

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, FEBRUARY 5, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M.

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

Mayor Wilson called the regular Meeting to order at 8:35 a.m.

(Item 250)

Roll call was taken.

(Item 251)

Mayor Wilson introduced Sister Gail Lambers, Community of the Holy Spirit, who gave the Invocation.

(Item 252)

Councilman Gade led the Pledge of Allegiance.

Councilman Williams entered the Chambers.

Councilman Morrow entered the Chambers.

Mayor Wilson recessed the Meeting at 8:39 a.m. and the Mayor announced there would be an Executive Session immediately in the Council Conference Room, 12th Floor, on pending litigation.

Upon reconvening at 10:15 a.m., the roll call showed Councilman Haro absent.

(Item 300)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of January 22, 1976, for City Manager Report, on the appeal of The Sheraton Corporation, by Donal C. Noonan, CPA, from the decision of the City Treasurer with respect to the payment of Transient Occupancy Tax (Room Tax), pursuant to Sections 35.0108 through 35.0110 of the San Diego Municipal Code. The payment due is a result of an audit made by the office of the City Auditor and Comptroller.

(Item 300 - Continued)

Auditor and Comptroller Sage presented his memorandum relative to appeal by the Sheraton Hotel on Assessment of Penalties for Late Payment of Transient Occupancy Tax. He further stated that he had discussed this matter with the representatives of the Sheraton Corporation and they have agreed to pay the deficiency and withdraw their appeal.

City Manager McKinley answered questions directed by the Council.

A motion by Councilman Ellis to close the hearing, accept the City Auditor and Comptroller's report and file the matter, received no vote at this time.

Auditor and Comptroller Sage answered questions directed by the Council.

A vote was then taken on the previous motion by Councilman Ellis to close the hearing, accept the City Auditor and Comptroller's report and file the matter, passed unanimously.

(Item 301)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing in establishing an underground utility district to be known and denominated as the Market Street (Wabash Boulevard to I-805) Underground Utility District.

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

A motion by Councilman Williams to close the hearing and adopt the Resolution, received no vote at this time.

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

RESOLUTION 215278, establishing an underground utility district to be known and denominated as the Market Street (Wabash Boulevard to I-805) Underground Utility District, was adopted on motion of Councilman Williams.

(Item 302 - CASE NO. 18-75-3)

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 rezoning Lot 1, Block 14, La Jolla Hermosa, located at the southeast corner of La Jolla Boulevard and Camino de La Costa, from Zone R-1-5 to Zone CS.

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

Phyllis Evans, Mr. Satliff and Mrs. Kay-Satliff appeared to speak in favor of the rezoning.

Mrs. Dorothy Doherty appeared to speak in opposition to the rezoning.

The item was trailed at this time.

(Item 253)

Mayor Wilson welcomed eight students from Wegeforth Elementary School, accompanied by Ms. Barbara Stiers.

(Item 254)

Mayor Wilson welcomed fifty-five students from Woodrow Wilson Junior High School, accompanied by Mrs. Mary Whelan.

(Item 302 - CASE NO. 18-75-3 - Second Time)

The hearing was closed on motion of Councilman Johnson.

A proposed Ordinance, incorporating that property in Lot 1, Block 14, La Jolla Hermosa, located at the southeast corner of La Jolla Boulevard and Camino de La Costa, into CN Zone as defined by Section 101.0426 of the San Diego Municipal Code and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Ellis and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilman Haro.

RESOLUTION 215279, certifying that the information contained in Environmental Negative Declaration No. 75-05-15P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council, was adopted on motion of Councilman Johnson.

(Item 55 - Unfinished Business - Docket of February 4, 1976)

A proposed Resolution, inviting bids for construction of the Pacific Beach Park North - Comfort Station - Specifications Document No. 754008, was presented.

City Manager McKinley answered questions directed by the Council.

A motion by Councilman Gade to adopt the proposed resolution, received no vote at this time.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 215280, inviting bids for construction of the Pacific Beach Park North - Comfort Station in accordance with Specifications Document No. 754008, was adopted on motion of Councilman Gade.

(Unanimous Consent No. 1)

By Unanimous Consent granted to Councilman Gade, a proposed resolution excusing all members of Council from the regular meeting of February 5, 1976 (p.m.), there being no business to conduct before the Council, was presented.

RESOLUTION 215281, excusing all members of the City Council from the regular meeting of Thursday, February 5, 1976, 2:00 p.m., there being no business to conduct before the Council, was adopted on motion of Councilman Gade.

ORDINANCE NO. _____
(New Series)

AN ORDINANCE INCORPORATING THAT PROPERTY IN LOT 1, BLOCK 14, LA JOLLA HERMOOSA, LOCATED AT THE SOUTHEAST CORNER OF LA JOLLA BOULEVARD AND CAMINO DE LA COSTA, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO CN ZONE AS DEFINED BY SECTION 101.0426 OF THE SAN DIEGO MUNICIPAL CODE AND REPEALING CERTAIN ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICT HEREWITH.

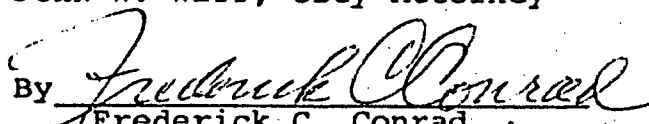
BE IT ORDAINED, by the Council of The City of San Diego as follows:

Section 1. That property in Lot 1, Block 14, La Jolla Hermosa, located at the southeast corner of La Jolla Boulevard and Camino de La Costa, in the City of San Diego, California, within the boundary of the district designated "CN" on Zone Map Drawing No. 2887.1, filed in the office of the City Clerk as Document No. _____, be, and it is hereby incorporated into CN Zone as such zone is described and defined by Section 101.0426 of the San Diego Municipal Code.

Section 2. That Ordinance No. 242 of the Ordinances of The City of San Diego, be, and the same is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 11:07 a.m. on motion of Councilman Hubbard.

Mayor of The City of San Diego, California

ATTEST:

Charles J. Delapena,
City Clerk of The City of San Diego, California