

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, JANUARY 15, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 8:34 a.m.

(Item 250)
Roll Call was taken.

(Item 251)
Mayor Wilson introduced The Reverend Loren Reynolds, Pastor, Clairemont Church of the Nazarene, who gave the Invocation.

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

(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 appeal of Scripps Ranch Civic Association, by Robert Feuge from the decision of the Planning Commission in granting the application of the United States Naval Facilities Engineering Command and the City of San Diego, owners, and the County of San Diego, permittee, under Conditional Use Permit No. 439-PC, to construct and operate a sanitary land fill on the south side of Pomerado Road, 3.8 miles east of I-15. The property is portions of Sections 35 and 36, Township 14 South, Range 2 West, and portions of Sections 1 and 2, Township 15 South, Range 2 West, S.B.B.M., in the R-1-40 and A-1-10 Zones.

Councilwoman O'Connor entered the Chambers.

Councilman Johnson presented a summation of previous testimony taken on the matter.

The motion of Councilman Johnson to suspend the rules to allow an additional 15 minutes per side for testimony, passed unanimously.

(Item 300 - Continued)

Gary Stevenson appeared to speak against the proposed Resolution.
Joseph Remray, San Diego County Department of Sanitation and Flood Control, presented his report.

Councilman Morrow entered the Chambers.

The Council discussed the matter.
Pat Anderson appeared to speak against the proposed Resolution.
Joseph Remray answered questions directed by the Council regarding the joint usage and costs of the proposed sanitary land fill.
The Council discussed the matter at length.

Mayor Wilson left the Chambers. Deputy Mayor O'Connor assumed the Chair.

The Council continued discussion of the matter.
The motion of Councilman Johnson to continue the item to January 29, 1976, 9:00 a.m. Time Certain, and direct the City Manager to prepare a report regarding operational costs and cost of developing a road through Navy property into the sanitary fill site, passed unanimously.

(Item 301)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, on vacating Tierrasanta Boulevard (formerly Balboa Avenue) in Lot 23, Rosedale Tract, and Clairemont Mesa Boulevard (formerly Mound Avenue) in Lots 3 and 5, Block 19, Resubdivision of Lots 14, 16, 18, 19, and 20, Rosedale Tract - under Resolution of Intention No. 214772.

J. R. Crosby, Engineering and Development, presented his report and answered questions directed by the Council.

The motion of Councilman Ellis to close the hearing and adopt the Resolutions, received no vote at this time.

Chief Deputy City Attorney answered questions directed by the Council.

The Council discussed the matter.

The motion of Councilman Ellis to close the hearing and adopt the Resolutions, received no vote at this time.

The Council discussed the matter further.

The motion of Councilman Ellis to close the hearing and adopt the following Resolutions, passed by the following vote: Yeas-Councilmen Johnson, Connor, Hubbard, Gade, Ellis, and Haro. Nays-Councilman Morrow. Absent-Councilman Williams and Mayor Wilson.

RESOLUTION 215077, certifying that the information contained in the Environmental Negative Declaration prepared by the San Diego Unified School District, a copy of which is on file with the City Clerk, has been reviewed and considered by the Council; and

RESOLUTION 215078, vacating Tierrasanta Boulevard (formerly Balboa Avenue) in Lot 23, Rosedale Tract, and Clairemont Mesa Boulevard (formerly Mound Avenue) in Lots 3 and 5, Block 19, Resubdivision of Lots 14, 16, 18, 19, and 20, Rosedale Tract - under Resolution of Intention No. 214772.

(Item 253)

Deputy Mayor O'Connor welcomed thirty-five students from Washington Elementary School, accompanied by Ms. Ruth Rice.

Councilman Haro addressed the group.

(Item 254)

Deputy Mayor O'Connor welcomed fifty students from Marston Junior High School, accompanied by Mr. Merrill Ream.

Councilman Gade addressed the group.

((Item 302)

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 Emergency Animal Clinic of San Diego, Inc., by Donald D. Hudson, for special permission to waive underground utility requirements in connection with the subdivision map of E.A.C. of San Diego Subdivision, located on Hotel Circle South in the R-1-40 and R-1-40 (LC) (proposed CO and R-1-40 LC) Zone,

J. F. McLaughlin, Engineering and Development, presented his report.

Councilman Morrow left the Chambers.

