

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - SEPTEMBER 22, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Deputy Mayor O'Connor called the Regular Meeting to order at 8:43 a.m.

(Item 100)

Roll Call was taken.

(Item 101)

City Manager McKinley welcomed a group of new employees, accompanied by Diane Hoskins, General Services, who were present in the Chambers.

The Council considered requests for continuances: Items 150, 153b, 161, 208, 255, and 206.

(Item 150)

RESOLUTIONS: Two Resolutions relative to construction of the Otay Mesa sewer and San Ysidro School District water main:

- a - Awarding a contract to Long, Marker & Howley Construction Co. for the sum of \$125,008; authorizing the expenditure of \$164,575 out of Sewer Revenue Fund 506, and \$28,500 out of Water Revenue Fund 502 for said purpose and related costs.
- b - Authorizing the use of City forces to do all the work of operational checks and making necessary connections where required in connection with the above construction; cost of said work shall not exceed \$1,845. On motion of Councilman Gade, the matter was trailed to the regular Meeting of September 22, 1976, 2:00 p.m. as Unfinished Business due to the impossibility of the six votes required on (b).

(Item 153b)

RESOLUTIONS: Awarding a contract to Carde Pacific Corp. for purchase of one (1) pavement roller, and one (1) trailer, for a total estimated cost including tax and terms, of \$18,354.56.

On motion of Councilman Gade, the matter was returned to the City Manager for further review.

(Item 161)

RESOLUTIONS: Appointing Gray, Cary Ames & Frye, attorneys at law, as special bond counsel in connection with the proceedings under the Municipal Improvement Act of 1913, and the San Diego Park District Procedural Ordinance of 1969, for Crest Canyon Park Reserve District (San Diego Park District No. 17); authorizing the expenditure of not to exceed \$7,600 from Environmental Growth Fund No. 2505 for payment of the above-stated services in the event the proposed proceedings fail to materialize or are abandoned prior to the issuance of bonds.

The Council discussed the matter.

City Manager McKinley answered questions directed by the Council.

On motion of Councilman Hubbard, the matter was continued one week until September 29, 1976, a.m., at the request of the City Manager.

(Item 208 - First Time)

This item was taken out of order.

A proposed Resolution, authorizing the City Manager to provide the requested water connection to the Arroyo Sorrento water line to Mr. Jeff Storck, was presented.

The Council discussed the matter.

Mr. Jeff Storck appeared to address the Council.

By Common Consent, the item was trailed.

(Item 250)

This item was taken out of order.

A proposed Resolution, continued from the Meetings of August 11 and September 8, 1976, declaring Alfred M. Lewis Properties, Inc., subdivider of Alfred M. Lewis Distribution Center Unit No. 2 Subdivision to be in default under terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider and to Fireman's Fund Insurance Company; authorizing the City Manager to complete or cause to be completed, said improvements, was presented.

C. Ron Lockhead, Engineering and Development Department, presented his report and answered questions directed by the Council.

RESOLUTION 216813, declaring Alfred M. Lewis Properties, Inc., subdivider of Alfred M. Lewis Distribution Center Unit No. 2 Subdivision to be in default under terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider and to Fireman's Fund Insurance Company; authorizing the City Manager to complete or cause to be completed, said improvements, was adopted on motion of Councilman Morrow.

(Item 255 - Supplemental docket #1- First Time)

A proposed Ordinance, continued from the Meeting of September 15, 1976, incorporating those hillsides east of I-5 and west of Genesee Avenue, and between Jutland Drive and Clairemont Mesa Boulevard on the north and Balboa Avenue on the south, in the North Clairemont area, into the HR (Hillside Review) Overlay Zone, was presented.

On motion of Councilman Gade, the item was trailed to the September 22, 1976, p.m. Meeting, at the request of the City Attorney.

(Item 206)

A proposed Resolution, continued from the Meetings of August 11 and September 1, 1976, authorizing a Lease Agreement with City Farms of San Diego, leasing a portion of Pueblo Lot 1347, lying northerly of Market Street and westerly of Boundary Street consisting of approximately 13 acres for agricultural purposes, for a one year term; waiving provisions of Council Policy 700-10, as to advertising, public notice, and appraisal for fair rental value, was presented.

