

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, AUGUST 18, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M. -

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

Deputy Mayor O'Connor called the Regular Meeting to order at 8:30 a.m.

(Item 100)

Roll call was taken.

(Item 101)

Deputy Mayor O'Connor welcomed twenty-five members of Boy Scouts from Yokohama, Japan accompanied by J.T. Wells and Mr. Peter Wingart. Mrs. J.T. Wells and Yoshioko Yamahista appeared to speak. Councilmen Morrow and Johnson and Assistant City Attorney Teaze welcomed the group.

(Item 103)

The Purchasing Agent reported on all bids opened Tuesday, August 17, 1976 for paving and otherwise improving Linda Vista Road from Morena Boulevard to 500 feet easterly of Alcalá Knolls Drive - three bids received.

Finding was made on motion of Councilman Morrow that bids had been opened and declared as reported. By the same motion, report was referred to the City Manager and City Attorney for recommendation.

The Council at this time considered requests for continuances:
Items 203, 253, 256, and 257.

(Item 203)

ORDINANCES TO BE INTRODUCED: Amending Chapter IX, Article 8, of the San Diego Municipal Code by amending Section 98.11 relating to Trailers Located Outside Trailer Parks - Special Permit - Fee.

City Manager McKinley spoke on the continuance.

The item was trailed and no action was taken at this time.

The Council considered Items 253, 256, and 257 simultaneously.

(Item 253)

OTHER RESOLUTIONS: (Continued from the Meeting of July 21, 1976.)
Authorizing Mr. Coleman Conrad, special attorney for the Police Intelligence Inquiry: (1) to claim the privileges provided to a public entity under

(Item 253 - Continued)

Evidence Code Sections 1040 and 1041, and (2) to claim the privilege provided to a local agency under Government Code Section 6254, and (3) to claim any other privileges that are available to the City under State and Federal law; authorizing Mr. Coleman Conrad, special attorney for the Police Intelligence Inquiry, to apply to a court of competent authority in the State of California, County of San Diego, to designate Mr. Conrad as "a person authorized by law to receive a record" under the provisions of Penal Code Sections 11140 through 11144 and requesting the court to designate Mr. Conrad as "a person authorized by law to receive a record";

(Item 256)

OTHER RESOLUTIONS: Two Resolutions relative to San Diego County Water Authority in Lieu Taxes: (a) Electing to pay out of Municipal Funds One Hundred Percent (100%) of an amount in lieu of taxes which would otherwise be levied upon property within the City by the San Diego County Water Authority for the Fiscal Year beginning July 1, 1976 and ending June 30, 1977; and (b) Declaring intention to pay out of Municipal Funds the whole of the amount of taxes to be derived from that area of the San Diego County Water Authority which is within the City for the Fiscal Year beginning July 1, 1977, in an amount to be fixed in August, 1977, by Resolution of the Board of Directors of the Authority; and

(Item 257)

OTHER RESOLUTIONS: Two Resolutions relative to Metropolitan Water District of Southern California in Lieu Taxes: (a) Electing to pay out of Municipal Funds One Hundred Percent (100%) of an amount in lieu of taxes which would otherwise be levied upon property within the City by the Metropolitan Water District of Southern California for the Fiscal Year beginning July 1, 1976, and ending June 30, 1977, and appropriating such in-lieu amount; and (b) Declaring intention to pay out of Municipal Funds the whole of the amount of taxes to be derived from that area of the Metropolitan Water District of Southern California which is within the City, for the Fiscal Year beginning July 1, 1977, in an amount to be fixed in August, 1977, by Resolution of the Board of Directors of the District.

On motion of Councilman Ellis, the proposed Resolutions were continued to August 25, 1976 - a.m., at Mayor Wilson's request, which passed unanimously.

The Council considered the portion of the Consent Agenda dealing with Ordinances introduced at a previous meeting, ready for dispensation with the reading and adoption, which consisted of Items 120, 121, and 122.

Councilmen Williams and Haro entered the Chambers.

The following Ordinances were introduced at the Meetings of August 4, 1976 (Item 120 and 121, reintroduced, as amended) and August 3, 1976 on Item 22.

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 their passage, a written or printed copy of each Ordinance.

The following Ordinances were adopted on motion of Councilman Ellis by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-None. Absent-Councilman Hubbard and Mayor Wilson.