On motion of Councilman Johnson, the hearing was closed and the following Resolution was adopted:

RESOLUTION 215079, granting the application of Emergency Animal Clinic of San Diego, Inc., by Donald D. Hudson, for special permission to waive underground utility requirements in connection with the subdivision map of E.A.C. of San Diego Subdivision, located on Hotel Circle South in the R-1-40 (LC) (proposed CO and R-1-40 LC) Zone.

Councilman Morrow entered the Chambers.

Deputy Mayor O'Connor recessed the Meeting at 9:34 a.m. Upon reconvening at 9:53 a.m., the Roll Call showed Councilman Williams absent.

(Special Order of Business)

Mayor Wilson welcomed a group of 20 students from Kearney High School, accompanied by Mrs. Collins.

Councilman Morrow addressed the group.

At this time, Mayor Wilson welcomed Mrs. Van Dyson and other visitors from the League of Women Voters.

Mrs. Van Dyson addressed the Council.

(Item 350)

A proposed Resolution, rescinding Resolution No. 208661, adopted August 21, 1973, which directed the City Manager to prepare necessary plans, cost estimates,

(Item 350 - Continued)

district description and plats for the acquisition, improvement and maintenance for the Mt. Acadia Open Space Park, was presented.

Councilman Ellis presented the report of the Committee on Transportation and Land Use.

The Council discussed the matter.

Assistant City Manager Graham presented his report.

J. F. McLaughlin, Engineering and Development, presented his report.

Mrs. Nancy Anderson appeared to speak in favor of the proposed

Resolution.

Mrs. Battle appeared to speak against the proposed Resolution.

Mrs. Nancy Anderson appeared to speak on the matter.

Mr. Hirsch appeared to speak on the matter regarding the 10 acres of land adjacent to the land in question in the proposed Resolution.

Mr. Bob Ruby appeared to speak on the matter in favor of the proposed Resolution and answered questions directed by the Council.

Mrs. Eloise Battle, Chairwoman of Citizens for Open Spaces, appeared to speak in opposition to the proposed Resolution.

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

Mrs. Battle answered questions directed by the Council.

The Council discussed the matter.

Councilwoman O'Connor left the Chambers.

Mr. Leonard McClintock appeared to speak in opposition to the proposed Resolution.

Mr. Hirsch and Mrs. Anderson addressed the Council.

The Council discussed the matter.

Councilwoman O'Connor entered the Chambers.

Mrs. Battle and Ms. Susie Chalmers appeared to speak and answered questions directed by the Council.

The Council discussed the matter.

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

The motion of Councilman Morrow to rescind the proposed Resolution on the docket; approve in concept the subdivision of assessors parcels 1426-70-14, 426-70-20, and 426-70-21; directing staff, the Environmental Quality Division, Advisory Committee, The Sub-division Review Board, and the Planning Commission to take the necessary steps to facilitate and expedite approval of a tentative subdivision submitted in substantial compliance with the sketch map, and necessary Land Conservation and other permits as may be required in conjunction with the tentative map, and waiving all park fees required by such subdivision and subsequent building permits, provided that: a. The maximum number of dwelling units shall not exceed 220, b. the shaded area shall remain in a natural state and free of any grading, filling or structures, and c. both the shaded and other areas not shown as sub-divided lots shall be dedicated as open space park; and directing the City Manager to proceed to acquire by negotiation the 10.6 acres (assessors parcel 426-70-14 owned by the United Jewish Federation for a price

(Item 350 - Continued)

not to exceed \$ _____, and to convey to the owner of the property involved in the above sub-division and in conjunction therewith such portions as may be necessary to complete the subdivision, received no vote at this time.

The Council discussed the matter.

The motion of Councilman Morrow to continue the item to January 29, 1976, 2:00 p.m. Time Certain for a written opinion on Councilman Morrow's proposed Resolution, passed unanimously.

The motion of Councilman Hubbard to direct the City Manager to get a full appraisal on the property involved and report back to the Council on January 29, 1976, received no vote at this time.

The Council discussed the matter.

Assistant City Manager Graham and J. F. McLaughlin, Engineering and Development, answered questions directed by the Council.