City Attorney Witt presented his report.

On motion of Councilman Gade, the matter was continued two weeks until October 3, 1976, a.m., at the request of the City Attorney.

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

The following Ordinances were introduced at the Meeting of September 8, 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 their passage, a written or printed copy of said Ordinances.

(Item 120)

ORDINANCE 11915 (New Series), amending Chapter V. Article 5 of the San Diego Municipal Code by repealing Section 55.01.302 relating to Sec. 1.302 of the 1973 Uniform Fire Code Amended, and Section 55.34.1 relating to Application and Inspection for Verification of Conformance, was adopted on motion of Councilman Gade, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Morrow, Gade, and Ellis. Nays-None. Absent-Councilmen Johnson, Williams, Haro, and Mayor Wilson.

(Item 121)

ORDINANCE 11916 (New Series), amending Chapter V of the San Diego Municipal Code by repealing, renumbering, amending and adding to Article 9.5 relating to Noise Abatement and Control, was adopted on motion of Councilman Gade, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Morrow, Gade, and Ellis. Nays-None. Absent-Councilmen Johnson, Williams, Haro, and Mayor Wilson.

The Council considered the remainder of the Consent Agenda, which consisted of Items 151, 152, 153a, 154, 155, 156, 157, 158, 159, 160, 162, 163, 164, 165, 166, 201, 202, 203, 204, and 205.

(Item 151)

RESOLUTION 216814, awarding a contract to California Electric Works, for the development of a computerized Solid Waste Management Information System, for an estimated cost, including tax, of \$96,324, was adopted on motion of Councilman Ellis.

(Item 152)

RESOLUTION 216815, awarding a contract to Maintenance Engineers, for furnishing complete landscape maintenance of thirty-two (32) selected sites as may be required for a twelve month period ending August 31, 1977, for a total estimated cost with terms, of \$58,800, with an option to renew the contract for two additional one year periods, was adopted on motion of Councilman Ellis.

(Item 153a)

RESOLUTION 216816, awarding a contract to Butler's Mill, Inc. for seventy-five (75) tons of balanced fertilizer, for a total cost, including tax and terms, of \$11,686.50 and; Ara Chem, Inc. for forty-six (46) tons of urea fertilizer, including tax and terms, of \$7,509.04, was adopted on motion of Councilman Ellis.

(Item 154)

RESOLUTION 216817, inviting bids for construction of Point Loma Park and Recreation Center tennis court drain in accordance with Specifications Document No. 756608, was adopted on motion of Councilman Ellis.

(Item 155)

The following Resolutions relative to the Final Subdivision Map of Juegos de Juan Tennis Club, a 1-lot subdivision, located on the west side of Waring Road at the intersection with Adobe Falls Road, were adopted on motion of Councilman Ellis:

RESOLUTION 216818, authorizing an Agreement with J-J Financial Venture No. 10, for completion of improvements; and

RESOLUTION 216819, approving the Final Map.

(Item 156)

The following Resolutions relative to Negotiated Sale of sewer easement in Lot 8, Scripps Village Center Unit No. 4, were adopted on motion of Councilman Ellis:

RESOLUTION 216820, certifying that the information contained in the Environmental Impact Report No. 74-6-037P 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; and

RESOLUTION 216821, authorizing the Sale by Negotiation of the sewer easement affecting Lot 8 of Scripps Village Center Unit No. 4 for the sum of \$65, to Leadership Housing Systems, Inc.; authorizing the execution of a ~~Quitclaim~~ Deed, quitclaiming to Leadership Housing Systems, Inc. said unneeded sewer easement.

(Item 157)

RESOLUTION 216822, authorizing the acceptance by the City Manager of deed of N & S Materials, Inc. (street purposes), Parcel 6 - Beyer Way; authorizing the expenditure of not to exceed \$1,800 from Gas Tax Fund No. 220 for acquisition of above property and related expenses.

