

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, AUGUST 4, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE-
8:30 A.M. & 2:00 P.M.

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

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

(Item 100)

Roll Call was taken.

The Council considered requests for continuances: Item 252c.

(Item 252c)

A proposed Resolution, relative to Beyer Boulevard widening, authorizing the acceptance by the City Manager of deed of San Ysidro Investment Company was presented.

On motion of Councilman Gade, the proposed Resolution was returned to the City Manager at his request, which passed unanimously.

The Council considered that portion of the Consent Agenda dealing with Ordinances introduced at a previous meeting, ready for dispensing with the reading and adoption, which consisted of Item 120.

The following Ordinance was introduced at the Meeting of July 21, 1976.

Reading in full was dispensed with 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, a written or printed copy of said Ordinance.

(Item 120)

City Attorney Witt advised Council that said Ordinance had been revised and requested that it be re-introduced at this time as amended.

The Council discussed the matter.

A proposed Ordinance, amending Chapter II, Article 2, Division 9 of the San Diego Municipal Code by amending Section 22.0902.2 relating to Real Property, was re-introduced as amended on motion of Councilman Johnson, by the following vote: Yeas--Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, and Mayor Wilson. Nays--None. Absent--Councilmen Morrow, Ellis and Haro.

The Council considered that portion of the Consent Agenda dealing with Ordinances to be Introduced: Item 121.

(Item 121)

A proposed Ordinance, amending Section 1 of Ordinance No. 11253 (New Series), adopted February 26, 1974, amended by Ordinance No. 11492 (New Series), adopted February 20, 1975, incorporating a portion of Rancho de los Penasquitos, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, was introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, and Mayor Wilson. Nays-None. Absent-Councilmen Morrow, Ellis, and Haro.

The Council considered that portion of the Consent Agenda dealing with Resolutions which consisted of Items 150a, 150b, 150d, 150e, 151, 152, 153, 154, 155, 156, 157, 158, 200, 201, 202, 203, and 204. Item 205 was reconsidered later.

(Item 150)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Gade:

RESOLUTION 216514, Douglas Oil Company of California, for the purchase of 900 tons of liquid asphalt, for a total cost, including tax and terms, of \$74,688.66, with an option to purchase an additional estimated 900 tons six months after the initial delivery at a price not to exceed the original bid price by more than 10%;

RESOLUTION 216515, Sim J. Harris Company, for furnishing asphaltic products, for an actual estimated cost, including tax and terms, of \$69,253.51, as may be required for the period of one year ending July 31, 1977;

RESOLUTION 216516, Universal Truck Body, for furnishing Heil repair parts, for an actual estimated cost, including tax and terms, of \$20,000, for a period of one year ending October 31, 1977, with option to renew contract for an additional one year period; and

RESOLUTION 216517, Center City Ford, for the purchase of one cab and chassis, for a total cost, including tax and terms, of \$16,778.74.

(Item 151)

RESOLUTION 216518, awarding a contract to Mustang Equipment Co., for the purchase of two motor graders, for an actual cost, including tax, terms less trade-in allowance, of \$73,856.80, was adopted on motion of Councilman Gade.

(Item 152)

RESOLUTION 216519, awarding a contract to Barney and Barney Insurance, for furnishing San Diego Stadium public liability insurance for a period of one year commencing August 1, 1976 for an annual deposit premium of \$23,187. was adopted on motion of Councilman Gade.

(Item 153)

RESOLUTION 216520, inviting bids for construction of pedestrian ramps for the handicapped - Contract No. 3, in accordance with Specifications Document No. 756022, was adopted on motion of Councilman Gade.

(Item 154)

RESOLUTION 216521, finding La Jolla Inns, Ltd. in default of agreement to install a sewer and lift station in connection with the Villa La Jolla No. 1 Subdivision; directing the City Manager to take all steps necessary to cause the improvements to be constructed; and authorizing the City Attorney to commence legal action to enforce the rights of the City under the agreement, was adopted on motion of Councilman Gade.

(Item 155)

The following Resolutions relative to paving and otherwise improving Escuela Street from Imperial Avenue to Nogal Street, were adopted on motion of Councilman Gade:

RESOLUTION 216522, approving the plans, specifications, and Plat No. 3905 of the assessment district; and

RESOLUTION OF INTENTION 216523, setting the time and place for hearing protests.

