

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - WEDNESDAY, MARCH 24, 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, Morrow, Gade, Ellis,  
Haro, and Mayor Wilson.  
Absent--None.  
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 8:40 a.m.

(Item 100)  
Roll Call was taken.

(Item 103)  
Mayor Wilson welcomed a group of new employees who were present in the  
Chambers.

(Item 104)  
A communication from Barbara Shafer, Chairperson, representing EQUILIBRIUM,  
California Society for Quality of Life, requesting permission to address the  
Council regarding a Resolution urging the Council to include a food and fiber  
element in the San Diego Progress Guide and General Plan, was presented.

Jim Harrison appeared to speak regarding said communication in behalf of  
Barbara Shafer.

On motion of Councilman Johnson, said communication was referred to the  
Planning Department and the City Attorney for a report and to the Committee on  
Transportation and Land Use for a report back to the Council.

(Item 262)  
Jim Covell appeared to speak requesting a continuance of Item 262 to the  
afternoon session of the Council.

Assistant City Attorney Teaze answered questions directed by the Council  
regarding the continuance, relating that Items 259, 260, 261 and 262 were  
related items.

On motion of Councilman Haro, Items 259, 260, 261, and 262 were ~~continued~~  
to 3:30 p.m., of this day's Council Meeting

The Council considered Requests for Continuances.

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(Item 200)

RESOLUTIONS: (Continued from the Meeting of February 24, 1976.) Directing the City Manager to place a project in the Capital Improvement Program providing for the construction of the minimum roadway along the proposed Route SA 680 alignment from Bernardo Center Drive on the west to the City limits on the east for construction in fiscal year 1979, and to fund this project with Federal Aid Urban and Local Gas Tax Funds with such costs to be subsequently recovered through the formation of a Cost Recovery District; requesting the San Diego County Board of Supervisors to initiate a concurrent construction project along the alignment of the proposed Route SA 680 from the City of San Diego to Pomerado Road.

On motion of Councilman Johnson, the proposed Resolution was continued to April 21, 1976, 9:00 a.m., Time Certain, for further review.

City Manager McKinley answered questions directed by the Council.

(Item 154)

RESOLUTIONS: Declaring Hallcraft Homes Company, subdivider of Rancho San Carlos Unit No. 5 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.

Assistant City Attorney Teaze requested a continuance.

On motion of Councilman Ellis, the proposed Resolution was continued to April 21, 1976, 8:30 a.m., at the City Attorney's request.

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 Items 120, 122, 123, 124, 125, and 126.

The following Ordinances were introduced at the Meeting of March 10, 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 each Ordinance.

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

(Item 120)

ORDINANCE 11813 (New Series), accepting and approving Certified Retirement System Election Results and increasing the retirement allowances of Fixed Pension Retirees.

(Item 122)

ORDINANCE 11814 (New Series), amending Chapter VI, Article 3, of the San Diego Municipal Code by amending Section 63.20.5 relating to Waste, Refuse, Etc. - Fires in Beach Areas.

(Item 123)

ORDINANCE 11815 (New Series), amending Chapter V, Article 5 of the San Diego Municipal Code by repealing Section 55.13.306 relating to Fire Alarm Systems.

(Item 124)

ORDINANCE 11816 (New Series), amending Chapter IX, Article 2, Divisions 1 through 8 and 11, of the San Diego Municipal Code by repealing the titles to Divisions 7, 8 and 11 and repealing Sections 92.0101.10, 92.0101.13, 92.0101.14, 92.0101.15, 92.0101.16, 92.0101.18, 92.0304, 92.0305, 92.0306, 92.0307, 92.0109, 92.0407, 92.0608, 92.0609, 92.0610, 92.0611, 92.0613, 92.0614, 92.0617, 92.0620, 92.0622, 92.0707, 92.0715, 92.0723, 92.0725, 92.0726, 92.0727, 92.0728, 92.0729, 92.0730, 92.1101, 92.1102, 92.1103, 92.1104, 92.1105, 92.1106, 92.1107, 92.1108 and 92.1109; by amending the titles to Divisions 2, 3, 4, 5, and 6 and amending Sections 92.0100, 92.0101, 92.0301, 92.0302, 92.0401, 92.0501, 92.0502, 92.0503, 92.0504, 92.0505, 92.0506, 92.0601, 92.0602, 92.0603, 92.0604, 92.0605, 92.0606 and 92.0607; and by adding Sections 92.0102, 92.0103, 92.0104, 92.0105, 92.0106, 92.0107, 92.0108, 92.0201, 92.0202, 92.0203, 92.0204, 92.0205, 92.0206, 92.0207, 92.0208, 92.0303, 92.0507, 92.0508, 92.0509, 92.0510, 92.0511, 92.0512, 92.0513 and 92.0514; all relating to Electrical Regulations.