(Item 158)

The following Resolutions, relative to El Camino Real Street dedication, were adopted on motion of Councilman Ellis:

RESOLUTION 216823, certifying that the information contained in the Environmental Negative Declaration No. 76-01-16P 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 216824, authorizing the acceptance by the City Manager of deed of Mary C. Keener and Doris J. Southworth, co-executrixes of the estate of Mary Elizabeth Rouse (street purposes) - El Camino Real.

(Item 159)

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

RESOLUTION 216825, Setsuko Guzman, through her attorney-in-fact, (street purposes) - Palm Avenue; and

RESOLUTION 216826, Isen Iguchi (street purposes) - Palm Avenue.

(Item 160)

RESOLUTION 216827, approving the acceptance by the City Manager of a quitclaim deed of Solar, a Division of International Harvester Company, conveying to City a portion of Blocks 13, 14, 16, 17, 18, 23, 24 and 30 Rosedale, was adopted on motion of Councilman Ellis.

(Item 162)

RESOLUTION 216828, authorizing the City Manager to ratify and consent to the sale of assets of the Green Mutual Water Company to the City of Escondido pursuant to the action taken by a majority of shareholders at the meeting of said shareholders of Green Mutual Water Company held on July 27, 1976, was adopted on motion of Councilman Ellis.

(Item 163)

RESOLUTION 216829, authorizing the Auditor and Comptroller to expend the sum of \$3,713.50 from Capital Outlay Fund No. 245 to reimburse the Aerial Survey Services for Crescent Bay in Mission Bay Park, was adopted on motion of Councilman Ellis.

(Item 164)

RESOLUTION 216830, approving the Second Amendment to the bylaws of the Centre City Development Corporation by amending Article III, Section 7 to read "48 hours notice" instead of "five days notice" for special meetings, was adopted on motion of Councilman Ellis.

(Item 165)

RESOLUTION 216831, excusing Councilman Leon Williams from the Transportation and Land Use Committee Meeting and Council meeting on September 14, 1976, for the purpose of attending the Community Development Committee meeting of the League of California Cities in San Francisco, California, was adopted on motion of Councilman Ellis.

(Item 166)

RESOLUTION 216832, authorizing the City Manager to settle the claims of Bonnie Hainley, Donna Hainley, Shelly Hainley, Palmer Howard and Virginia Yozukevich in the amount of \$30,000, the claims resulting from the property damage and personal injuries sustained in an accident which occurred on January 19, 1973; authorizing the City Auditor and Comptroller to issue a warrant in the amount of \$30,000 to Bonnie Hainley, Donna Hainley, Shelly Hainley, Palmer Howard, Virginia Yozukevich, and Allen W. Jeffus, their attorney at law, was adopted on motion of Councilman Ellis.

(Item 201)

The following Resolutions, relative to the operation of the Coffee Shop, Bait and Tackle Shop, Tram and Mobile Vending on the Ocean Beach Municipal Pier, was adopted on motion of Councilman Ellis:

RESOLUTION 216833, authorizing the acceptance by the City Manager of proposal of James H. Huprich; and

RESOLUTION 216834, authorizing a Lease Agreement with James H. Huprich and Violet M. Huprich for a period of ten years, leasing an 1,800 square foot building on the Municipal Fishing Pier, said property valued at \$135,000 as established by the Proposal for said lease.

(Item 202)

RESOLUTION 216835, authorizing an agreement with San Diego State University Foundation, to provide consultant services of the Director of the San Diego Urban Observatory and the Science Advisor of the San Diego Urban Observatory's Technology Action Program, was adopted on motion of Councilman Ellis.

(Item 203)

RESOLUTION 216836, authorizing a Water Service Contract between Rincon Del Diablo Municipal Water District, a special district, San Pasqual Vineyards, a limited partnership, and the City, for the necessary water service to the San Pasqual Vineyards leasehold interest which City is unable to provide at this time, said contract provides for the installation of pipeline, meters and supply of the necessary water service, was adopted on motion of Councilman Ellis.