(Item 156)

RESOLUTION 216524, authorizing and directing the County of San Diego to collect through the tax roll assessments of less than \$50 levied under the provisions of the Improvement Act of 1911 on Camino Ruiz, Black Mountain Road and Mira Mesa Boulevard, Assessment Roll No. 3880, pursuant to Sections 5450 through 5455 of the Streets and Highways Code which provides that the legislative body may authorize, upon written request of the contractor or his assigns, said collection, was adopted on motion of Councilman Gade.

(Item 157)

The following Resolutions relative to Clairemont Mesa Boulevard, located at the intersection of Clairemont Mesa Boulevard and Limerick Avenue in the Clairemont area, were adopted on motion of Councilman Gade:

RESOLUTION 216525, approving the acceptance by the City Manager of deed of Pardee Construction Company (street purposes) - Clairemont Mesa Boulevard; and

RESOLUTION 216526, authorizing the execution of a quitclaim deed to Pardee Construction Company effecting the revestment of abutter's rights of access in and to Clairemont Mesa Boulevard affecting a portion of Lots 274, 275, 276 and 277 of Clairemont Mesa Unit No. 4.

(Item 158)

RESOLUTION 216527, authorizing an agreement with the Boys Club of San Diego, California, Inc., for the purpose of conducting the Unlimited Hydroplane Races on Mission Bay during the period from September 16 through 19, 1976, was adopted on motion of Councilman Gade.

(Item 200)

The following Resolutions, relative to lease agreement with PSA Hotels, Inc., covering premises in a portion of Quivira Basin, Mission Bay Park, known as the Islandia Hotel, were adopted on motion of Councilman Gade:

RESOLUTION 216528, authorizing an Assignment and Assumption of Lease and Consent to Assignment Agreement, whereby PSA Hotels, Inc., assigns all its right title and interest in the Lease Agreement, as amended, to Islandia Associates, Ltd.; and

RESOLUTION 216529, authorizing an Eleventh Amendment to Lease Agreement with Islandia Associates, Ltd., amending the Lease Agreement by adding the City's Affirmative Action Clause and revising the Control by Lessee clause.

(Item 201)

RESOLUTION 216530, authorizing an agreement with the National Center for Municipal Development, Inc., for services in connection with the City's Washington, D. C. legislative representation office, was adopted on motion of Councilman Gade.

(Item 202)

RESOLUTION 216531, approving the rental rates for the Convention and Performing Arts Center, as set forth in the document entitled "Convention and Performing Arts Center, Proposed Rental Rates"; rescinding Resolution No. 212435, adopted by the Council on January 16, 1975, was adopted on motion of Councilman Gade.

(Item 203)

RESOLUTION 216532, authorizing the City Manager to submit to the U. S. Department of Labor (Employment and Training Administration) a proposed First Amendment to Agreement and execute said agreement which would extend the current assignment of Erika E. Streuer to serve for a second year as Special Assistant to the Director of the Human Resources Department for the time period extending from November 10, 1976 through November 9, 1977; determining that an amount not to exceed \$15,300 in CETA Administration Funds be used to reimburse the Department of Labor for wages and fringe benefits on a quarterly basis for said services, was adopted on motion of Councilman Gade.

(Item 204)

RESOLUTION 216533, confirming the following appointments by the Mayor to the Sign Code Board of Appeals for two-year terms ending March 1, 1978:

Robert La Rosa (Reappointment)
Jewell D. Hooper,
was adopted on motion of Councilman Gade.

(Item 205 - First Time)

This Resolution was reconsidered.

A proposed Resolution, approving the agreement entitled "Agreement relating to the Delivery of Water from the Colorado River Aqueduct for Southern California Edison Company's Proposed Nuclear Powerplant Outside of the Coastal Plain of Southern California"; said approval to be confirmed or withdrawn by resolution within 30 days after a final Environmental Impact Report has been submitted; directing the City Manager upon such confirmation to execute and deliver the agreement, was adopted on motion of Councilman Gade.

Councilmen Morrow and Haro entered the Chambers.

(Item 150c)

A proposed Resolution, awarding a contract to Consolidated Facility Services, Inc., for furnishing security service, for an actual estimated cost, including terms, of \$31,392, for a period of one year ending June 30, 1977, with option to renew for four additional one year periods at the bid price subject to an escalation not to exceed 8% of bid price per year, was presented.

City Manager McKinley answered questions directed by the Council regarding the training and arming of the building security force.

The Council discussed the matter.

City Manager McKinley answered questions directed by the Council regarding the Affirmative Action clearance.

