report for the Precise Plan, including his recommendations; directing the Planning Commission to notice a public hearing on said Precise Plan within a reasonable time period after receipt of the Planning Director's report; directing the City Manager to present for approval, in conjunction with hearings called on the Precise Plan, the Financial Plan Element; directing the City Manager, the Planning Director and the City Attorney, if they feel it necessary, to offer suggestions and recommendations on any possibly needed enabling legislation to facilitate the implementation of the North City West Plan.

Mayor Wilson recessed the Meeting at 3:19 p.m. Upon reconvening at 3:37 p.m., the roll call showed Councilmen O'Connor, Hubbard and Morrow absent.

(Item 450)

A proposed Resolution, continued from the Meetings of November 27, 1974, January 16, February 25, March 13, April 3, 17 and May 8, 1975, for Joint Workshop between Park and Recreation Board and Planning Commission which was held July 22, 1975, amending Council Policy 600-11, entitled "Credit for Park and Recreation Facilities Provided by Subdivisions", was presented.

Councilman Hubbard entered the Chambers.

Scott Harvey, representing the Construction Industry Coordinating Council, appeared to speak before the Council.

On motion of Councilman Johnson, the proposed Resolution was continued to Thursday, October 2, 1975 at 2:00 p.m. Time Certain, for further review.

(Item 352)

A proposed Resolution, continued from the Meetings of March 20 and May 22, 1975, for further review, authorizing the City Manager to deny the request of Recreation Specialists, Inc., to assign its interest in Option Agreement executed March 28, 1972, as amended, to High Fliers, Ltd.; authorizing the City Manager to solicit competitive proposals for the leasehold development of a marina complex, in Quivira Basin, Mission Bay Park, in the event of termination of the existing option on March 28, 1975, and following the City Council's consideration of a proposed new Council Policy regarding leasing of City-owned properties, was presented.

The motion of Councilman Martinet to continue the proposed Resolution to August 27, 1975, for further review, received no second at this time.

Councilman Morrow entered the Chambers.

Councilwoman O'Connor entered the Chambers.

Councilman Ellis seconded Councilman Martinet's motion to continue the proposed Resolution to August 27, 1975, for further review, which passed unanimously.

(Item 302)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearings on paving and otherwise improving Gaines Street, between Colusa Street and Eureka Street, and Donahue Street, between Gaines Street and Riley Street - on Resolution of Intention No. 213794.

RESOLUTION 214065, continuing the hearings on the proposal to pave and otherwise improve Gaines Street, between Colusa Street and Eureka Street, and Donahue Street, between Gaines Street and Riley Street, under Resolution of Intention No. 213794, adopted July 16, 1975, to the hour of 8:30 a.m., Thursday, September 18, 1975, was adopted on motion of Councilman Haro.

(Item 110 - Unfinished Business from the Meeting of Wednesday, August 20, 1975)

A proposed Resolution, endorsing the concept of a Citizens Committee on Transit to study the issue of public transit in the San Diego area; directing such Committee to advise the Transportation and Land Use Committee of its objectives when they are formulated, was presented.

On motion of Councilman Haro, the proposed Resolution was continued to August 28, 1975, 8:30 a.m. for further review.

(Item 107 - Unfinished Business from the Meeting of Wednesday, August 20, 1975.)

The following proposed Resolutions, relative to Preferential, Non-exclusive Use and Occupancy Permits and Special Use Permits: (a) approving the form of Preferential, Non-exclusive Use and Occupancy Permit; authorizing the Park and Recreation Director, subject to the approval of the City Manager, to enter into and execute such permits; rescinding Resolution 119813, adopted August 17, 1954; and (b) approving the form of Special Use Permit; authorizing the Park and Recreation Director, subject to the approval of the City Manager, to enter into and execute such permits; rescinding Resolution 116321, adopted January 19, 1954, were presented.

Senior Chief Deputy City Attorney Fitzpatrick, City Manager McKinley and Assistant Park and Recreation Director Atkinson answered questions directed by the Council.

Councilwoman O'Connor left the Chambers.

The motion of Councilman Martinet to adopt the proposed Resolutions, died for lack of a second.

On motion of Councilman Morrow, the forms of agreements were amended to include a statement providing for an appeal to Council procedure.

