

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, SEPTEMBER 4, 1975
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M.

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

Mayor Wilson called the Regular Meeting to order at 8:36 a.m.

(Item 250)
Roll Call was taken.

(Item 251)
Mayor Wilson introduced Reverend John Bruce, First Baptist
Church, Ocean Beach, who gave the Invocation.

(Item 252)
Councilman Morrow led the Pledge of Allegiance.

(Item 253)
A communication from Roger Snipes, representing Construction
Industry Coordinating Council, requesting permission to address the
Council regarding co-sponsorship of "Obtainable Housing Symposium"
at Vacation Village on Friday, October 17.
Roger Snipes appeared to speak regarding said communication.

Councilman Haro entered the Chambers.

On motion of Councilman Ellis, said communication was referred
to the City Manager for recommendation on co-sponsorship.

Councilman Hubbard entered the Chambers.

There were no requests for continuances.

(Item 300 - CASE NO: 7520)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of Thrifty Oil Co., by Neal Irving, from the decision of the Old San Diego Planned District Review Board in denying its application, under Case No. 7520, to remove two signs which are hanging under the canopy and put one double-faced sign at the corner, at 3860 Old Town Avenue, in the Old San Diego Planned District.

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

Neal Irving appeared to speak.

Deputy City Attorney Bromfield answered questions directed by the Council.

Discussion followed.

The motion of Councilman Haro to refer the matter back to the Old San Diego Planned District Review Board to consider all the signing of other service stations within the district, was not voted on at this time.

Discussion followed.

The matter was referred back to the Old San Diego Planned District Review Board to consider all the signing of other service stations within the district, on motion of Councilman Haro, which passed unanimously.

(Item 301 - CASE NO. 7525)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of Sambo's Restaurants, Inc., by George E. Belcher, from the decision of the Old San Diego Planned District Review Board in denying its application, under Case No. 7525, for permission to maintain an existing identification sign facing I-5, at 4620 Pacific Highway, in the Old San Diego Planned District.

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

No one appeared to be heard.

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

RESOLUTION 214165, granting the appeal of Sambo's Restaurants, Inc., by George E. Belcher, from the decision of the Old San Diego Planned District Review Board in denying its application under Case No. 7525 for permission to maintain an identification sign facing I-5 at 4620 Pacific Highway in the City of San Diego, and reversing the decision of the Old San Diego Planned District Review Board.

(Item 302)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of establishing just and reasonable rates for the hire of taxicabs pursuant to Section 72.02 of the San Diego Municipal Code.

City Manager McKinley, Transportation Director Simpson, and Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

The motion of Councilman Morrow to refer the matter to the Transportation and Land Use Committee to hear on September 9, 1975, 2:00 p.m., and to continue the hearing to September 11, 1975 at 9:00 a.m., Time Certain for a report from the Committee, received on vote at this time.

Senior Chief Deputy City Attorney Fitzpatrick, Transportation Director Simpson, and City Manager McKinley answered further questions directed by the Council.

Bill Hilton, Robert Renning, Jack Morena, George G. St. George, Armendo Valdez, Lee Moore, and Bob Ballard appeared to speak in opposition to the continuance.


The matter of establishing just and reasonable rates for the hire of taxicabs pursuant to Section 72.02 of the San Diego Municipal Code was referred to the Transportation and Land Use Committee for hearing on September 9, 1975, at 2:00 p.m., and continued to the Council Meeting of September 11, 1975, 9:00 a.m., Time Certain for a Committee report, on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Ellis, and Mayor Wilson. Nays-Councilmen Hubbard and Haro. Absent-Councilman Martinet.

There being no further business to come before the Council, at this time, the Regular Meeting was adjourned at 10:09 a.m. on motion of Councilman Morrow.



Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, SEPTEMBER 4, 1975
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

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

Absent--Councilmen Morrow and Martinet.
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:08 p.m.

(Item 400)

Roll Call was taken.

There were no requests for continuances.

(Item 451 - Supplemental Docket)

A proposed Resolution, continued from the Meeting of August 27, 1975, to allow opposition to speak, endorsing the concept of a second civic theatre; directing the City Manager to prepare a specific proposal for the acquisition of such a facility at a cost not to exceed \$350,000 out of the Transient Occupancy Tax Fund 223; determining that all rents realized from the use of a second theatre be placed in the Transient Occupancy Tax Fund 223; and determining that no monies be designated for a revolving fund, was presented.