RESOLUTION 216534, awarding a contract to Consolidated Facility Services, Inc., for furnishing security service, for an actual estimated cost, including terms, of \$31,392, for a period of one year ending June 30, 1977, with option to renew for four additional one year periods at the bid price subject to an escalation not to exceed 8% of bid price per year, was adopted on motion of Councilman Williams.

(Item 105)

A communication from Joe Stern, Chairman of Telephone Committee, Coalition of Elders, requesting permission to address the Council regarding a joint request of the Council and the Coalition of Elders to the P.U.C. to re-hear the issue of the new timed message telephone charge of one call for each five minutes or portion thereof on the line was presented.

Joe Stern did not appear at this time.

On motion of Councilman Haro, the communication was referred to the City Manager and City Attorney for a report back to the Council and Mr. Stern in one week.

(Item 206)

A proposed Resolution, determining that the current structure of Community Planning Groups shall be used as a basis for establishing comprehensive City-wide planning areas, adjusting existing boundaries to encompass areas void of community planning and/or defining new boundaries where non-existent; determining that the primary function of Community Planning Groups should remain the development and implementation of community plans, and encouraging Community Planning Group involvement in the development of City programs and policies that affect the community planning areas, including a commitment of Planning Department and City Manager personnel to provide necessary staff services and information to the Community Planning Groups; rejecting the McManis proposal to establish a City-wide Policy Development Advisory Board; determining there is great merit in the current system of elected officials receiving citizen input concerning the establishment of priorities from a wide variety of sources on policy issues, and only the elected officials could or should determine the value or weight to be given to the citizen input received from each of these sources; determining that the current procedure used for recognizing Community Planning Groups will be retained; determining that the staff assistance to Community Planning Groups will continue to be provided for planning purposes by the Planning Department; reaffirming the Council's commitment to citizen participation in City Government and directing the Planning Director and City Manager to cooperate fully with recognized community groups to provide them with the background information necessary for them to provide advice to the Council; directing the City Manager to compile a comprehensive listing of all City departmental publications for which there is an established mailing list for the purpose of informing citizens and citizen groups of what City publications are available; directing the City Manager to establish a telephone "Hot Line" for the purpose of providing notification to the public and the media of major items to be discussed by the Council and the Standing Committees thereof and of the actions that Council and the Standing Committees take on such items; directing the City Manager to invite representatives of citizen groups that frequently deal with the City to address supervisory training classes and other training classes as he deems appropriate to better inform city employees of the perspectives that citizen groups have in dealing with the City; and requesting that the League of Women Voters sponsor a series of community dialogues to determine what various citizens and citizen organizations think could be done to improve citizen participation in The City of San Diego within the existing structure, was presented.

Committee Consultant Coleman Conrad presented his report and recommendation.

Councilwoman O'Connor, Deputy Chairman of the Rules Committee, presented a review of said Committee's actions.

(Item 206 - Continued)

A motion by Councilwoman O'Connor to amend the proposed Resolution to add one position to the Citizens Assistance and Information Department, received no vote at this time.

The Council discussed the matter.

A motion by Councilman Williams to amend the proposed Resolution to add, "and any other interested Community Organizations", died for lack of a second.

Director Story, Citizens Assistance and Information Department, answered questions directed by the Council regarding the sufficiency of the one position.

The Council discussed the matter.

Committee Consultant Coleman Conrad answered questions directed by the Council regarding Community Planning Groups.

City Manager McKinley answered questions directed by the Council regarding the additional staff need.

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

A vote was then taken on the previous motion of Councilwoman O'Connor to amend the proposed Resolution to add one position to the Citizens Assistance and Information Department, which passed unanimously.

A motion by Councilman Williams to amend the proposed Resolution to add, "and any other interested Community Organizations", received no vote at this time.

Committee Consultant Coleman Conrad answered questions directed by the Council.

Nancy Fieddersen, League of Women Voters, appeared to address the Council and answered questions directed by the Council.

A vote was then taken on the previous motion of Councilman Williams to amend the proposed Resolution to add, "and any other interested Community Organizations", which passed unanimously.

The Council discussed the matter.

Committee Consultant Coleman Conrad answered questions directed by the Council regarding the representations on Planning Groups.

The Council discussed the matter.

A motion by Councilman Morrow to amend the proposed Resolution to delete the last paragraph of page 2 through the top of page 3, received no vote at this time.

Committee Consultant Coleman Conrad answered questions directed by the Council regarding the proposed deletion.

Mayor Wilson entered the Chambers and assumed the Chair.