(Item 120 - CASE NO. 60-72-3/EOT 2)

ORDINANCE 11876 (New Series), amending Section 1 of Ordinance No. 11253 (New Series), adopted February 26, 1974, amended by Ordinance No. 11472 (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.

(Item 121)

ORDINANCE 11877 (New Series), amending Chapter II, Article 2, Division 9 of the San Diego Municipal Code by amending Section 22.0902.2 relating to Real Property.

(Item 122)

ORDINANCE 11878 (New Series), amending Chapter X, Article 1 of the San Diego Municipal Code by amending Section 101.0434 relating to the SR Zone (Scientific Research).

The Council considered the portion of the Consent Agenda dealing with Resolutions, which consisted of Items 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 200, 201, and 202.

(Item 150)

The following Resolutions relative to Balboa Park Palm Arboretum were adopted on motion of Councilman Gade:

RESOLUTION 216602, certifying that the information contained in the Environmental Negative Declaration No. 76-05-21C, 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; and

RESOLUTION 216603, awarding a contract to Scheidel Corporation, for the Balboa Park Palm Arboretum, for the sum of \$117,777.77; authorizing the expenditure of \$130,650 out of the Park and Recreation Bond Fund No. 725 and Reserve for said purpose.

(Item 151)

RESOLUTION 216604, awarding a contract to W. Daniel Larsen, for the construction of Mission Bay Park Bikeway, Middle Jetty from the San Diego River Sand Plug to approximately 2500' easterly, for the sum of \$33,650.60; authorizing the expenditure of \$47,500 out of the Bicycle Lane State Grant Fund No. 2720 for said purpose, was adopted on motion of Councilman Gade.

(Item 152)

RESOLUTION 216605, inviting bids for City Operations Building - Phase I - Insulation and Reroofing under Specifications Document No. 756234, was adopted on motion of Councilman Gade.

(Item 153)

RESOLUTION 216606, authorizing the Purchasing Agent to advertise for sale and sell approximately 2200' of MS730 Sewer Chain, said sewer chain is no longer needed for City purposes; all expenses in connection with the sale of said sewer chain shall be deducted from the proceeds received from the sale thereof, was adopted on motion of Councilman Gade.

(Item 154)

RESOLUTION 216607, authorizing an agreement with Gentry and Watts Industrial Park to reimburse them for the excess cost, above their proportionate share of Sewer Mains which are needed to serve their 'Subdivision', G-W Industrial Park Units 1, 2, 3, 4, 5 and G-W Industrial Park Resub., was adopted on motion of Councilman Gade.

(Item 155)

RESOLUTION 216608, vacating easement for sewer purposes, being unnecessary for present or prospective public use by the City, affecting Lot 3, Inland Center, was adopted on motion of Councilman Gade.

(Item 156)

RESOLUTION 216609, setting aside and dedicating for the purpose of a public street portions of Lots 1 and 16, Country Paradise Subdivision, and naming the same 53rd Street, was adopted on motion of Councilman Gade.

(Item 157)

The following Resolutions relative to Sewer and Drainage Easement Exchange in Lots 1 and 2, Delta No. 1, were adopted on motion of Councilman Gade:

RESOLUTION 216610, certifying that the information contained in the Environmental Negative Declaration No. 74-8-019P 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;

RESOLUTION 216611, approving the acceptance by the City Manager of Deed of Euclid Gardens Joint Venture (sewer and drainage easement); and

RESOLUTION 216612, authorizing the execution of a Quitclaim Deed, quitclaiming to Euclid Gardens Joint Venture existing sewer and drainage easements affecting portions of said lots.

(Item 158)

The following Resolutions relative to approving the acceptance by the City Manager of Deeds, were adopted on motion of Councilman Gade:

RESOLUTION 216613, Galen D. Gant, James D. and Louise M. Halter, and William F. and Joyce M. Smith (street purposes) - PALM AVENUE; and

RESOLUTION 216614, William C. Smith (street purposes) - SIXTH AVENUE.

(Item 159)

A revised resolution was presented prior to the Meeting.

RESOLUTION 216615, authorizing an agreement with Alcor Engineering, to provide Professional Engineering Services for design of improvements for City-initiated unscheduled assessment district projects and minor public works projects; authorizing the expenditure of \$25,000 from Capital Outlay Fund No. 245 for above-referenced services, was adopted on motion of Councilman Gade.