(Item 204)

RESOLUTION 216837, waiving the fee for the use of the Conference Building in Balboa Park by the Thursday Club for the purpose of holding its Annual Rummage Sale in March of 1977; allowing the Thursday Club to pay a reduced fee of \$50 perday for the Conference Building for its March Rummage Sale on condition that the Thursday Club agrees that at least 50% of the net proceeds of the sale shall be contributed to San Diego Park and Recreation Department projects, was adopted on motion of Councilman Ellis.

(Item 205)

RESOLUTION 216838, authorizing an agreement with San Diego State University Foundation, to sponsor and fund an Institute on World Affairs which will provide a free academic forum through which the views of a wide variety of experts and public figures will be made available to the public and which will publicize San Diego as a center of intellectual activity, was adopted on motion of Councilman Ellis.

(Item 200 - First Time)

A proposed Resolution, authorizing the Purchasing Agent to advertise for sale one Diamond Reo Transit Mixer truck, said vehicle being no longer utilized and having been determined to be obsolete and undersirable for retention; all expenses in connection with the sale shall be deducted from the proceeds received from said sale, was presented.

City Manager McKinley answered questions directed by the Council.
By Common Consent, the matter was trailed.

(Item 207)

A proposed Resolution, directing the City Manager to negotiate a Participation Agreement with The Christiana Companies, Inc., for City participation towards the cost of improvements to certain major streets in the Tierrasanta area in accordance with the terms and conditions of the City Manager's Report of July 22, 1976, was presented.

A motion by Councilman Ellis to adopt the proposed Resolution, received no vote.

Committee Consultant Wilken presented his report and answered questions directed by the Council.

A motion by Councilman Gade to continue the matter for one week until September 29, 1976, a.m., for a report from the City Manager on the improvements, giving where, when and what they were, received no vote at this time.

The Council discussed the matter.

A motion by Councilman Gade to continue the matter for one week until September 29, 1976, a.m., for a report from the City Manager on the improvements, giving where, when and what they were, seconded by Councilman Morrow, passed unanimously.

A motion by Councilman Ellis to place as Special Order of Business on the docket of October 27, 1976, the matter of eliminating the Committee System, seconded by Councilman Gade, passed unanimously.

(Item 208 - Second Time)

City Manager McKinley presented his report.

Committee Consultant Wilken presented his report.

City Manager McKinley answered questions directed by the Council.

The Council discussed the matter.

(Item 208 - Second Time - Continued)

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

City Attorney Witt answered questions directed by the Council.

A motion by Councilman Gade to adopt the proposed Resolution, received no vote.

City Attorney Witt answered questions directed by the Council.

The Council discussed the matter at length.

A motion by Councilman Ellis to continue the matter to September 22, 1976, 2:00 p.m. after Item 405, seconded by Councilman Morrow, passed unanimously.

(Item 209)

A proposed Resolution, authorizing the City Manager to implement the following operational recommendations of the City Manager's Reports to the Mayor and Council dated August 20 and September 3, 1976:

- (1) To implement selected Dial-a-Ride day service in areas of low demand.

- (2) To eliminate Saturday service, was presented.

A motion by Councilman Ellis to adopt part (1), received no vote at this time.

Ron Beaudry appeared to address the Council in opposition to the elimination of Saturday service.

The Council discussed the matter.

Ron Beaudry answered questions directed by the Council.

City Manager McKinley answered questions directed by the Council.

Ron Beaudry answered questions directed by the Council.

The Council discussed the matter.

Assistant Director Campillo, Transportation Department, presented his report.

Ron Beaudry addressed the Council.

Assistant Director Campillo, Transportation Department, answered questions directed by the Council.

The Council discussed the matter.

Assistant Director Campillo, Transportation Department, answered questions directed by the Council.

The Council discussed the matter.

Deputy Mayor O'Connor ruled to consider part (1) only.

RESOLUTION 216839, authorizing the City Manager to implement the following operational recommendations of the City Manager's Reports to the Mayor and Council dated August 20 and September 3, 1976:

- (1) To implement selected Dial-a-Ride day service in areas of low demand, was adopted on motion of Councilman Ellis.