A vote was then taken on the previous motion of Councilman Morrow to amend the proposed Resolution to delete the last paragraph of page 2 through the top of page 3, which passed unanimously.

(Item 206)

RESOLUTION 216535, determining that the current structure of Community Planning Groups shall be used as a basis for establishing comprehensive City-wide planning areas, adjusting existing boundaries to encompass areas void of community planning an/or defining new boundaries where nonexistent; determining that the primary function of Community Planning Groups should remain the development and implementation of community plans encouraging Community Planning Group involvement in the development of City programs and policies that affect the community planning areas, including a commitment of Planning Department and City Manager personnel to provide necessary staff services and information to the Community Planning Groups; rejecting the McManis proposal to establish a City-wide Policy Development Advisory Board; determining there is great merit in the current system of elected officials receiving citizen input concerning the establishment of priorities from a wide variety of sources on policy issues, and only the elected officials could or should determine the value or weight to be given to the citizen input received from each of these sources; determining that the staff assistance to Community Planning Groups will continue to be provided for planning purposes by the Planning Department and reaffirming the Council's commitment to citizen participation in City government and directing the Planning Director and City Manager to cooperate fully with recognized community groups to provide them with the background information necessary for them to provide advice to the Council; authorizing an additional position in the Citizens Assistance Department to provide the necessary staff in order to meet the expected increased workload in that department; directing the City Manager to compile a comprehensive listing of all City departmental publications for which there is an established mailing list for the purpose of informing citizens and citizen groups of what City publications are available; directing the City Manager to establish a telephone "hot line" for the purpose of providing notification to the public and the media of major items to be discussed by the Council and the Standing Committees thereof and of the actions that Council and the Standing Committees take on such items; directing the City Manager to invite representatives of citizen groups that frequently deal with the City to address supervisory training classes and other training classes as he deems appropriate to better inform City employees of the perspectives that citizen groups have in dealing with the City; and requesting that the League of Women Voters and other interested Community Organizations sponsor a series of community dialogues to determine what various citizens and citizen organizations think could be done to improve citizen participation in The City of San Diego within the existing structure, was adopted as amended, on motion of Councilwoman O'Connor.

(Item 205 - Second Time)

A motion by Councilman Morrow to reconsider Item 205, received no vote at this time.

The Council discussed the matter.

A vote was then taken on the previous motion by Councilman Morrow to reconsider Item 205, which passed unanimously.

On motion of Councilman Morrow, the proposed Resolution was continued to the Meeting of August 11, 1976, 8:30 a.m., at the request of Councilman Morrow.

(Item 207)

A proposed Resolution, accepting the concept of using the westerly terminus of Mesa College Drive for a Community Theatre, was presented.

The Council discussed the matter.

Superintendent Schempers, Transportation Department, presented his report.

Dr. Ellis Benson, President, Mesa College and a group of students from Taft Jr. High School appeared to address the Council in favor of the proposed Resolution.

Mrs. Marian Bear, Chairman, Clairemont Mesa Development Committee, appeared to address the Council in opposition to the proposed Resolution, and in favor of a feasibility study.

The Council discussed the matter.

City Attorney Witt reported additions to the proposed Resolution and presented a revised Resolution.

Mrs. Ruby Zellman appeared to address the Council in favor of the proposed Resolution.

The Council discussed the matter.

A motion by Councilman Morrow to adopt the proposed Resolution, died for lack of a second.

Superintendent Schempers answered questions directed by the Council regarding required Theatre parking sites.

Dr. Ellis Benson answered questions regarding other possible Community College sites for the proposed concept and its potential use.

A motion by Councilman Gade to amend the proposed Resolution to a feasibility study instead of concept, died for lack of a second.

Councilman Haro offered a second to the motion of Councilman Morrow to adopt the proposed Resolution.

The Council discussed the matter.

By Common Consent, the item was trailed and no action was taken at this time.

(Item 102)

Mayor Wilson welcomed thirty-five visiting Japanese students from Poway High School, Poway School District, accompanied by Mrs. Susan Toppin and Mrs. Adrian Wall.

(Item 207 - Second Time)

City Manager McKinley answered questions directed by the Council regarding future traffic.

The Council discussed the matter regarding the complex questions on the use of space.

Dr. Ellis Benson, President, Mesa College, answered questions directed by the Council regarding the possible development of a theatre site in the downtown area, joint participation with the City, and the type of feasibility study to be made.

(Item 207 - Second Time - Continued)

The Council discussed the matter.

Dr. Ellis Benson answered questions directed by the Council.

The Council discussed the matter at length.