Bill McLaughlin appeared to speak in opposition.

Councilman Morrow entered the Chambers.

The motion of Councilman Johnson to direct the City Manager to give a report on booking dates for the Civic Theatre received no vote at this time.

Discussion followed.

Bill McLaughlin and Mac Strobl appeared to speak in support of the motion of Councilman Johnson.

On motion of Councilman Johnson, the matter was continued to September 18, 1975, 8:30 a.m. for a report from the City Manager.

(Item 404 - CUP 391-PC/EOT - Supplemental docket)

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 28, 1975, at appellants' request, on the matter of appeals of Citizens to Save Open Space, by M. Eloise Battle, chairman, and Marian R. Bear, from the decision of the Planning Commission in granting the application of The Anderson Foundation, owner/permittee, for an Extension of Time to Conditional Use Permit No. 391-PC, to construct and operate a 199-unit, non-profit, housing development for the elderly and handicapped. The property is located at the northeast corner of Cowley Way and Mt. Acadia Boulevard, more particularly described as Lot 6, Forest Park Plaza, in the R-3 (LC OVERLAY) Zone.

Ken Klein, Planning Department, answered questions directed by the Council. By common consent, the matter was trailed.

(Item 405 - CASE NO. 43-75-5 - Supplemental docket)

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 August 21 and 28, 1975, due to lack of time, 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.

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

Michael Thorsnes appeared to speak in favor of the proposed rezoning.

The motion of Councilman Morrow to accept the recommendation of the Planning Commission received no vote.

Michael Thorsnes appeared to speak.

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

Councilman Hubbard withdrew his second to Councilman Morrow's motion.

The motion of Councilman Morrow to close the hearing, adopt the EIR, and introduce an amended Ordinance for CA, M-1A and M-1B Zoning, received no vote at this time.

Discussion followed.

The hearing was closed on motion of Councilman Morrow.

RESOLUTION 214166, certifying that the information contained in Environmental Impact Report No. 75-03-06P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council, was adopted on motion of Councilman Morrow by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Ellis, Haro, and Mayor Wilson. Nays-Councilman Johnson. Absent-Councilman Martinet.

A proposed Ordinance, incorporating portions of Lots 21, 22, and 27, The Highlands, into CA, M-1A and M-1B Zones, as defined by Sections 101.0428.1, 101.0436 and 101.0435.2, respectively, of the San Diego Municipal Code and repealing Ordinance No. 5890 (New Series), adopted December 15, 1953, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced, as amended, on motion of Councilman Morrow by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Ellis, Haro, and Mayor Wilson. Nays-Councilman Johnson. Absent-Councilman Martinet.

(Item 404 - CUP 391-PC/EOT - Second time - Supplemental docket)

Roger Hedgecock and Marian Bear appeared to speak in favor of the matter.

John Lightner, Reverend Hahn, Ruby Zellman, Mrs. Von Essen, and Martin Osterhaus appeared to speak in opposition to the matter.

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

The motion of Councilman Ellis to close the hearing, adopt a Resolution denying the appeals and grant the CUP Extension of Time received no vote at this time.

Discussion followed.

The hearing was closed on motion of Councilman Ellis.

RESOLUTION 214167, denying the appeal, by a vote of 8-0, of the Citizens to Save Open Space, by Eloise Battle, chairman, and Marian R. Bear; granting an extension of time to The Anderson Foundation, to July 24, 1976, to complete the work, was adopted on motion of Councilman Ellis.

Mayor Wilson recessed the Meeting at 4:12 p.m. Upon reconvening at 4:29 p.m., the Roll Call showed Councilmen Martinet and Haro absent.

The Council considered Items 401 and 402 simultaneously.

(Item 401 and Item 402 - CASE NO. 36-75-1 - City-initiated)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearings on a proposed amendment to Chapter 10, Article 1, Division 4, of the San Diego Municipal Code by amending Section 101.0434 -- SR Zone. The change would permit headquarters and administrative offices of organizations engaged in research and development; and

The matter of rezoning portions of Pueblo Lots 1330 and 1334, located east of North Torrey Pines Road and north of Callan Road, from Zone R-1-5 to ~~Zone~~ SR.