The Council discussed the matter further.

Ron Beaudry addressed the Council.

City Attorney Witt answered questions directed by the Council regarding a reconsideration of part (2).

A motion by Councilman Morrow to continue the matter to September 22, 1976, 2:00 p.m., for the presence of Mayor Wilson, seconded by Councilman Gade, passed unanimously.

Councilman Hubbard requested the City Manager to report back to the Council regarding a requirement for convalescent homes to provide their own vans for transporting the handicapped.

City Attorney answered questions directed by the Council.

Items 251 and 253 were considered simultaneously.

(Item 251)

A proposed Resolution, continued from the Meetings of August 11 and September 8, 1976, declaring Calpar Building Company, subdivider of Vista Del Cerro Unit No. 1 subdivision to be in default under terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider and to General Insurance Company of America; authorizing the City Manager to complete or cause to be completed, said improvements, was presented.

(Item 253)

A proposed Resolution, granting an extension of time to March 1, 1977, to Calpar Building Company for completion of improvements in Vista Del Cerro Unit No. 1 subdivision, was presented.

City Manager McKinley presented his report.

Ron Lockhead, Engineering and Development Department, answered questions directed by the Council.

A proposed Resolution, continued from the Meetings of August 11 and September 8, 1976, declaring Calpar Building Company, subdivider of Vista Del Cerro Unit No. 1 subdivision to be in default under terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider and to General Insurance Company of America; authorizing the City Manager to complete or cause to be completed, said improvements, was filed on motion of Councilman Ellis at the request of the City Manager.

The following Resolution is assigned out of sequence. Missed on initial debriefing.

RESOLUTION 216849, granting an extension of time to March 1, 1977, to Calpar Building Company for completion of improvements in Vista Del Cerro Unit No. 1 subdivision, was adopted on motion of Councilman Ellis.

(Item 252)

A proposed Resolution, continued from the Meetings of June 16, August 11, and September 8, 1976, declaring Anthony E. Sampo and Grace H. Sampo, subdividers of Tony Subdivision, to be in default under terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdividers and to Industrial Indemnity Company; authorizing the City Manager to complete or cause to be completed, said improvements, was presented.

City Manager McKinley presented his report.

On motion of Councilman Gade, the matter was filed because the improvements have been made.

(Item 254)

A proposed Resolution, declaring H & M Investments and H & R Investments, subdivider of Summer House Tract subdivision to be in default under terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdividers and to Insurance Company of North America; authorizing the City Manager to complete or cause to be completed, said improvements, was presented.

City Manager McKinley presented his report.

The following Resolution is assigned out of sequence. Missed on initial debriefing.

RESOLUTION 216850, declaring H & M Investments and H & R Investments, subdivider of Summer House Tract subdivision to be in default under terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdividers and to Insurance Company of North America; authorizing the City Manager to complete or cause to be completed, said improvements, was adopted on motion of Councilman Gade.

(Item 200 - Second Time)

City Manager McKinley answered questions directed by the Council.

The following Resolution is assigned out of sequence. Missed on initial debriefing.

RESOLUTION 216851, authorizing the Purchasing Agent to advertise for sale one Diamond Reo Transit Mixer Truck, said vehicle being no longer utilized and having been determined to be obsolete and undesirable for retention; all expenses in connection with the sale shall be deducted from the proceeds received from said sale, was adopted on motion of Councilman Gade.

(Item 255 - Second Time)

A motion by Councilman Ellis to adopt the proposed Ordinance, failed due to the lack of five affirmative votes by the following vote: Yeas-Councilmen O'Connor, Hubbard, Gade, and Ellis. Nays-Councilman Morrow. Absent-Councilmen Johnson, Williams, Haro, and Mayor Wilson.

A motion by Councilman Morrow to reconsider the matter, seconded by Councilman Hubbard, passed unanimously.

A motion by Councilman Morrow to trail the matter to be considered with Item 405 at 2:00 p.m., September 22, 1976.