RESOLUTION 216536, approving the concept of allowing City-owned property at the westerly terminus of Mesa College Drive to be acquired by the Community College District as the site for a Community Theatre; determining that by adopting this Resolution the Council does not intend to and does not bind itself to take any future action or grant any approvals whatsoever with regard to City's land or with regard to a proposed Community Theatre or with regard to any zoning or environmental issue or any other permit or authorization related to the development of a theatre, was adopted on motion of Councilman Morrow.

(Item 101 - First Time)

Mayor Wilson welcomed forty students from O'Farrell Jr. High and Taft Jr. High Schools, accompanied by Mr. Roger Strassner and Mr. Ken Delacruz. Councilmen Williams and Morrow addressed the group.

Mayor Wilson recessed the Meeting at 10:47 a.m. Upon reconvening at 11:07 a.m., the Roll Call showed Councilmen Ellis and Haro absent.

(Item 104)

Mayor Wilson welcomed ten members from Cub Scouts Pack #950, Den #3, accompanied by Mr. Gary Dennis.

Councilman Hubbard addressed the group.

Councilman Haro entered the Chambers.

(Item 103)

Mayor Wilson welcomed forty students from Hale Jr. High and Gompers Jr. High Schools, accompanied by Ms. Winestine and Mr. Dave LeMay.

Councilman Williams addressed the group.

(Item 101 - Second Time)

Students Ray A. Bonn and Linda Dyle, Taft Jr. High School, made a presentation to the Council.

The following Ordinance was introduced at the Meeting of July 7, 1976.

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, a written or printed copy of said Ordinance.

(Item 250 - CASE NO. 10-76-1)

A proposed Ordinance, continued from the Meeting of July 21, 1976, incorporating portions of Villa Lots 195 and 196, Normal Heights, located on the north and south sides of Adams Avenue between 39th Street and Ward

(Item 250 - CASE NO. 10-76-1 - Continued)
Road, into C-1 Zone, was presented.

City Manager McKinley presented his report.

J. R. Crosby, Engineering and Development Department, presented his report.

Assistant City Attorney Teaze answered questions directed by the Council.

J. R. Crosby answered questions directed by the Council.

A motion by Councilman Hubbard to continue the matter one month until September 1, 1976, a.m., for further review by the City Manager, received no vote at this time.

The Council discussed the matter.

City Manager McKinley answered questions directed by the Council.

A vote was then taken on the previous motion of Councilman Hubbard to continue the matter one month until September 1, 1976, a.m., for further review by the City Manager, which passed unanimously.

(Item 255)

A proposed Resolution, authorizing a First Amendment to the Agreement with Nasland Engineering, Inc., providing for additional engineering services in connection with the design and construction of improvements for Torrey Pines Science Park Unit No. 2; authorizing the Auditor and Comptroller to expend the additional sum of \$61,900 from Land Development Trust Fund No. 314 for the above stated services and related costs, supplementing Resolution No. 211023 in said amount for a total authorization of not to exceed \$78,000, was presented.

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

Mary Kelley, representing the Torrey Pines Association, the Torrey Pines Protective Association and the Sierra Club, appeared to address the Council in opposition to the proposed Resolution and answered questions directed by the Council.

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

Mary Kelley answered questions directed by the Council.

RESOLUTION 216537, authorizing a First Amendment to the Agreement with Nasland Engineering, Inc., providing for additional engineering services in connection with the design and construction of improvements for Torrey Pines Science Park Unit No. 2; authorizing the Auditor and Comptroller to expend the additional sum of \$61,900 from Land Development Trust Fund No. 314 for the above stated services and related costs, supplementing Resolution No. 211023 in said amount for a total authorization of not to exceed \$78,000, was adopted on motion of Councilman Johnson.

(Item 251)

A proposed Resolution, continued from the Meetings of June 2 and 30, 1976 for a report from the Planning Commission, consenting to the establishment of a portion of Mast Boulevard, between Mission Gorge Road and 1,000 feet northeasterly of Rumson Drive, lying within the City limits, as a part of the County Highway for purposes of right-of-way acquisition, construction, maintenance, improvement and repair was presented.

Ken Klein, Planning Department presented his report.

(Item 251 - Continued)

Superintendent Schempers, Transportation Department, presented his report and answered questions directed by the Council.

Deputy County Engineer Erickson answered questions directed by the Council at length.

Arthur Casey, Executive Director of Citizens Concerned, appeared to address the Council in opposition to the proposed Resolution and answered questions directed by the Council.

