

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, MARCH 2, 1976  
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING  
CHARLES C. DAIL CONCOURSE

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

Absent--Councilmen Morrow and Haro.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:09 p.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced Reverend Paul Pulliam, Associate Pastor of the  
First Presbyterian Church, who gave the Invocation.

(Item 3)

Councilman Johnson led the Pledge of Allegiance.

Councilman Morrow entered the Chambers.

Councilman Haro entered the Chambers.

(Special Order of Business)

Mayor Wilson welcomed Oscar Padilla of the Planning Commission who intro-  
duced Mayor Armando Tallego Moreno of Mexicalle, Baja California, and his  
party who were visiting the City of San Diego. The Mayor of Mexicalle intro-  
duced Jose de Jesus Ortega, Director of Planning for the State of Baja, California,  
Mario Rioseco, Director of City Planning, Mexicalle, Rene Colio, Director of  
Public Works, Mexicalle, Mr. Aureliano Cruz, Assistant to the Mayor of Mexicalle,  
and Roberto Espana, President of the Convention and Visitor's Bureau.

The Council considered Requests for Continuances.

(Item 50)

OTHER RESOLUTIONS: Authorizing the City Manager to execute an option to lease agreement with Young Men's Christian Association of San Diego and San Diego County for the purpose of construction, operation and maintenance of a YMCA Community Center, in a portion of Pueblo Lot 1101; appraised at \$419,000; authorizing the City Manager to execute a lease agreement after all option terms and conditions have been performed and the option has been exercised.

Mayor Wilson read correspondence from George Jessop requesting a continuance of six weeks for the item.

Myron Lewis, General Director of the YMCA for the City and County, appeared to speak regarding the continuance.

On motion of Councilman Morrow, the item was continued to April 13, 1976, 2:00 p.m., to consider possible property exchange and refer the proposed exchange of property to the Committee on Transportation and Land Use. (Councilman Hubbard abstained from voting for reasons of possible conflict of interest.)

Arthur Casey, Citizens Coordinate for Century 3, presented a letter in opposition to the proposed Resolution.

Mrs. B. R. Schwartz appeared to speak in opposition to the proposed Resolution.

(Item 5)

A communication, from Ellis M. Benson, President, Mesa College, requesting permission to address the Council regarding the vacation of Mesa College Drive westerly of its present terminus, and support for a community theatre as the best use for that land, was presented.

Ellis M. Benson appeared to speak regarding said communication.

Councilman Haro left the Chambers.

The motion of Councilman Morrow, to refer said communication to the City Manager and City Attorney to report to the Committee on Public Facilities and Recreation for review and report back to Mr. Benson and Council in two weeks, received no vote at this time.

City Manager McKinley answered questions directed by the Council.

On motion of Councilman Morrow, said communication was referred to the City Manager and City Attorney to report to the Committee on Public Facilities and Recreation for review and report back to Mr. Benson and Council in two weeks.

(Item 53)

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 Genesee Highlands Association, by Samuel Goldberg, from the decision of the Planning Commission in granting the application of Penasquitos, Incorporated, owner, and Odmark Company, permittee, for an amendment to Planned Residential Development Permit No. 3 to reduce the

(Item 53 - Continued)

number of dwelling units from 448 to 392, to revise the building elevations, and that the previously approved private streets be dedicated for public use. The property is located north of the AT&SF Railway between Genesee Avenue and Regents Road in the University Community area. It is more particularly described as Parcels 2 and 3 of Parcel Map No. 1008, being portions of Genesee Highlands Units 4 and 5, and is in the R-2 Zone. It was reported that no written protests had been received.

Mayor Wilson presented a letter from Samuel Goldberg informing the Council that the appeal had been withdrawn.

The motion of Councilman Hubbard to grant the request of the Genesee Highlands Association, by Samuel Goldberg, to withdraw their appeal from the decision of the Planning Commission and affirm the amendment to Planned Residential Development Permit No. 3, as approved by the Planning Commission, received no vote at this time.

Assistant City Attorney Teaze answered questions directed by the Council. No one appeared to be heard.

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

RESOLUTION 215417, granting the request of the Genesee Highlands Association, by Smauel Goldberg, to withdraw their appeal from the decision of the Planning Commission, and affirming the amendment to Planned Residential Development Permit No. 3, as approved by the Planning Commission.

(Item 51 - CASE NO. 11-75-3)

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 and a portion of Lot 2, Block 13, Brookes Addition, located at the southeast corner of Brookes and Fourth Avenues, from Zone R-4 to Zone CO. It was reported that no written protests had been received.

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 215418, certifying that the information contained in Environmental Impact Report No. 75-05-31P 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 Lot 1 and a portion of Lot 2, Block 13, Brookes Addition, located at the southeast corner of Brookes and Fourth Avenues, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 12988, approved October 20, 1930, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, and Mayor Wilson. Nays-None. Absent-Councilman Haro.