(Unanimous Consent #1)

By Unanimous Consent granted to Councilman Gade, the following Resolution was adopted on motion of Councilman Ellis:

RESOLUTION 216840, excusing Councilman Gade from the Public Facilities and Recreation meeting of September 20, 1976 in order to attend the Comprehensive Planning Organization Board of Directors meeting in Mayor Wilson's stead.

There being no further business to come before the Council, the Regular Meeting was adjourned on motion of Councilman Ellis at 10:18 a.m.

John D. Haro
Deputy Mayor of The City of San Diego, California

ATTEST:

Paul H. Adelman
City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, SEPTEMBER 22, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

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

Mayor Wilson called the Regular Meeting to order at 2:15 p.m.

(Item 400)

Roll call was taken.

The Council considered requests for continuances: Item 402.

(Item 402)

NOTICED HEARINGS: (Continued from the Meetings of June 16 and 23, and September 8, 1976). Paving and otherwise improving Imperial Avenue from 400 feet east of Euclid Avenue to 61st Street - on Resolution of Intention 215934.

On motion of Councilman Gade, the item was continued to October 27, 1976, for full Council.

(Item 405 - Supplemental No. 2)

A proposed Resolution, continued from the Meeting of September 15, 1976, at the request of Richard Wharton, representing Save Jutland Canyon Committee, on the following Resolutions relative to the Final Subdivision Map of Stonehaven, a 6-lot subdivision located between Jutland Drive and Courser Avenue, east of Morena Boulevard: (a) Authorizing an agreement with Stonehaven, Ltd., for completion of improvements; and (b) Approving the Final Map and Acknowledging Receipt of Subdivider's Assurance of Compliance with the Affirmative Marketing Program, were presented.

Richard Wharton appeared to speak.

The following Resolutions, relative to the final subdivision map of Stonehaven, were adopted on motion of Councilman Gade:

RESOLUTION 216842, authorizing an agreement with Stonehaven, Ltd. for completion of improvements in Stonehaven, a 6-lot subdivision located between Jutland Drive and Courser Avenue, east of Morena Boulevard; and

RESOLUTION 216843, approving the final map of Stonehaven Ltd. and acknowledging receipt of subdivider's assurance of compliance with the affirmative marketing program.

(Item 255 - Third Time)

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

A motion of Councilman Morrow to adopt, received no vote at this time.

Mr. Klein further answered questions directed by Council.

The following Ordinance was introduced at the Meeting of August 31, 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 11917 (New Series), incorporating those hillsides east of I-5 and west of Genesee Avenue, and between Jutland Drive and Clairemont Mesa Boulevard on the north and Balboa Avenue on the south, in the North Clairemont Area, into the HR Overlay Zone, as defined by Section 101.0454 of the San Diego Municipal Code, was adopted on motion of Councilman Morrow by the following vote: Yeas-Councilmen O'Connor, Hubbard, Morrow, Gade, Ellis, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson, Williams, and Haro.

(Item 208 - Third Time)

City Manager McKinley answered questions directed by Council.

A motion of Councilman Gade to adopt, received no vote at this time.

City Attorney Witt answered questions directed by Council.

A motion of Councilwoman O'Connor to continue to October 6, 1976 and refer back to the Transportation and Land Use Committee on October 5, 1976, received no vote at this time.

Committee Consultant Wilken answered questions directed by Council.

Jeff Storck appeared to speak.

A vote was then taken on the previous motion of Councilwoman O'Connor to continue to October 6, 1976 and refer back to the Transportation & Land Use Committee on October 5, 1976, which failed due to lack of five affirmative votes by the following vote: Yeas-Councilwoman O'Connor and Mayor Wilson. Nays-Councilmen Hubbard, Morrow, Gade, and Ellis. Absent-Councilmen Johnson, Williams, and Haro.

A vote was then taken on the previous motion of Councilman Gade to adopt, which failed due to lack of five affirmative votes by the following vote: Yeas-Councilmen Hubbard, Morrow, Gade, and Ellis. Nays-Councilwoman O'Connor and Mayor Wilson. Absent-Councilmen Johnson, Williams, and Haro.