Councilwoman O'Connor left the Chambers.

Superintendent Schempers, Transportation Department, answered questions directed by the Council.

A motion by Councilman Morrow to refer the matter to the Committee on Transportation and Land Use, received no vote at this time.

The Council discussed the matter.

A vote was then taken on the previous motion of Councilman Morrow to refer the matter to the Committee on Transportation and Land Use, which passed unanimously.

Mayor Wilson recessed the regular Meeting at 12:05 p.m. to be reconvened at 2:00 p.m.

Upon reconvening at 2:06 p.m., the Roll Call showed Councilmen Williams, Morrow, Ellis, and Haro absent.

(Item 105 - Second time.)

Mayor Wilson recognized Mr. Joe Stern for the purposes of speaking to a Communication which had been referred to the City Manager by prior Council Action. Mr. Stern spoke.

Councilman Morrow entered the Chambers.

Mr. Stern continued speaking.

Councilmen Williams and Haro entered the Chambers.

Assistant City Attorney Teaze, City Manager McKinley, and City Clerk Nielsen answered questions directed by the Council.

By common consent, the Council agreed not to reconsider the matter.

(Item 252 a, b, and d)

The following proposed Resolutions, relative to Beyer Boulevard widening, a - Authorizing the acceptance by the City Manager of deed of Reginald C. Morrow (street purposes) - BEYER BOULEVARD; b - Authorizing the acceptance by the City Manager of deed of Carlos Rodriguez Ontiveros and Dolores Serrano Ontiveros (street purposes) - BEYER BOULEVARD; and d - Authorizing the expenditure of \$350,000 from Gas Tax Fund 220 for right-of-way acquisition and relocation assistance for said widening, were presented. William Schempers, Transportation Department, answered questions directed by the Council.

The motion of Councilman Haro to adopt the proposed Resolutions, was not voted on at this time.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 216538, authorizing the acceptance by the City Manager of deed of Reginald C. Morrow (street purposes) - BEYER BOULEVARD;

RESOLUTION 216539, authorizing the acceptance by the City Manager of deed of Carlos Rodriguez Ontiveros and Dolores Serrano Ontiveros (street purposes) - BEYER BOULEVARD; and

RESOLUTION 216540, authorizing the expenditure of \$350,000 from Gas Tax Fund 220 for right-of-way acquisition and relocation assistance for said widening, were adopted on motion of Councilman Haro.

(Unanimous Consent No. 1 - First time.)

By Unanimous Consent granted to Councilman Haro, the following proposed Resolutions, authorizing the acceptance by the City Manager of deed of Thomas V. Baltz conveying Lot A-171 in Addition No. 2 of San Ysidro, dedicating the land therein conveyed as Parcel 2 for a public street; and authorizing the expenditure of \$265,000 from Gas Tax Fund 220 for right-of-way acquisition and relocation assistance for the widening of Smythe Avenue (CIP 52-189(7)), were presented.

(Unanimous Consent No. 1 - First time - Continued)

The motion of Councilman Haro to adopt the proposed Resolutions, was not voted on at this time.

William Schempers, Transportation Department, answered questions directed by the Council.

By common consent, the matter was trailed to later in the Meeting.

(Item 253)

A proposed Resolution, authorizing an agreement with Booz . Allen & Hamilton Inc. for the purpose of implementing Phase III of a Productivity Improvement Project, was presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 216541, authorizing an agreement with Booz . Allen & Hamilton Inc. for the purpose of implementing Phase III of a Productivity Improvement Project, was adopted on motion of Councilman Morrow.

(Item 254)

The following proposed Alternate Resolutions, regarding applications for deferment or waiver of the Qualification Fee by Indigent Candidates in the September, 1975 Municipal Primary Election:

a - Finding that John Kelley, Candidate for Mayor, is Indigent for the purposes of payment of his pro rata share of the Statement of Qualification expenses; and deferring the \$1,052.34 cost incurred by Candidate Kelley, such cost to be paid at such time contributions in excess of \$3,000 are received by him or any committee supporting him; or

b - Finding that John Kelley, Candidate for Mayor, is not Indigent for the purposes of payment of his pro rata share of the Statement of Qualification expenses; and finding that Candidate Kelley's Statement of Qualification cost of \$1,052.34 is due and owing The City of San Diego and directing the City Attorney to take appropriate action to collect the same.

c - Finding that Nancy Bradshaw, Candidate for Board of Education, District A, is Indigent for the purposes of payment of her pro rata share of the Statement of Qualification expenses; and deferring the \$249.69 cost incurred by Candidate Bradshaw, such cost to be paid at such time contributions in excess of \$3,000 are received by her or any committee supporting her; or

d - Finding that Nancy Bradshaw, Candidate for Board of Education, District A, is not Indigent for the purposes of payment of her pro rata share of the Statement of Qualification expenses; and finding that Candidate Bradshaw's Statement of Qualification cost of \$249.69 is due and owing The City of San Diego and directing the City Attorney to take appropriate action to collect the same, were presented.