(Item 160)

RESOLUTION 216616, approving Change Order No. 1, issued in connection with the contract with Long, Market & Howley Construction Company for the construction of 30th Street (South) Pipeline, amounting to a net decrease in the contract price of \$15,256.70, was adopted on motion of Councilman Gade.

(Item 161)

RESOLUTION 216617, authorizing a representative of the Water Utilities Department to travel to Logan, Utah, to attend a Soil - Structure Interaction Mechanics and Hydraulic Design Program sponsored by Utah State University to be held on August 29 through September 2, 1976; authorizing the expenditure of \$150 from Water Utilities Operating Fund No. 500 (61.10) for the purpose of providing funds for said travel; Utah State University will pay for all other expenses such as food, lodging and university fees, was adopted on motion of Councilman Gade.

(Item 162)

RESOLUTION 216618, authorizing an agreement with Cabrillo Festival, Inc., to produce and conduct the Cabrillo Festival during fiscal year 1977, was adopted on motion of Councilman Gade.

(Item 163)

RESOLUTION 216619, authorizing an agreement with Mission Bay Associates to advertise and promote events in Mission Bay Park which are most likely to gain national recognition for the Park as an aquatic recreation area and promote the City of San Diego, was adopted on motion of Councilman Gade.

(Item 200)

Revised resolutions were presented prior to the Meeting.

The following Resolutions relative to designating Standardized Lease Forms in accordance with Council Policy 700-10, were adopted on motion of Councilman Gade:

RESOLUTION 216620, Percentage Rate Lease Form; and

RESOLUTION 216621, Flat Rate Lease Form.

(Item 201)

RESOLUTION 216622, establishing a range of 8-10% as the fair rate of return for lease or rental of City-owned real property as required by Council Policy 700-10, was adopted on motion of Councilman Gade.

(Item 202)

RESOLUTION 216623, endorsing a revised set of procedures relating to the conduct of the Federal Aid Urban Program in the San Diego urbanized area, and delegating the Transportation Director as the City's representative on the Federal Aid Urban Advisory Committee established thereby, was adopted on motion of Councilman Gade.

(Item 104 - Supplemental Docket No. 1)

The matter of an additional Proposed Ballot Proposition for November 2, 1976 was presented. It was "do the qualified electors of The City of San Diego approve the development, construction and acquisition of Low Rent Housing within the City to provide not more than 1,000 dwelling units on scattered sites for living accommodations for low income elderly or low income persons?"

The motion of Councilman Haro to waive Council Policy 000-21 to consider the item, received no vote at this time.

City Attorney Witt answered questions directed by the Council.

A vote was taken on the previous motion of Councilman Haro to waive Council Policy 000-21 to consider the item, which passed unanimously.

Assistant City Attorney Teaze and Michael Witte, Housing Advisory Board, answered questions directed by the Council.

Jim Williams, John Mortenson, Joe Stern, Lyon Skinner, and Jewell Hooper, appeared to speak.

The motion of Councilman Ellis to amend the wording to substitute 2,500 instead of 1,000 on page 2 of the Ordinance, died for lack of a second.

City Manager McKinley answered questions directed by the Council.

The item was trailed and no action was taken at this time.

(Item 102)

Deputy Mayor O'Connor welcomed members of Cub Scouts Pack #264 Den #3, accompanied by Mrs. Theresa M. Clark.

(Item 104 - Supplemental No. 1 - Continued)

Duria Henderson, Engineering and Development Department, answered questions directed by the Council.

The Deputy Mayor recessed the Meeting at 10:09 a.m. Upon reconvening at 10:32 a.m., the roll call showed Councilmen Hubbard, Morrow, and Mayor Wilson absent.

(Item 104 - Supplemental No. 1 - Continued)

Discussion followed.

Councilman Morrow entered the Chambers.

Councilman Williams offered a second to the motion of Councilman Ellis to amend the wording to substitute 2,500 instead of 1,000 on page 2 of the Ordinance. No vote was taken at this time.

Mr. Witte further answered questions directed by the Council.

(Item 104 - Supplemental No. 1 - Continued)

A vote was taken on the previous motion of Councilman Ellis to amend the wording to substitute 2,500 instead of 1,000 on page 2 of the Ordinance, which passed unanimously.

Discussion followed.

Councilman Haro moved to amend the Ordinance to add after Low-income "persons including but not limited to low-income elderly or low-income disabled persons", which passed unanimously.