On motion of Councilman Martinet, the following Resolutions were adopted:
RESOLUTION 214066, approving the form of Preferential, Non-exclusive Use and Occupancy Permit; authorizing the Park and Recreation Director, subject to the approval of the City Manager, to enter into and execute Preferential, Non-exclusive Use and Occupancy Permits for periods of one year; rescinding Resolution 119813, adopted August 17, 1954; and

RESOLUTION 214067, approving the form of Special Use Permit; authorizing the Park and Recreation Director, subject to the approval of the City Manager, to enter into and execute Special Use Permits for periods of one year; rescinding Resolution 116321, adopted January 19, 1954.

(Item 113 - Unfinished Business from the Meeting of Wednesday, August 20, 1975.)

A proposed Resolution, determining that should the Paramedic Program Tax Override Proposition be passed by the voters of The City of San Diego at the municipal election in November, 1975, it is the intention of the Council that such program be located in and operated by the San Diego Fire Department, was presented.

Councilwoman O'Connor entered the Chambers.

Bob Spradley appeared to speak before the Council.

City Manager McKinley and Committee Consultant Carpi, Committee on Public Services and Safety, answered questions directed by the Council.

(Item 113 - Unfinished Business from the Meeting of Wednesday, August 20, 1975 - Continued)

The motion of Councilwoman O'Connor to adopt the proposed Resolution received no vote.

The motion of Councilman Morrow to amend the proposed Resolution that in the event this service be performed in house, that the Fire Department is the designated agency, received no vote at this time.

City Manager McKinley and Assistant to City Manager Breslauer answered questions directed by the Council.

The vote was then taken on Councilman Morrow's amendment, that in the event this service be performed in house, that the Fire Department is the designated agency, which failed due to lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson, Hubbard, Morrow and Ellis. Nays-Councilmen O'Connor, Williams, Martinet, Haro and Mayor Wilson. Absent-None.

On motion of Councilman Hubbard, the Resolution was amended by directing the City Manager to work with the private industries in order to give them the opportunity to participate in Paramedic Training.

On motion of Councilwoman O'Connor, the following Resolution was adopted, as amended:

RESOLUTION 214068, determining that should the Paramedic Program Tax Override Proposition be passed by the voters of The City of San Diego at the municipal election in November, 1975, it is the intention of the Council that such program be located in and operated by the San Diego Fire Department; should the paramedic program tax proposition be passed, the City Manager is hereby directed to cooperate and work with private industries in order to provide the opportunity to them to participate in such paramedic training as may be developed.

(Item 404 - CASE NO. 28-75-3)

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 Lot 1, Pentecost Park and a portion of Lot 17, Rancho Mission of San Diego, S.C.C. 348, located north of Pentecost Way, and east of Westover Place, from Zones R-1-5, R-2, and R-4 to Zone R-3. It was reported that no written protests had been received.

Ken Klein, Planning Department, answered questions directed by the Council. Reverend David F. Gray appeared to speak before the Council.

Chief Deputy City Attorney Conrad, C. R. Lochhead, Engineering and Development Department, and City Manager McKinley answered questions directed by the Council.

On motion of Councilwoman O'Connor, the item was continued to August 28, 1975, 8:30 a.m., at the applicant's request.

(Item 401 - PRD NO. 50)

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 Meetings of June 22, September 21, October 5, December 5 and 12, 1972, and March 13, 1973, on the appeal of Park North-East Association, from the decision of the Planning Commission in granting the application of C & G Homes, owner/permittee, under Planned Residential Development Permit No. 50, to construct and operate a *54-unit planned residential development on a 9.6 acre site located north of Cedar Street between Whaley Avenue and Gregory Street. The property is portions of Pueblo Lots 1139 and 1140, Lots 1, 2, and 3, Block 8, Lots 1 through 7, Block 9, Lots 1, 2, and 3, Block 10, and Lots 1 and 2, Block 11, Ravenna Park No. 1, in the R-2 (LC Overlay) Zone. *Application later amended for 32 units. It was reported that written protests had been received.

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

Mr. Richardson appeared to speak in opposition to the appeal.

Bill Trudell, President of the Park North-East Association, appeared to speak before the Council.

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

RESOLUTION 214069, denying the appeal of Park North-East Association by a vote of 9-0 and granting to C & G Homes, permittee, Planned Residential Development Permit No. 50 with the terms and conditions as set forth in the permit.

RESOLUTION 214070, certifying that the information contained in Environmental Impact Report No. 75-04-15P 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.

(Item 451)

A proposed Resolution, authorizing the expenditure of \$3,000 from Unallocated Reserve, 100 General Fund, to cover the expense of moving the relocatable kitchen building from Pacific Beach Junior High to City land site currently leased by City Farms of San Diego, Inc., was presented.