Assistant City Attorney Teaze answered questions directed by the Council.

Nancy Bradshaw and John Kelley appeared to speak and answered questions directed by the Council.

The motion of Councilman Morrow to adopt the two alternate Resolutions, a and c, received no second at this time.

John Kelley and Nancy Bradshaw answered further questions directed by the Council.

(Item 254 - Continued)

Assistant City Attorney Teaze answered questions directed by the Council, and presented the following revisions to Resolutions a and c: changing the second paragraph of Resolution a by deleting "in excess of \$3,000" and adding the word "any" before "contributions"; and changing the second paragraph of Resolution c by deleting "in excess of \$3,000" and adding the word "any" before "contributions."

John Kelley and Nancy Bradshaw answered further questions directed by the Council.

The motion of Councilman Morrow to adopt the two alternate proposed Resolutions, a and c, was seconded by Councilman Gade, and not voted on at this time.

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

Nancy Bradshaw answered additional questions directed by the Council.

Assistant City Attorney Teaze answered questions directed by the Council.

John Kelley and Nancy Bradshaw answered questions directed by the Council.

The motion of Councilman Hubbard to amend the motion to refer Campaign Ordinance to the Rules Committee for study, died for lack of a second.

RESOLUTION 216542, finding that John Kelley, Candidate for Mayor, is indigent for the purposes of payment of his prorata share of the Statement of Qualification expenses; and deferring the \$1,052.34 Statement of Qualification cost incurred by Candidate Kelley such cost to be paid by Candidate Kelley at such time any contributions are received by said candidate or by any committee supporting him; and

RESOLUTION 216543, finding that Nancy Bradshaw, candidate for Board of Education, District A, is indigent for the purpose of payment of her pro rata share of the Statement of Qualification expenses; and deferring the \$249.69 Statement of Qualification cost incurred by Candidate Bradshaw, such cost to be paid by Candidate Bradshaw at such time any contributions are received by said candidate or by any committee supporting her, were adopted on motion of Councilman Morrow.

On motion of Councilman Hubbard, the Campaign Ordinance was referred to the Rules Committee for review and to the City Attorney for a report to the Rules Committee on said Ordinance.

The motion of Councilman Johnson to instruct the City Attorney to file necessary action to seek payment of outstanding bills from the 7 candidates that have not paid fees for statements of qualifications, was not voted on at this time.

Mayor Wilson entered the Chambers and assumed the Chair.

Discussion followed.

On motion of Councilman Johnson, the City Attorney was instructed to file necessary action to seek payment of outstanding bills from the 7 candidates that have not paid fees for statements of qualifications.

(Unanimous Consent No. 1 - Second time.)

William Schempers, Transportation Department, answered questions directed by the Council.

(Unanimous Consent No. 1 - Second time - Continued)

RESOLUTION 216544, authorizing the acceptance by the City Manager of deed of Thomas V. Baltz conveying Lot A-171 in Addition No. 2 of San Ysidro, dedicating the land therein conveyed as Parcel 2 for a public street; and

RESOLUTION 216545, authorizing the expenditure of \$265,000 from Gas Tax Fund 220 for right-of-way acquisition and relocation assistance for the widening of Smythe Avenue (CIP 52-189(7)), were adopted on motion of Councilman Haro.

(Item 256)

A proposed Resolution, authorizing an agreement with Centre City Development Corporation, Inc. wherein City provides staff services to Center City Development Corporation in connection with implementation of the Centre City Plan, was presented.

The motion of Councilwoman O'Connor to adopt the proposed Resolution, was not voted on at this time.

James Spotts, Planning Department, answered questions directed by the Council.

RESOLUTION 216546, authorizing an agreement with Centre City Development Corporation, Inc. wherein City provides staff services to Center City Development Corporation in connection with implementation of the Centre City Plan, was adopted on motion of Councilwoman O'Connor.