Assistant City Attorney Teaze answered questions directed by the Council.

Councilman Haro moved to direct the City Attorney to come back with an Ordinance showing the amended proposition regarding low-income housing, which passed unanimously.

The item was trailed and no action was taken at this time.

(Item 203 - Second Time)

City Manager McKinley and Committee Consultant Wilken answered questions directed by the Council.

Councilman Haro left the Chambers.

Lee Okeson, Planning Department, answered questions directed by the Council.

The motion of Councilman Williams to introduce the proposed Ordinance, received no vote at this time.

Marian Bear appeared to speak.

City Manager McKinley further answered questions directed by the Council.

Councilman Haro entered the Chambers.

A proposed Ordinance amending Chapter IX, Article 8, of the San Diego Municipal Code by amending Section 98.11 relating to Trailers Located Outside Trailer Parks - Special Permit - Fee, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-None. Absent-Councilman Hubbard and Mayor Wilson.

(Item 104 - Third Time)

Councilman Morrow presented a proposed Proposition on People's Ordinance regarding prohibiting Off-Premises Advertising, Signs (Billboards) within the City limits.

Councilman Morrow's Assistant, Phil Shafer and C. Alan Sumption, Attorney's Office, answered questions directed by the Council.

Mr. Okeson and Mr. Teaze further answered questions directed by the Council.

(Item 104 - Third Time)

The motion of Councilman Morrow to direct the City Attorney to add a disclaimer language and put it in ballot form for consideration this afternoon, died for lack of a second.

The motion of Councilman Haro to adopt the Ordinance as amended; adopt a Resolution rescinding Resolution 216594, which requested the consolidation of a special municipal election regarding Charter amendments, and adopt another Resolution requesting the Board of Supervisors to consolidate the special municipal elections covering Charter amendments and low-rent housing proposition, received no vote at this time.

Mr. Sumption further answered questions directed by the Council.

Councilman Haro withdrew his previous motion.

Marian Bear appeared to speak.

Councilman Ellis left the Chambers.

The motion of Councilman Morrow to take the existing provision on People's Ordinance regarding Billboards and direct the City Attorney to put a disclaimer language on the ballot, failed due to lack of five affirmative votes by the following vote: Yeas-Councilmen Williams and Morrow. Nays-Councilmen Johnson, Gade, Haro, and Deputy Mayor O'Connor. Absent-Councilman Hubbard and Mayor Wilson.

The following Ordinance was passed on the day of its introduction, to-wit, on August 18, 1976, said Ordinance being of the kind and character authorized for passage on introduction by Section 16 of the Charter.

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 written or printed copies of said Ordinance.

ORDINANCE 11879 (New Series), ordering, calling, providing for and giving notice of a Special Municipal Election to be held in The City on November 2, 1976, for the purpose of submitting to the qualified voters of The City: A proposition relating to the development, acquisition and construction of low-rent housing projects not exceeding 2,500 units for low-income persons including but not limited to low-income elderly or low-income disabled persons; and consolidating this Special Municipal Election with the Statewide General Election to be held on the same date, was adopted on motion of Councilman Haro by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Gade, Haro, and Deputy Mayor O'Connor. Nays-None. Absent-Councilmen Hubbard, Ellis, and Mayor Wilson.

10A

ORDINANCE NO. _____
(New Series)

AN ORDINANCE OF THE CITY OF SAN DIEGO, CALIFORNIA, ORDERING, CALLING, PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON NOVEMBER 2, 1976, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY: A PROPOSITION RELATING TO THE DEVELOPMENT, ACQUISITION AND CONSTRUCTION OF LOW-RENT HOUSING PROJECTS NOT EXCEEDING ONE THOUSAND UNITS (FOR LOW-INCOME) OR ELDERLY LOW-INCOME PERSONS; AND CONSOLIDATING THIS SPECIAL MUNICIPAL ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE.