Mrs. Kostruba, President of the Ocean Beach/Point Loma Senior Advisory Board, and Mr. Gene Gain appeared to speak in favor of the proposed Resolution.

The motion of Councilman Morrow to adopt the proposed Resolution, received no second at this time.

Mrs. Smith appeared to speak in favor of the proposed Resolution.

David Martinez appeared to speak before the Council.

On motion of Councilman Hubbard, the rules were suspended to extend the Meeting past 5:30 p.m., by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Ellis, Haro and Mayor Wilson. Nays-Councilmen Morrow and Martinet. Absent-None.

Councilman Martinet seconded Councilman Morrow's motion to adopt the following Resolution, which passed unanimously:

RESOLUTION 214071, authorizing the expenditure of \$3,000 from Unallocated Reserve, 100 General Fund, to cover the expense of moving the relocatable kitchen building from Pacific Beach Junior High to City land site currently leased by City Farms of San Diego, Inc.

(Item 350)

A proposed Ordinance, ordering, calling, providing for and giving notice of a Special Election to be held in The City on November 4, 1975, for the purpose of submitting to the qualified voters of The City of San Diego ten propositions amending The Charter of The City of San Diego by amending Sections 10, 12, 16, 35, 40, 55, 75, 94, 98, and 129, and adding Sections 77c and 77d to The Charter of The City of San Diego, and consolidating said Special Municipal Election with the General Municipal Election to be held in said City on November 4, 1975, was presented.

Councilman Martinet left the Chambers.

The following Ordinance was passed on the day of its introduction, to-wit, on August 21, 1975, said Ordinance being of the kind and character authorized for passage on introduction by Section 16 of the Charter.

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 written or printed copies of said Ordinance.

ORDINANCE 11662 (New Series), ordering, calling, providing for and giving notice of a Special Election to be held in The City on November 4, 1975, for the purpose of submitting to the qualified voters of The City of San Diego nine propositions amending the Charter of The City of San Diego by amending Sections 10, 12, 16, 35, 40, 55, 75, 94, 98, and 129, and adding Sections 77c and 77d to the Charter of The City of San Diego, and consolidating said Special Municipal Election with the General Municipal Election to be held in said City on November 4, 1975, was adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Haro and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

(Item 351)

The following Ordinance was passed on the day of its introduction, to-wit, on August 21, 1975, said Ordinance being of the kind and character authorized for passage on introduction by Section 16 of the Charter.

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 written or printed copies of said Ordinance.

ORDINANCE 11663 (New Series), ordering, calling, providing for and giving notice of a Special Municipal Bond Election to be held in The City on November 4, 1975, for the purpose of submitting to the qualified voters of The City a proposition to incur general obligation bonded indebtedness by The City for certain Municipal improvements and consolidating the Special Municipal Bond Election with the General Municipal Election to be held on the same date, was adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Haro and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

(Item 202 - Referral Agenda of Wednesday, August 20, 1975.)

A proposed Resolution, directing the Planning Commission to hold public hearings on zoning the property, currently designated Military, within the Elliott Community Planning Area, east of I-15 and south of proposed Route 52, to the R-1-5 Zone or other appropriate zone, which was to be heard at the Committee on Transportation and Land Use at 8:30 a.m., on Tuesday, August 26, 1975, was presented.

Ken Klein, Planning Department, and Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

On motion of Councilman Ellis, the proposed Resolution was removed from the Referral Agenda, placed on the Adoption Agenda and adopted:

RESOLUTION 214072, directing the Planning Commission to hold public hearings on zoning the property, currently designated Military, within the Elliott Community Planning Area, east of I-15 and south of proposed Route 52, to the R-1-5 Zone or other appropriate zone.

(Item 301)

The following proposed Resolutions, continued from the Meetings of October 25, 1973, and January 24 and 31, 1974, indefinitely until Uptown Community Plan comes on docket, directing the Planning Commission to hold public hearings on: (a) rezoning, from the existing R-4 Zone to the R-2 Zone, the west side of Sixth Avenue, from Elm Street to Upas Street; (b) temporary 50-foot height limit on Sixth Avenue, from Elm Street to Upas Street pending adoption of the City's Urban Design Plan; and (c) 50-foot Height Limit on future buildings on the east side of Fifth Avenue, from Elm Street to Upas Street, were presented.