The motion of Councilman Hubbard to direct the City Manager to get a staff appraisal on the property involved and report back to the Council on January 29, 1976, passed unanimously.

The motion of Councilman Johnson to direct the City Attorney and City Manager to develop a "form of notice" by the City to correctly inform property owners regarding all assessment districts, received no vote at this time.

The Council discussed the matter.

The motion of Councilman Johnson to direct the City Attorney and City Manager to develop a "form of notice" by the City to correctly inform property owners regarding all assessment districts, passed unanimously.

(Item 155)

A proposed Resolution, confirming the Mayor's appointment of Chairmen, Vice-Chairmen and members of the four Standing Committees of the Council, was presented.

The motion of Councilman Haro to reconsider the action taken on this item on January 14, 1976 which continued this item to January 15, 1976, p.m., and allow the consideration of this item on January 15, 1976, a.m., passed unanimously.

The Council discussed the matter.

On motion of Councilman Haro, the following Resolution was adopted:

RESOLUTION 215080, confirming the following appointments by the Mayor pursuant to Section 22.0101 of the Municipal Code of The City of San Diego to Council committees as indicated for terms ending November 30, 1976:

RULES, LEGISLATION AND INTERGOVERNMENTAL RELATIONS

Pete Wilson, Chairman*
Maureen O'Connor, Vice Chairman*
Gil Johnson*

Leon Williams
Jim Ellis

* Provided for by ordinance

TRANSPORTATION AND LAND USE

Leon Williams, Chairman
Jim Ellis, Vice Chairman
Floyd Morrow

Tom Gade
Jess Haro

(Item 155 - Continued)

PUBLIC SERVICES AND SAFETY

Jess Haro, Chairman
Lee Hubbard, Vice Chairman
Gil Johnson

Maureen O'Connor
Tom Gade

PUBLIC FACILITIES AND RECREATION

Floyd Morrow, Chairman
Tom Gade, Vice Chairman
Lee Hubbard

Leon Williams
Jim Ellis.

(Unanimous Consent #1)

A proposed Resolution, regarding assignment of Council members to Boards and Commission (representatives, or liaisons or alternates), was presented.

The motion of Councilman Ellis to approve the appointments as presented, received no vote at this time.

The Council discussed the matter.

The motion of Councilman Gade to amend Item #10 of the proposed Resolution, changing the alternate to the Southern-California Coastal Waters Research Project Authority from Councilman Gade to Bob Martinet, passed unanimously.

Councilman Williams entered the Chambers.

The motion of Councilman Morrow to amend the proposed Resolution by adding Item 17, the Comprehensive Planning Organization with Councilman Morrow to continue as the representative and Councilman Gade as alternate, received no vote at this time.

The Council discussed the matter.

The motion of Councilman Williams to amend the proposed Resolution to appoint Councilman Gade as alternate to the Comprehensive Health Planning Organization, received no vote at this time.

The motion of Councilman Williams to amend the proposed Resolution by adding Item 17, the Comprehensive Planning Organization with Councilman Morrow to continue as the representative and Councilman Gade as alternate, passed unanimously.

On motion of Councilman Ellis, the following Resolution was adopted as amended:

RESOLUTION 215081, appointing the following named persons to serve as Council representatives and Council Liaison and their alternates to organizations listed below for one-year periods commencing on the second day of January, 1976:

1. Comprehensive Planning Organization:

Pete Wilson, Representative; Tom Gade, Alternate

(Unanimous Consent #1 - Continued)

2. Metropolitan Transit Development Board:

Pete Wilson, Representative; Tom Gade, Alternate
Maureen O'Connor, Representative; Lee Hubbard, Alternate
Leon Williams, Representative; Floyd Morrow, Alternate
Jess Haro, Representative; Jim Ellis, Alternate

3. Coastal Commission:

Gil Johnson, Representative

4. Regional Employment and Training Consortium:

Pete Wilson, Representative; Lee Hubbard, Alternate
Jess Haro, Representative; Leon Williams, Alternate

5. San Diego Transit Corporation:

Tom Gade, Liaison

6. Port Commission:

Gil Johnson, Liaison

7. Park and Recreation Board:

Jess Haro, Liaison

8. Stadium Authority Governing Board:

Gil Johnson, Liaison

9. Planetarium Authority Governing Board:

Lee Hubbard, Liaison; Floyd Morrow, Alternate

10. Southern California Coastal Waters Research Project

Maureen O'Connor, Representative; Bob Martinet, Alternate

11. Joint City-County Task Force on Consolidation of Services:

Jim Ellis, Representative
Lee Hubbard, Representative

12. Unified San Diego County Civil Defense and Disaster Council:

Jim Ellis, Representative; Maureen O'Connor, First Alternate; Leon
Williams, Second Alternate.