PERSONS INCLUDING BUT NOT LIMITED TO LOW INCOME ELDERLY OR LOW INCOME DISABLED PERSONS -

WHEREAS, at a meeting held on August 18, 1976, the City Council of The City of San Diego adopted Resolution No. _____, requesting the Board of Supervisors of the County of San Diego to order the consolidation of a special municipal election to be held on November 2, 1976, with the statewide general election to be held on the same date; and

WHEREAS, the Board of Supervisors of the County of San Diego is expected to grant the request and order the consolidation of the two elections; NOW, THEREFORE,

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

Section 1. A special municipal election is hereby called and ordered to be held in the City of San Diego, California, on November 2, 1976; and pursuant to the provisions of Section 223 of the Charter of The City of San Diego, the provisions of Section 3 of Article XI of the Constitution of the State of California and the provisions of Sections 34450

and 34459 of the California Government Code, the Council of The City of San Diego, being the legislative body thereof, hereby proposes and submits to the qualified voters of the City at such special municipal election the following proposition:

PROPOSITION _____

City of San Diego low-rent housing proposal for low-income or elderly low-income persons:

Do the qualified electors of the City of San Diego approve the development, construction and acquisition of low-rent housing projects within the City to provide not more than ^{2,070}~~1,000~~ dwelling units on scattered sites for living accommodations for low-income or elderly low-income persons?

Section 2. The proposition shall be presented and printed upon the ballot and submitted to the voters in the manner and form set out in Section 4 of this ordinance.

Section 3. The polls for this special municipal election shall be open at 7:00 a.m. (local time) on November 2, 1976, and shall remain open continuously until 8:00 p.m. (local time) on the same day at which time the polls shall be closed, except as provided in Section 14436 of the Elections Code of the State of California.

Section 4. Since this election is being consolidated with the statewide general election; and since the Board of Supervisors of the County of San Diego is hereby authorized to canvass returns of this election; and since only one form of ballot is

authorized, the method of voting upon these measures shall be as provided in the Elections Code of the State of California; the form of the proposition as it is to appear on the ballot is as follows:

<p>PROPOSITION _____ . CITY OF SAN DIEGO LOW-RENT HOUSING PROPOSAL FOR LOW-INCOME OR ELDERLY LOW-INCOME PERSONS.</p>	<p>YES</p>	
<p>Do the qualified electors of the City of San Diego approve the development, construction and acquisition of low-rent housing projects within the City to provide not more than 1,000 dwelling units on scattered sites for living accommodations for low-income or elderly low-income persons?</p>	<p>NO</p>	

Section 5. An appropriate mark placed in the voting square after the word "YES," shall be counted in favor of the adoption of the proposition. An appropriate mark placed in the voting square after the word "NO," in the manner hereinbefore provided, shall be counted against the adoption of the proposition.

Section 6. The special municipal election called for November 2, 1976, in the City of San Diego is hereby ordered consolidated with the statewide general election to be held on the same date. Within the City of San Diego the precincts, polling places and officers of the election for the special municipal election shall be the same as those provided for in the statewide general election, all as set forth in the List of Election Officers and Polling Places for the General Election proposed to be published in the San Diego Union.

Section 7. The Board of Supervisors of the County of San Diego is hereby authorized to canvass the returns of the special municipal election and these elections shall be held in all respects as if there were only one election, and within the City only one form of ballot shall be used. The Board of Supervisors shall certify the results of the canvass of the returns of this special municipal election to the Council of The City of San Diego which shall then declare the results of the election.

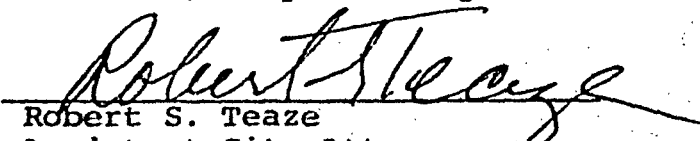
Section 8. The proposition submitted by this ordinance shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the measure as provided in Section 10231 of the Elections Code of the State of California.

Section 9. Except as otherwise provided in this ordinance, the special municipal election shall be conducted as provided by law for other municipal elections of the City.

Section 10. The City Clerk shall cause this ordinance to be published once in the official newspaper. No other notice of the election need be given.

Section 11. This ordinance shall take effect on August 18, 1976, being the day of its introduction and passage.

APPROVED: JOHN W. WITT, City Attorney

By 
Robert S. Teaze
Assistant City Attorney

RST:k:930.35
8-18-76

(Item 104 - Third Time)

The following Resolutions were adopted on motion of Councilman Haro:

RESOLUTION 216624, rescinding Resolution No. 216594, adopted August 11, 1976; and

RESOLUTION 216625, requesting the consolidation of a Special Municipal Election for the purpose of ratifying Charter amendments, and a Special Election for the purpose of approving low-rent housing projects for low-income or elderly low-income persons, to be held in The City of San Diego on November 2, 1976 with the Statewide General Election to be held on the same date.