(Item 125)

ORDINANCE 11817 (New Series), amending Chapter IX, Article 8 of the San Diego Municipal Code by amending Section 98.29 relating to the Housing Advisory Board.

(Item 126)

ORDINANCE 11818 (New Series), incorporating a portion of Pueblo Lot 1233, into CA Zone, as defined by Section 101.0428.1 of the San Diego Municipal Code, and repealing Ordinance No. 13456, approved February 15, 1932, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith.

The Council considered that portion of the Consent Agenda dealing with Resolutions, which consisted of Items 150, 151, 152, 153, 155, 156, 157, 158, 159, 160, 162, 163, 165, 167, 169, and 170.

(Item 150)

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

RESOLUTION 215559, Folsom Tennis Enterprises, Inc., for tennis court re-surfacing, for the sum of \$9,460; and

RESOLUTION 215560, Nelco Oil Refining Corporation for the purchase of lubricating oils and greases, as may be required for the period of one year ending February 28, 1977, for a total estimated cost for City's portion of \$51,570.91, including tax and terms.

(Item 151)

RESOLUTION 215561, inviting bids to install gates - San Diego Stadium, in accordance with Specifications Document No. 754590, was adopted on motion of Councilman Johnson.

(Item 152)

RESOLUTION 215562, approving the final map of Cinco Casas Subdivision, a 5-lot subdivision located southerly of Arroyo Sorrento Road and easterly of Highway 5, was adopted on motion of Councilman Johnson.

(Item 153)

RESOLUTION 215563, granting an extension of time to February 14, 1977, to Avco Community Developers, Inc., subdivider of Bernardo Greens Unit No. 25 in which to complete the required improvements, was adopted on motion of Councilman Johnson.

(Item 155)

RESOLUTION 215564, calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an underground utility district to be known and denominated as the Southeast San Diego Sports Field Underground Utility District, was adopted on motion of Councilman Johnson.

(Item 156)

RESOLUTION 215565, authorizing the execution of a Realease of Rights, releasing and relinquishing to Eugene N. Cooley and Geraldine A. Cooley, certain rights for water pipes together with the covenant prohibiting vending of intoxicating liquors, affecting Lots 1 through 5 inclusive in Block 1 of Lakeside, said rights having been determined to be surplus to City's needs, was adopted on motion of Councilman Johnson.

(Item 157)

The following Resolutions, relative to Proctor Valley access road exchange, were adopted on motion of Councilman Johnson:

RESOLUTION 215566, approving the acceptance by the City Manager of deed of Lago Vista, Inc., conveying a portion of Section 25, Township 17 South, Range 1 West;

RESOLUTION 215567, approving the acceptance by the City Manager of deed of Lago Vista, Inc., conveying a permanent easement and right-of-way for an access road, with the right to grant said permanent easement to others, across a portion of Section 25, Township 17 South, Range 1 West; and

RESOLUTION 215568, authorizing execution of an easement deed of Lago Vista, Inc., granting an easement for access rights in a portion of Section 25, Township 17 South, Range 1 West.

(Item 158)

The following Resolutions, relative to Proctor Valley access road exchange, were adopted on motion of Councilman Johnson:

RESOLUTION 215569, approving the acceptance by the City Manager of deeds of Ann I. Umbrell, Paul F. Umbrell, and United Enterprises, Inc., conveying portions of Section 25, Township 17 South, Range 1 West; and

RESOLUTION 215570, authorizing the execution of three easement deeds to Ann I. Umbrell, Paul F. Umbrell, and United Enterprises, Inc., conveying easements for access rights in Section 25, Township 17 South, Range 1 West.