Councilman Haro entered the Chambers.

Star Cinston appeared to speak.

(Item 401 and Item 402 - CASE NO. 36-75-1 - City-initiated - Continued)

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

The motion of Councilman Johnson to close the hearing, and introduce the proposed Ordinance with the understanding that measures discussed will be included in the master plan, was not voted on at this time.

Discussion followed.

The hearing was closed on motion of Councilman Johnson.

RESOLUTION 214168, certifying that the information contained in Environmental Impact Report No. 75-06-06C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council, was adopted on motion of Councilman Johnson.

A proposed Ordinance amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending Section 101.0434, SR Zone, was introduced on motion of Councilman Johnson by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

Star Cinston appeared to speak on the rezoning of portions of Pueblo Lots 1330 and 1334.

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

The hearing was closed on motion of Councilman Johnson.

A proposed Ordinance, incorporating portions of Pueblo Lots 1330 and 1334, into SR Zone, as defined by Section 101.0434 of the San Diego Municipal Code and repealing Ordinance No. 13455, approved February 15, 1932, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Johnson by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

(Item 403 - Application No. 6789)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of Arevalo & Safino of San Diego, Inc., by Samuel F. Safino, president, from the decision of the City Engineer in denying its application on behalf of Imperial Contracting Company for an Encroachment Permit to permit access to Lot 162, Reynard Hills No. 2, from a 10-foot dedicated easement in the closed portion of Horton Avenue between Redwood Street and Quince Street. The property is in the R-1-5 Zone and lies within Land Conservation boundaries.

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

Sam Safino appeared to speak.

The motion of Councilman Haro to close the hearing and adopt a resolution granting the appeal, conditioned upon getting additional 5' for the driveway, received no vote.

Ron Lockhead, Engineering and Development department, answered questions directed by the Council.

(Item 403 - Application No. 6789 - Continued)

Barry Babcock and Sam Safino appeared to speak.

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

Barry Babcock appeared to speak.

On motion of Councilman Haro, the matter was continued to September 11, 1975, 2:30 p.m. for further review.

(Item 450)

The matter, continued from the Meetings of August 6, 8 and 21, 1975 for City Manager Report, directing the City Manager to give a full report to Council regarding confiscation of files - Police Counseling Service, was presented.

City Manager McKinley answered questions directed by the Council.

The motion of Councilwoman O'Connor to suspend the rules to permit the Council to continue the meeting beyond 5:30 p.m. passed unanimously.

City Manager McKinley presented information relative to a report distributed to Council members and answered questions directed by the Council.

Discussion followed.

City Manager McKinley answered questions directed by the Council.

Councilman Morrow moved to accept the report and refer the matter back to the City Manager to come back with an additional report on what disposition he was going to make regarding confiscation of files, etc and continue to September 10, 1975.

Discussion followed.

Upon request of Councilman Williams, it was agreed the report would include also what the City Manager proposed to restore confidence in his own office, the public and the Police Department.

The motion of Councilman Morrow, with agreed additions, passed unanimously.

(Item 452 - Supplemental docket)

A proposed Resolution, continued from the Meetings of August 20 and 28, 1975, for further review, 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.

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

Lee Grissom appeared to speak.

(Item 452 - Continued)

Mike Madigan, Mayor's Office, answered questions directed by the Council.
RESOLUTION 214169, 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 adopted on motion of Councilman Williams.

(Item 450 - second time)

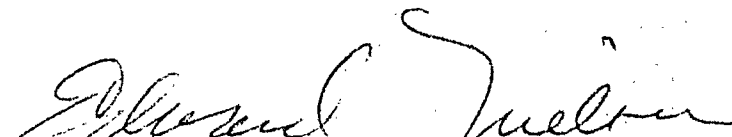
City Manager McKinley briefly commented further on his reply to a question from Councilwoman O'Connor relative to Police Chief Hoobler's reply to the accuracy of the reports.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Johnson and Mayor Wilson, the Regular Meeting was adjourned in memory of James Baldwin and Victor Lundy at 5:54 p.m. on motion of Councilman Johnson.



Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California