13. Economic Opportunity Commission:

Jess Haro, Representative; Floyd Morrow, Alternate

(Unanimous Consent #1 - Continued)

14. Model Cities Liaison Committee:

Pete Wilson, Representative
Leon Williams, Representative
Jess Haro, Representative

15. Palm City Sanitation District:

Pete Wilson, Representative; Jess Haro, Alternate

16. Cities Advisory Committee to LAFCO:

Jess Haro, Representative

17. Comprehensive Health Planning Organization:

Floyd Morrow, Representative; Tom Gade, Alternate.

There being no further business to come before the Council at this time,
by Unanimous Consent granted to Councilman Ellis, the Meeting was adjourned
into Executive Session in the 12th Floor Conference Room, on pending litigation.

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, JANUARY 15, 1976
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CHARLES C. DAIL CONCOURSE

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

Deputy Mayor O'Connor called the Meeting to order at 2:03 p.m.

Deputy Mayor O'Connor recessed the Meeting at 2:04 p.m. into Executive Session, 12th Floor Conference Room, on pending litigation.

Upon reconvening at 2:54 p.m., the Roll Call showed Councilman Morrow and Mayor Wilson absent.

(Item 401)

The hour of 2:00 p.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the application of Rancho Bernardo Antenna Systems, Inc., a wholly-owned subsidiary of American Television and Communications Corporation, for an increase in cable television rates in the Rancho Bernardo Area.

Councilman Williams presented a report from the Committee on Transportation and Land Use.

Councilman Morrow entered the Chambers.

Committee Consultant Wilken presented his report.

Attorney Rudy M. Brewster appeared to address the Council in favor of the proposed Resolution.

Robert Kyle appeared to address the Council against the proposed Resolution.

Utility Rate Consultant Manley Edwards answered questions directed by the Council.

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

Consultant Edwards and Martin Breslauer, Management Assistance, answered questions directed by the Council.

Ray Webb appeared to speak against the proposed Resolution, and answered questions directed by the Council.

The motion of Councilman Williams to close the hearing, adopt the Findings of Fact by the Committee on Transportation and Land Use, and accept the Committee's report and recommendation for the rate increases, received no vote at this time.

The Council discussed the matter.

Rudy M. Brewster answered questions directed by the Council regarding the rate of return.

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

Deputy City Manager Johnson answered questions directed by the Council.

(Item 401 - Continued)

Martin Breslauer answered questions directed by the Council.

The Council discussed the matter.

The hearing was closed and the following Resolution was adopted:

RESOLUTION 215082, approving and adopting the Findings and rates recommended in the December 24, 1975 report of the Transportation and Land Use Committee which is on file in the office of the City Clerk as Document No. 754266, and finds and concludes that the rates and charges set forth in said report are just and reasonable, was adopted by the following vote: Yeas-Councilmen Morrow, Johnson, O'Connor, Williams, Gade, Ellis and Haro. Nays-Councilman Hubbard. Absent-Mayor Wilson.

Councilman Ellis left the Chambers.

(Unanimous Consent #1)

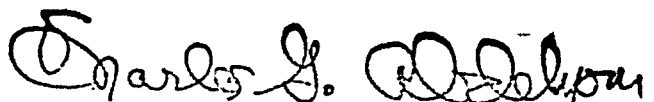
By Unanimous Consent granted to Councilman Morrow, the Ordinance regarding Conflict of Interest which is in the Rules Committee, will be placed on the Council docket of January 29, 1976, was adopted on motion of Councilman Morrow.

Councilman Williams addressed the Council and expressed appreciation to Bruster, Kyle and the City staff on their presentation of Item 101.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 4:02 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