(Item 159)

The following Resolutions, relative to street dedications for Otay Valley Road, Heritage Road, and Datsun Street, were adopted on motion of Councilman Johnson:

RESOLUTION 215571, certifying that the information contained in the Environmental Impact Report No. 73-6-1030P 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;

RESOLUTION 215572, accepting delivery of Offer to Dedicate, executed by Street Properties, Inc., offering to dedicate to public use for street purposes a portion of Section 29, Township 18 South, Range 1 West; by acceptance of delivery, the City does not dedicate to public use for street purposes the portion of land described in said Offer to Dedicate, but reserves the right to accept said offer to so dedicate at a future time;

RESOLUTION 215573, approving the acceptance by the City Manager of deed of Street Properties, Inc., (street purposes) - DATSUN STREET;

RESOLUTION 215574, approving the acceptance by the City Manager of deed of Wilson-Saathoff, Inc., and Merlin R. Youngers and Bernadette M. Youngers (street purposes) - HERITAGE ROAD;

RESOLUTION 215575, approving the acceptance by the City Manager of deed of Street Properties, Inc. (street purposes) - HERITAGE ROAD;

RESOLUTION 215576, approving the acceptance by the City Manager of deed of Wilson-Saathoff, Inc., and Merlin R. Youngers and Bernadette M. Youngers (street purposes) - OTAY VALLEY ROAD;

(Item 159 - Continued)

RESOLUTION 215577, approving the acceptance by the City Manager of deed of Street Properties, Inc. (street purposes) - OTAY VALLEY ROAD.

(Item 160)

RESOLUTION 215578, vacating Otay Valley Road in Southeast 1/4 of Section 29, Township 18 South, Range 1 West, under the procedure for summary vacation of streets where the portion to be vacated has been superseded by relocation, was adopted on motion of Councilman Johnson.

(Item 162)

RESOLUTION 215579, authorizing an agreement with Dunn-Lee-Smith-Klein and Associates, Professional Engineers, for professional services for the insulation of the roof and improvement of the air conditioning system in City's Operations Building; authorizing the expenditure of \$14,400 from Capital Outlay Fund No. 245 for above-referenced services and related work, was adopted on motion of Councilman Johnson.

(Item 163)

RESOLUTION 215580, authorizing an agreement with Snipes & Salerno, for professional engineering services in connection with the improvement of Skyline Drive, from 58th Street to 61st Street; authorizing the expenditure of \$10,000 and \$3,000 from Gas Tax Fund No. 220 and Gas Tax Fund No. 220 Reserve, for the above-referenced services and related expenses, was adopted on motion of Councilman Johnson.

(Item 165)

RESOLUTION 215581, authorizing an easement agreement with the San Diego & Arizona Eastern Railway Company for the widening of Coronado Avenue across the railway company's property; authorizing the expenditure of \$10,000 from Capital Outlay Fund No. 245 for the purpose of providing funds for reimbursing the railway company for timber planking and related costs, was adopted on motion of Councilman Johnson.

(Item 167)

RESOLUTION 215582, authorizing the expenditure of \$4,802.50 from Capital Outlay Fund No. 245 for the purpose of providing funds for the installation of street lighting conduits at Balboa Avenue/Route 163 interchange and at I-805 and Imperial Avenue/Market Street; supplementing Resolution No. 209113 in this amount, was adopted on motion of Councilman Johnson.

(Item 169)

RESOLUTION 215583, excusing Mayor Pete Wilson from the Council Meeting of March 23, 1976, in order to attend a meeting of the Dallas Central Business District Association in Dallas, Texas, was adopted on motion of Councilman Johnson.

(Item 170)

RESOLUTION 215584, authorizing two representatives of the Police Department to travel to Riverside, California, during the period April 5 through April 9, 1976, for the purpose of attending the Police Trainers Institute; authorizing the expenditure of the sum of \$649 from the General Purpose Revolving Fund (534) for above purpose; total cost of said travel, excluding salaries, shall be reimbursed to the City by the Peace Officers Standards and Training (POST), was adopted on motion of Councilman Johnson.

The Council considered that portion of the Consent Agenda dealing with Ordinances to be Introduced, which consisted of Item 127.

(Item 127)

A proposed Ordinance, amending Ordinance No. 11650 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1975-76 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year," by amending Document No. 750397, as adopted and amended therein, relating to Capital Improvements Program, Fund 245, by adding Project No. 29-235, entitled "Acquisition of Allied Gardens Neighborhood Park No. 3"; authorizing and directing the Auditor and Comptroller to transfer within the 245 Fund the sums of \$104,000 from C.I.P. No. 29-156(5) and \$102,000 from C.I.P. No. 29-160.1 to provide funds for the above Capital Improvements Project No. 29-235, was introduced on motion of Councilman Ellis, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 121)

A proposed Ordinance, amending Chapter VI, Article 3, of the San Diego Municipal Code by adding Section 63.20.28 relating to Endangering Aquatic Activities, was presented.

Michael Burke appeared to speak in opposition to the proposed Ordinance. City Manager McKinley answered questions directed by the Council.