(Item 257)

A revised proposed Resolution, calling a Special Meeting of the Council on September 16, 1976 at 2:00 p.m. at the Casa Del Prado in Balboa Park for the purpose of discussing the matter of Cowles Mountain with the County Board of Supervisors, was presented.

The motion of Councilman Haro to adopt the proposed revised Resolution, was not voted on at this time.

City Manager McKinley and Assistant City Attorney Teaze answered questions directed by the Council.

RESOLUTION 216547, calling a special meeting of the Council for September 16, 1976 at 2:00 p.m. at the Casa Del Prado in Balboa Park for the purpose of discussing the matter of Cowles Mountain with the County Board of Supervisors, was adopted on motion of Councilman Haro.

(Item 401)

The following proposed Resolutions, Items a and b were continued from the Meeting of July 7, 1976, at City Manager's request, relative to the construction of Otay Mesa Road water and sewer mains:

a - Certifying that the information contained in the Environmental Impact Report No. 76-01-27C has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines pursuant thereto, and that said Environmental Impact Report has been reviewed and considered by the Council;

(Item 401 - Continued)

b - Authorizing an agreement with San Ysidro School District for said construction in connection with the development of an Administration Center and Middle School by the School District;

c - Adding Project No. 73-200, Construction of San Ysidro School District Water Main, to Capital Improvements Program, Water Utilities (Fund 502), and adding Project No. 46-036, Otay Mesa Sewer, to the Capital Improvements Program, Water Utilities (Fund 506); authorizing the City Auditor and Comptroller to transfer within the 502 Fund the sum of \$28,500 from Unallocated Reserve (69.79) to CIP-City Force and Contract (66.92) to provide funds for Project No. 73-200; and transferring within the 506 Fund the sum of \$164,575 from Sewer Unallocated Reserve (69.97) to CIP-City Force and Contract (64.97) to provide funds for Project No. 46-036; and

d - Inviting Bids for Construction of the Otay Mesa Sewer and San Ysidro School District Water Main - Specifications Document No. 756042, were presented.

The motion of Councilman Haro to adopt said proposed Resolutions, was not voted on at this time.

City Manager McKinley answered questions directed by the Council.

The following Resolutions, relative to the construction of Otay Mesa Road Water and Sewer Mains, were adopted on motion of Councilman Haro:

RESOLUTION 216548, finding that the avoidance of future costs would be beneficial to the City and its current and future residents, which benefits outweigh the potential adverse impacts described in Environmental Impact Report EQD No. 76-01-27C;

RESOLUTION 216549, authorizing an agreement with San Ysidro School District for said construction in connection with the development of an Administration Center and Middle School by the School District;

RESOLUTION 216550, adding Project No. 73-200, Construction of San Ysidro School District Water Main, to Capital Improvements Program, Water Utilities (Fund 502), and adding Project No. 46-036, Otay Mesa Sewer, to the Capital Improvements Program, Water Utilities (Fund 506); authorizing the City Auditor and Comptroller to transfer within the 502 Fund the sum of \$28,500 from Unallocated Reserve (69.79) to CIP-City Force and Contract (66.92) to provide funds for Project No. 73-200; and transferring within the 506 Fund the sum of \$164,575 from Sewer Unallocated Reserve (69.97) to CIP-City Force and Contract (64.97) to provide funds for Project No. 46-036; and


RESOLUTION 216551, inviting bids for Construction of the Otay Mesa Sewer and San Ysidro School District Water Main in accordance with Specifications Document No. 756042.

(Unanimous Consent No. 2)

By Unanimous Consent granted to Councilman Gade, a proposed Resolution, waiving the rental fee of \$150 for the use of the Recital Hall in Balboa Park on September 12, 1976, from 5 p.m. to 8 p.m. for a civic event entitled "A Salute to America's Finest, A Tribute to San Diego Olympians," sponsored by individual citizens at their own expense for the purpose of honoring the 10 San Diego area residents who participated in the 1976 Montreal Olympics; rescinding Resolution No. 216466 adopted on July 27, 1976, was presented.

RESOLUTION 216552, waiving the rental fee of \$150 for the use of the Recital Hall in Balboa Park on September 12, 1976, from 5 p.m. to 8 p.m. for a civic event entitled "A Salute to America's Finest, A Tribute to San Diego Olympians," sponsored by individual citizens at their own expense for the purpose of honoring the 10 San Diego area residents who participated in the 1976 Montreal Olympics; rescinding Resolution No. 216466 adopted on July 27, 1976, was adopted on motion of Councilman Gade.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 3:54 p.m. on motion of Councilman Hubbard.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California