The Deputy Mayor recessed the Meeting at 12:09 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:06 p.m., the Roll Call showed Councilmen Hubbard, Morrow, and Mayor Wilson absent.

The following Ordinance was introduced as amended at the Meeting of August 3, 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)

ORDINANCE 11880 (New Series), amending Chapter X, Article 1 of the San Diego Municipal Code by adding Sections 101.0101.73 and 101.0406 regarding Home Occupations, was adopted on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, Williams, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-None. Absent-Councilmen Hubbard, Morrow, and Mayor Wilson.

Councilman Morrow entered the Chambers.

(Item 251)

A proposed Ordinance which was introduced at the Meeting of August 3, 1976, approving the Redevelopment Plan for the Market Street Industrial Park Redevelopment Project, and certifying that the First Amendment to Environmental Negative Declaration No. 75-01.00.17 BG has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Amendment has been reviewed and considered by the Council, was presented.

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

Jewell Hooper appeared to speak.

The following Ordinance was introduced at the Meeting of August 3, 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.

ORDINANCE 11881 (New Series), approving the Redevelopment Plan for the Market Street Industrial Park Redevelopment Project, was adopted on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-None. Absent-Councilmen Hubbard, and Mayor Wilson.

(Item 254)

A proposed Resolution, authorizing the City Manager to accept a grant award for funding new CMP Program activities for the period July 1, 1976 through June 30, 1977, under the United States Department of Housing and Urban Development's Comprehensive Planning Assistance Program, was presented.

City Manager McKinley answered questions directed by the Council.

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

City Manager McKinley answered further questions directed by the Council.

Council requested the City Manager to bring back a report to the Council on the total cost of the Growth Management Program.

RESOLUTION 216626, authorizing the City Manager to accept a grant award for funding new CMP Program activities for the period July 1, 1976 through June 30, 1977, under the United States Department of Housing and Urban Development's Comprehensive Planning Assistance Program, was adopted on motion of Councilman Haro.

(Item 255)

A proposed Resolution, authorizing the Auditor and Comptroller to transfer within the 100 Fund the sum of \$2,271 from the Unallocated Reserve (53.30) to Department 13.10, Object Account 3213, to be used solely and exclusively for providing additional funds for travel expenses of three Civil Service Commissioners while attending the International Personnel Management Association's (IPMA) International Conference in Washington, D.C., November 28, through December 2, 1976, was presented.

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

Discussion followed.

RESOLUTION 216627, authorizing the Auditor and Comptroller to transfer within the 100 Fund the sum of \$2,271 from the Unallocated Reserve (53.30) to Department 13.10, Object Account 3213, to be used solely and exclusively for providing additional funds for travel expenses of three Civil Service Commissioners while attending the International Personnel Management Association's (IPMA) International Conference in Washington, D.C., November 28, through December 2, 1976, was adopted on motion of Councilman Williams.

(Item 401 - Docket of Wednesday, August 18, 1976 - 2:00 p.m.)

The hour of 2:00 p.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meeting of July 14, 1976, due to lack of sufficient votes, on paving and otherwise improving the Alley in Block 13, Fairmount Addition to City Heights, and Block 4, Mountain View - on Resolution of Intention 216132.

Deputy City Attorney Valderhaug reported that 15 written protests had been received, which represented 75% protest.

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

(Item 401 - Docket of Wednesday, August 18, 1976 - 2:00 p.m. - Continued)

Councilman Morrow left the Chambers.

James McLaughlin, Engineering and Development, continued answering questions directed by the Council.

No one appeared to be heard.

On motion of Councilman Ellis, the hearing was closed and the following Resolution adopted.

RESOLUTION 216628, abandoning the proceedings heretofore taken for the proposed paving and otherwise improving the Alley in Block 13, Fairmount Addition to City Heights, and Block 4, Mountain View, under Resolution of Intention No. 216132, adopted June 9, 1976.

(Unanimous Consent No. 1)

By Unanimous Consent granted to Mayor Wilson, a proposed Resolution, excusing Mayor Pete Wilson from the Council meetings of August 17 and August 18, 1976, was presented.

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

Councilman Morrow entered the Chambers.

RESOLUTION 216629, excusing Mayor Pete Wilson from the Council meetings of August 17 and 18, 1976, was adopted on motion of Councilman Ellis.