Councilman Haro left the Chambers.

The motion of Councilwoman O'Connor to adopt the proposed Ordinance with the stipulation that the item is returned to the Council for review in one year received no vote at this time.

City Manager McKinley answered questions directed by the Council.

ORDINANCE 11819 (New Series), amending Chapter VI, Article 3, of the San Diego Municipal Code by adding Section 63.20.28 relating to Endangering Aquatic Activities, was adopted on motion of Councilwoman O'Connor, with the stipulation that the item be returned to the Council for review in one year, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, and Mayor Wilson. Nays-None. Absent-Councilman Haro.

(Item 161)

A proposed Resolution, authorizing an agreement with Vernon C. Barnett, Property Acquisition Consultant, to provide the Property Department with temporary assistance in its Street Right-of-Way Acquisition Program; authorizing the expenditure of \$6,500 from Gas Tax Fund No. 220 to provide for the above services, was presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 215585, authorizing an agreement with Vernon C. Barnett, Property Acquisition Consultant, to provide the Property Department with temporary assistance in its Street Right-of-Way Acquisition Program; authorizing the expenditure of \$6,500 from Gas Tax Fund No. 220 to provide for the above services, was adopted on motion of Councilman Williams.

(Item 164)

A proposed Resolution, authorizing Utilities Agreement No. 15044-A with the State Department of Transportation for relocation of water utilities on Interstate 5 between 0.2 mile south of 8th Street in National City and 0.1 mile north of Chollas Creek in San Diego; and on Route 15 between Interstate 5 and Imperial Avenue, was presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 215586, authorizing Utilities Agreement No. 15044-A with the State Department of Transportation for relocation of water utilities on Interstate 5 between 0.2 mile south of 8th Street in National City and 0.1 mile north of Chollas Creek in San Diego; and on Route 15 between Interstate 5 and Imperial Avenue, was adopted on motion of Councilman Williams.

(Item 166)

A proposed Resolution, authorizing a First Amendment to Agreement with the City of La Mesa amending the agreement for the improvement of Lake Murray Boulevard, from Mary Fellow Avenue to Kiowa Drive; authorizing the expenditure of \$5,623.88 from Gas Tax Fund No. 220 for the purpose of providing funds for the above-mentioned improvements, supplementing Resolution No. 207629 in this amount, was presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 215587, authorizing a First Amendment to Agreement with the City of La Mesa amending the agreement for the improvement of Lake Murray Boulevard, from Mary Fellow Avenue to Kiowa Drive; authorizing the expenditure of \$5,623.88 from Gas Tax Fund No. 220 for the purpose of providing funds for the above-mentioned improvements, supplementing Resolution No. 207629 in this amount, was adopted on motion of Councilman Williams.

(Item 168)

A proposed Resolution, rescinding that portion of Resolution No. 215140, adopted January 21, 1976, establishing a two-hour parking time limit on the west side of Paseo Del Ocaso, between 8454 and 8484 Paseo Del Ocaso, was presented.

City Manager McKinley answered questions directed by the Council.



(Item 168 - Continued)

RESOLUTION 215588, rescinding that portion of Resolution No. 215140, adopted January 21, 1976, establishing a two-hour parking time limit on the west side of Paseo Del Ocaso, between 8454 and 8484 Paseo Del Ocaso, was adopted on motion of Councilman Williams.

(Item 171)

Three proposed Resolutions, relative to Adams Avenue Drain Easement, were presented.

City Manager McKinley answered questions directed by the Council.

The following Resolutions, relative to Adams Avenue Drain Easement, were adopted on motion of Councilman Hubbard:

RESOLUTION 215589, certifying that the information contained in Negative Declaration No. 73-7-010C 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 215590, authorizing the City Attorney to commence action in Superior Court to acquire, under Eminent Domain Proceedings, portions of Villa Lots 366 and 367 of Valle Vista Terrace, for the construction, operation and maintenance of a storm drain or drains and appurtenances; and

RESOLUTION 215591, authorizing the expenditure of \$1,500 out of Gas Tax Fund No. 220, for the purpose of providing funds for the acquisition of the necessary right of way for drainage purposes affecting portions of Villa Lots 366 and 367 of Valle Vista Terrace.

(Item 201)

A proposed Resolution, authorizing an agreement with the Young Women's Christian Association, for the purpose of sponsoring, managing and supervising the 1976 Bicentennial Year Freedom Games to be conducted on May 15, 1976, was presented.

The motion of Councilman Morrow to adopt the proposed Resolution received no vote at this time.