(Item 209 - Second Time)

City Manager McKinley answered questions directed by Council.

Dianne Huelgas and Jack Riley appeared to speak.

Assistant Director of Transportation Campillo and Jack Riley, Transportation Department, answered questions directed by Council.

Marian Bear appeared to speak.

A motion of Councilman Morrow to adopt, received no vote at this time.

Mr. Campillo further answered questions directed by Council.

A motion of Councilman Ellis to continue to September 29, 1976 - a.m., for further review, with a request from the City Manager for additional report on eliminating Monday service and implementing Saturday service, and a report with regard to making equipment available to service organizations, passed unanimously.

(Item 4 - Docket of September 21, 1976 - Second Time)

RESOLUTION 216844, assenting to the following obligation and contract in excess of \$10,000 of the Regional Employment and Training Consortium, approved by its Policy Board on September 13, 1976 and submitted to this Council for confirmation pursuant to the Joint Power Agreement: San Diego Kind Corp. - \$489,499, was adopted on motion of Councilman Gade which passed by the following vote: Yeas-Councilmen Hubbard, Morrow, Gade, Ellis, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson, Williams, and Harg. Councilwoman O'Connor excused from voting due to possible conflict of interest.

(Item 150 - Second Time)

The following Resolutions relative to construction of the Otay Mesa Sewer and San Ysidro School District Water Main, were adopted on motion of Councilman Gade:

RESOLUTION 216845, awarding a contract to Long, Market & Howley Construction Co. for the sum of \$125,008; authorizing the expenditure of \$164,575 out of Sewer Revenue Fund 506, and \$28,500 out of Water Revenue Fund 502 for said purpose and related costs; and

RESOLUTION 216846, authorizing the use of City Forces to do all the work of operational checks and making necessary connections where required in connection with the above construction; cost of said work shall not exceed \$1,845.

(Item 403 - PRD NO. 87)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of March 13, 1975 and March 17, 1976, for petition to purchase property, on the appeal of Michael D. O'Hara from the decision of the Planning Commission in failing to approve the application of National Pacific Development Corporation, owner, and H. D. Development Corporation, permittee, under Planned Residential Development Permit No. 87, to construct 127 condominium dwelling units on 81 acres (1.56 per acre) with recreation areas, in the R-1-6, R-1-6 (HR Overlay), and R-1-10 (HR Overlay) Zones, and closing of Caseta Drive and a portion of El Amigo Road. The property is located on the north side of Del Mar Heights Road, between Durango Drive and Crest Way. It is Lots 1 and 2, Block 11, Lots 1-6, Block 16, and portion marked "Reservoir," Del Mar Heights, and a portion of Section 13, Township 14 South, Range 4 West, S.B.B.M.

On motion of Councilman Ellis, the item was continued to January 18, 1977, at Mr. Eikel's request.

(Item 401)

The matter of the applications under the 1976 Public Works Act, was presented.

City Manager McKinley and Deputy City Manager Lockwood answered questions directed by Council.

The motion of Councilman Hubbard to adopt, received no vote at this time. Col. Carey and Owen Clark appeared to speak.

A motion of Councilman Ellis to amend the application for demolition of the Electrical Building to show it is contingent upon concurrent approval of the construction and refurbishing of the Ford Building, received no vote as this time.

Mr. McKinley and Mr. Lockwood further answered questions directed by Council.

(Item 401 - Continued)

A vote was then taken on the previous motion of Councilman Ellis to amend the application for demolition of the Electrical Building to show it is contingent upon concurrent approval of the construction and refurbishing of the Ford Building, which passed by the following vote: Yeas-Councilmen O'Connor, Hubbard, Gade, Ellis, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilmen Johnson, Williams, and Haro.