Deputy Mayor O'Connor recessed the Regular Meeting at 2:32 p.m. Upon reconvening at 3:04 p.m., the Roll Call showed Councilmen Hubbard, Williams, Haro, and Mayor Wilson absent.

(Unanimous Consent No. 2)

By Unanimous Consent granted to Councilman Gade, a request, directing the City Clerk to place the matter of award of contract for 45 articulated buses for use by the San Diego Transit Corp. on the City Council docket of August 24, 1976, was presented.

The motion of Councilman Gade to so direct the City Clerk and refer the matter to the Transportation and Land Use Committee for hearing on August 24, 1976, was not voted on at this time.

(Unanimous Consent No. 2 - Continued)

Councilman Williams entered the Chambers.

On motion of Councilman Gade, direction was given to the City Clerk to place the matter of award of contract for 45 articulated buses for use by the San Diego Transit Corp. on the City Council docket of August 24, 1976 and refer the matter to the Transportation and Land Use Committee for hearing on August 24, 1976.

Councilman Haro entered the Chambers.

(Item 402)

A proposed Resolution, continued from the Meetings of June 23, and July 14, 1976, for report from Park and Recreation Board, directing the City Manager to communicate with the San Diego Unified School District Board declaring the City's intention to acquire the Thoreau School site, subject to allocation of funds in the Fiscal 1978 CIP Program, and to request that said site be reserved for City acquisition; directing the City Manager to consider Block Grant and other sources of funds for said acquisition; directing the City Manager to consider trading City-owned property for the said site, was presented.

City Manager McKinley and Dave Roberts, Park and Recreation Department, answered questions directed by the Council.

The motion of Councilman Morrow to amend the Resolution to direct the City Manager to acquire the Thoreau School site and come back to the City Council with sources of funding other than Community Development Block Grant, received no second yet.

City Manager McKinley, Deputy City Attorney Valderhaug, and Dave Roberts, Park and Recreation Department answered questions directed by the Council.

Councilman Ellis seconded the motion of Councilman Morrow, which was not voted on at this time.

Dave Roberts, Park and Recreation Department, and City Manager McKinley answered further questions directed by the Council.

The motion of Councilman Haro to continue the matter one week for the Park and Recreation Board to report on what parks would be eliminated by this action, was not voted on at this time.

Discussion followed.

Marian Bear, Carl Anderson, and James Haass appeared to speak on the continuance.

The motion to continue the matter for one week for Park and Recreation Board to report back on what parks would be eliminated by this action, failed due to lack of five affirmative votes by the following vote: Yeas-Councilmen Johnson, Williams, Haro, and Deputy Mayor O'Connor. Nays-Councilmen Morrow, Gade, and Ellis. Absent-Councilman Hubbard and Mayor Wilson.

Carl Anderson, Nan Valerio, Don Mason, Marian Bear, John Buchanan, and Charlotte Hoff appeared to speak.

Dave Roberts, Park and Recreation Department, answered questions directed by the Council.

Deputy City Attorney Valderhaug requested verification from the Council relative to the proper language for the amended Resolution.

(Item 402 - Continued)

RESOLUTION 216630, directing the City Manager to communicate with the San Diego Unified School District Board declaring the City's intention to acquire the Thoreau School Site, subject to allocation of funds in the Fiscal 1978 CIP Program, and to request that said site be reserved for City acquisition; directing the City Manager to initiate action to acquire the property; further directing the City Manager to bring a report and resolution to the Council as soon as practicable which report shall identify sources of funds for the proposed acquisition other than Community Development Block Grant Funds and which report shall recommend the funding source deemed most appropriate by the City Manager and which resolution will authorize the expenditure of such funds for the acquisition of the Thoreau School Site,

was adopted on motion of Councilman Morrow.

(Unanimous Consent No. 3)

By Unanimous Consent granted to Councilman Gade, a proposed Resolution, excusing Councilman Tom Gade from the Public Facilities and Recreation Committee meeting of August 16, 1976 for the purpose of attending the CPO Board of Directors meeting, was presented.

RESOLUTION 216631, excusing Councilman Tom Gade from the Public Facilities and Recreation Committee meeting of August 16, 1976, for the purpose of attending the CPO Board of Directors meeting, 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 4:39 p.m. on motion of Councilman Gade.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California