On motion of Councilwoman O'Connor, the proposed Resolutions were filed.

(Item 353)

A proposed Resolution, accepting the proposal of the law firm of O'Melveny & Myers to act as Bond Counsel in connection with the General Obligation Bond Election to be held November 4, 1975, for certain municipal improvements in the City of San Diego, was presented.

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

RESOLUTION 214073, accepting the proposal of the law firm of O'Melveny & Myers to act as Bond Counsel in connection with the General Obligation Bond Election for the purchase of certain Community Concourse properties from the City Retirement System, to be held November 4, 1975; authorizing the expenditure of \$500 out of Unallocated Reserve (53.30) for said purpose, was adopted on motion of Councilman Morrow.

(Item 402 - CASE NO. 43-75-6)

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 a portion of Lot 50, The Highlands, located on the east side of I-805, north of Balboa Avenue, from Zone R-1-20 to Zone M-1B. It was reported that no written protests had been received.

No one appeared to be heard.

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 214074, certifying that the information contained in the Environmental Negative Declaration prepared by the State of California (CALTRANS) has been reviewed and considered by the Council.

A proposed Ordinance, incorporating a portion of Lot 50, The Highlands, into M-1B Zone, as defined by Section 101.0435.2 of the San Diego Municipal Code and repealing Ordinance No. 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 403 - CASE NO. 43-75-5)

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 portions of Lots 21, 22, and 27, The Highlands, located on the north side of Vickers Street, west of Kearny Mesa Road from Zone R-1-20 to Zone M-1A. It was reported that no written protests had been received.

No one appeared to be heard.

On motion of Councilman Hubbard, the hearing was continued to August 28, 1975 at 2:00 p.m. due to lack of time.

(Item 111)

RESOLUTION 214075, authorizing an Agreement with Frank L. Hope & Associates, for professional services in connection with the police facility study; authorizing the expenditure of \$43,000 out of General Fund Unallocated Reserve Fund No. 100, for said purpose, was adopted on motion of Councilwoman O'Connor.

(Item 150)

RESOLUTION 214076, authorizing a Second Amendment to Agreement with the San Diego Regional Employment and Training Consortium for the purpose of amending the agreement for the San Diego Regional Youth Employment Program for the summer of 1975 by deobligating \$214,293 of the previously allocated \$800,000 funds and extending the balance to December 31, 1975; authorizing a First Amendment to Agreement with the San Diego Regional Employment and Training Consortium for the purpose of amending the agreement for the 1975 Summer Program for Economically Disadvantaged Youth (SPEDY) Program by accepting an additional \$69,388.01 for the program, was adopted on motion of Councilwoman O'Connor.

(Item 151)

RESOLUTION 214077, authorizing the Sale by Negotiation, for the sum of \$1,000, to Betty Ann Duffy, of a portion of City-owned property in Lot 23, Part of Rancho Mission; authorizing the execution of a Grant Deed, conveying said property; waiving the provisions of Council Policy 700-30, was adopted on motion of Councilman Johnson.

(Item 152)

RESOLUTION 214078, authorizing an Assignment and Assumption of Agreement with the Cuyamaca Mutual Water Company, transferring certain water reclamation rights from Cuyamaca Mutual Water Company to Lake Cuyamaca Recreation and Park District, was adopted on motion of Councilman Haro.

By Common Consent, the Council heard a report from the City Manager regarding a Police Department Investigation on police counseling.

Deputy City Manager Blair gave the report and answered questions directed by the Council.

City Manager McKinley answered questions directed by the Council.

Mr. Pat Thistle, attorney for Police Officer William Capps, appeared to speak before the Council.

Police Inspector Davis, City Manager McKinley and Police Chief Hoobler answered questions directed by the Council.

Councilman Haro left the Chambers.

City Attorney Witt answered questions directed by the Council.

The motion of Councilman Williams to recess into Executive Session for the purpose of making inquiry of the City Manager on a personnel matter, died for lack of a second.

City Attorney Witt answered questions directed by the Council.

Councilman Haro entered the Chambers.

Mr. Thistle, attorney for Police Officer William Capps, appeared to speak before the Council.

On motion of Councilwoman O'Connor, the item was continued two weeks to September 4, 1975, for a report from the City Manager.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Johnson, the Regular Meeting was adjourned at 6:42 p.m., on motion of Councilman Haro, in memory of Virginia Harutunian, Pearle E. Telford and Bolivar Roberts, who passed away recently.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

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