The following applications under the 1976 Public Works Act were adopted, as amended, on motion of Councilman Hubbard:

RESOLUTION 216801, authorizing an agreement with Fred Rodrick Blecksmith, Jr., A.I.A., Architect, Inc., for professional architectural services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976;

RESOLUTION 216802, authorizing an agreement with Boyle Engineering Corporation, for professional engineering services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976;

RESOLUTION 216803, authorizing an agreement with J.J.J. Kennedy & Associates, Land Architects, for professional architectural services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976;

RESOLUTION 216804, authorizing an agreement with Neptune & Thomas Associates, for professional architectural services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976;

RESOLUTION 216805, authorizing an agreement with Victor Wulff, Architect, AIA & Associates, for professional architectural services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976;

RESOLUTION 216806, authorizing an agreement with Brown and Zammit Engineering, Inc., for professional engineering services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976;

RESOLUTION 216807, authorizing an agreement with Raymond F. Hall Corporation, for professional engineering services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976;

(Item 401 - Continued)

RESOLUTION 216808, authorizing an agreement with R.E. Randall, Electrical Engineer, for professional engineering services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976;

RESOLUTION 216809, authorizing an agreement with Kawasaki/Theilacker & Associates, for professional landscape architectural services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976;

RESOLUTION 216810, authorizing a second amendment to agreement with Coneer Engineering for professional engineering services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976; authorizing the expenditure of \$5,000 out of General Fund Unallocated Reserve 100, for the above-referenced services and related expenses;

RESOLUTION 216811, authorizing an agreement with Richard George Wheeler and Associates, for professional architectural services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976; authorizing the expenditure of \$15,000 out of General Fund Unallocated Reserve 100, for the above-referenced services and related costs; and

RESOLUTION 216812, authorizing an agreement with Erchul, Tanida, Hart & Associates for professional architectural services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976; authorizing the expenditure of \$20,000 out of General Fund 100 (Unallocated Reserve), for the above-referenced services and related costs.

(Item 404)

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 Annual Council Programming for the purpose of defining City-wide goals and objectives, developing program content and funding, reviewing program effectiveness, and prioritizing community needs for fiscal year 1978 budget.

It was reported that no written protests had been received.

City Manager McKinley answered questions directed by Council.

A motion of Councilman Gade to suspend rules to permit necessary time to hear public testimony, passed unanimously.

Robert Magness, Ann Fhriistrom, Jewell Hooper, and Rick Hauer appeared to speak.

Financial Management Assistant Director Knapp and Assistant City Manager Graham answered questions directed by Council.

A motion of Councilman Ellis to forward the comments of the citizens and their concerns to the City Manager for inclusion in the next deliberation, passed unanimously.

(Item 406)

A proposed Resolution authorizing the City Auditor and Comptroller to transfer the sum of \$55,000 from Community Development Block Grant Fund No. 2910, Program Element 95.55 Social Services to Program Element 95.79 Social Service Needs Assessment for the purpose of providing funding for consultant services in the area of needs assessment; authorizing the City Manager to solicit proposals for a Social Service Needs Assessment Survey to be conducted under the terms of the Human Resources Department Request for Proposal, Social Service Needs Assessment Survey, was presented.

A motion of Councilman O'Connor to adopt, receipt no vote at this time.

Human Resources Director Ross answered questions directed by Council.

Jewell Hooper appeared to speak.

RESOLUTION 216847, authorizing the City Auditor and Comptroller to transfer the sum of \$55,000 from Community Development Block Grant Fund No. 2910, Program Element 95.55 Social Services to Program Element 95.79 Social Service Needs Assessment for the purpose of providing funding for consultant services in the area of needs assessment; authorizing the City Manager to solicit proposals for a Social Service Needs Assessment Survey to be conducted under the terms of the Human Resources Department Request for Proposal, Social Service Needs Assessment Survey, was adopted on motion of Councilwoman O'Connor.

(Item 407)

RESOLUTION 216848, authorizing the Director of the Human Resources Department to travel to Toronto, Canada, for the purpose of making a presentation at the International City Managers Association (ICMA) Annual Conference, for the time period of September 27 - 29, 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 5:04 p.m., on motion of Councilman Ellis.

James D. Haro
Deputy Mayor of The City of San Diego, California

ATTEST:

Barbara A. Alderson
City Clerk of The City of San Diego, California