(Item 52 - CASE NO. 29-75-1)

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 63, Horton's Purchase in Ex-Mission Lands of San Diego, located on the west side of Euclid Avenue between Logan Avenue and Palin Street, from Zones C and CP to Zone CA. It was reported that no written protests had been received.

Councilman Haro entered the Chambers.

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 Councilman Williams:

RESOLUTION 215419, certifying that the information contained in Environmental Negative Declaration No. 75-10-09P 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.

A proposed Ordinance, incorporating a portion of Lot 63, Horton's Purchase in Ex-Mission Lands of San Diego, into CA Zone, as defined by Section 101.0428.1 of the San Diego Municipal Code and repealing Ordinance No. 6061 (New Series), adopted April 15, 1954, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-None.

Mayor Wilson recessed the Meeting at 2:42 p.m. Upon reconvening at 3:37 p.m., the Roll Call showed Councilmen Gade and Haro absent.

(Item 4)

The discussion of possible Ballot Propositions for the Statewide Primary Election to be held on June 8, 1976, was opened.

Mayor Wilson read briefly proposed propositions presented by Mayor, Council, and staff:

-City of San Diego Charter amendment adding Section 129.1 Removal of Striking Employees to the Charter of The City of San Diego - presented by Mayor Wilson.

-City of San Diego Charter amendment limiting the Mayor and Council members to two elected 4-year terms; limiting Council Departments to a Council member, one unclassified Principal Assistant, and one Senior Stenographer, not to preclude the use of volunteers within these departments; limiting the size of the Mayor's staff to the Mayor plus 1.5 employees per hundred thousand population to be employed within the Mayor's two departments of Executive Services and the Mayor's Office - presented by Councilman Hubbard.

(Item 4 - Continued)

-City of San Diego Charter amendment regarding the sale of city-owned land by modifying and making more general the existing Charter Section 219, which covers Pueblo lands - presented by Councilman Morrow.

-City of San Diego Charter amendment to Section 12 restricting a councilmember's income to only that which he is entitled to receive as a councilmember - presented by Councilman Williams.

-City of San Diego Charter amendment adding Section 7 ELECTED OFFICERS - "Any elected officer of the City who becomes a candidate for election to office of any other governmental agency shall forfeit his City office. The term "Candidate" shall mean the person whose name has been approved for inclusion on the election ballot for a public office" - presented by Councilman Johnson.

City Manager McKinley requested that the Council consider resubmission of Proposition A - City of San Diego Bond Proposal for the Purchase of Certain Community Concourse Properties.

On motion of Councilman Hubbard, Proposition A - City of San Diego Bond Proposal for the Purchase of Certain Community Concourse Properties was resubmitted for the Statewide Primary Election ballot to be held on June 8, 1976.

#### SECTION 129.1 REMOVAL OF STRIKING EMPLOYEES

The Council began discussion of the proposed ballot proposition.

Tim Flanigan, Chamber of Commerce, Mac Strobl, San Diego Taxpayer's Association, King Golden, Business Agent of Local 127, Dick Castle, Local 911, representative of the San Diego Police Officers Association, Bob Reeves, PEA representative, and Ron Neuman, San Diego Police Officers Association, appeared to speak regarding the proposed ballot proposition.

The Council discussed the proposed ballot proposition.

City Manager McKinley answered questions directed by the Council.

The motion of Councilman Morrow, to amend the proposed ballot proposition to apply to all City employees (not just uniformed employees) and that sections singling out Police and Fire employees be deleted, received no vote at this time.

City Manager McKinley answered questions directed by the Council.

On motion of Councilman Morrow, the proposed ballot proposition was amended to apply to all City employees (not just uniformed employees) and that sections singling out Police and Fire employees be deleted, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, and Mayor Wilson. Nays-Councilmen Johnson and Haro. Absent-None.

The motion of Councilman Morrow to direct the City Attorney to prepare the proposed Charter amendment and to include within the proposed amendment language defining "strike" and "with-holding of services", as sick-out slow-downs, etc., received no vote at this time.

Lt. Pearson, San Diego Police Officers Association, appeared to speak in opposition to the proposed ballot proposition.

(Item 4 - Continued)

On motion of Councilman Morrow, the City Attorney was directed to prepare the proposed Charter amendment and to include within the proposed amendment, language defining "strike" and "with-holding of services", by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Gade, Ellis, and Mayor Wilson. Nays-Councilmen Johnson, Hubbard, and Haro. Absent-None.

Mayor Wilson recessed the Meeting at 4:58 p.m. Upon reconvening at 5:06 p.m., the Roll Call showed Mayor Wilson absent.

On motion of Councilman Ellis, the remainder of the ballot propositions were continued to March 3, 1976, as unfinished business, for a full 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 5:14 p.m.

Mayor of The City of San Diego, California

ATTEST:

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