Audrey "Mickey" Patterson Tyler, Young Women's Christian Association, appeared to speak in favor of the proposed Resolution.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 215592, authorizing an agreement with the Young Women's Christian Association, for the purpose of sponsoring, managing and supervising the 1976 Bicentennial Year Freedom Games to be conducted on May 15, 1976, was adopted on motion of Councilman Morrow.

(Item 101)

Mayor Wilson introduced eighteen students from Dewey Elementary School, accompanied by Miss Fergus.

Councilwoman O'Connor addressed the group.

(Item 102)

Mayor Wilson introduced forty-four students from Balboa Elementary School, accompanied by Mr. Luis Villegas.

Councilman Williams addressed the group.

(Item 172 - Supplemental Docket No. 2)

A proposed Resolution, continued from the Meeting of March 17, 1976, at Subdivider's request, declaring Vernon B. Anderson, Morris A. Anderson, Hazelle M. Anderson, Robert S. Noble and De Lores M. Noble, subdividers of Noble Hills 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 Argonaut Insurance Company; authorizing the City Manager to complete or cause to be completed, said improvements, was presented.

Alex Harper appeared to speak regarding the proposed Resolution.

Councilman Williams left the Chambers.

Richard Grant, attorney representing the present owners of property in question, and Harry Hargreeves, Counsel to Southern California 1st National Bank, appeared to speak regarding the proposed Resolution.

Councilman Williams entered the Chambers.

Mrs. Anderson, former owner of the property in question, appeared to speak regarding the proposed Resolution.

Ron Lochhead, Engineering and Development Department, and Assistant City Attorney Teaze answered questions directed by the Council.

RESOLUTION 215593, declaring Vernon B. Anderson, Morris A. Anderson, Hazelle M. Anderson, Robert S. Noble and De Lores M. Noble, subdividers of Noble Hills 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 Argonaut Insurance Company; authorizing the City Manager to complete or cause to be completed, said improvements, was adopted on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Ellis, and Mayor Wilson. Nays-None. Absent Councilmen Haro.

Mayor Wilson recessed the Meeting at 10:26 a.m. Upon reconvening at 10:55 a.m., the Roll Call showed Councilmen Williams and Haro absent.

(Item 202)

A proposed Resolution, authorizing the San Diego Transit Corporation to provide the required Labor Protective Agreement, pursuant to the provisions of the Urban Mass Transportation Act of 1964 (as amended), for the Santa Fe Depot Project, was presented.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

Councilman Williams entered the Chambers.

RESOLUTION 215594, authorizing the San Diego Transit Corporation to provide the required Labor Protective Agreement, pursuant to the provisions of the Urban Mass Transportation Act of 1964 (as amended), for the Santa Fe Depot Project, was adopted on motion of Councilman Gade, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, and Mayor Wilson. Nays-Councilman Ellis. Absent-Councilman Haro.

(Item 203)

A proposed Resolution, approving in principal the San Diego County Thoroughfare Advisory Committee's recommendation for the use of Federal Aid Urban (FAU) Gas Tax Funds for rights of way protection of these significant state highway routes, was presented.

City Manager McKinley answered questions directed by the Council.

The motion of Councilman Ellis to adopt the proposed Resolution received no vote at this time.

William Schempers, General Services Department, answered questions directed by the Council.

RESOLUTION 215595, approving in principal the San Diego County Thoroughfare Advisory Committee's recommendation for the use of Federal Aid Urban (FAU) Gas Tax Funds for rights of way protection of these significant state highway routes, was adopted on motion of Councilman Ellis.

(Item 253)

RESOLUTION 215596, authorizing an agreement with the Pilipino-American Senior Citizens of San Diego County Corporation for the purpose of reimbursing rent and other operational expenses incurred by the project known as Operation Samahan Senior Center at 401 Market Street for the period between February 1, 1976, and June 30, 1976; authorizing the use of \$1,750 from City Revenue Sharing Funds, Fund 100, Department 05.61, for the above purpose so long as the activities of the project are in keeping with Federal Revenue Sharing purposes and guidelines, was adopted on motion of Councilwoman O'Connor.

(Item 250)

A proposed Resolution, awarding a contract to Micro Records Corp. for furnishing microfilming service for a period of one year ending February 28, 1977, for an estimated cost, including tax and terms, of \$178,916.20, with an option to renew contract for an additional six month period subject to escalation not to exceed 5% of bid prices, was presented.

The motion of Councilman Morrow to adopt the proposed Resolution received no vote at this time.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 215597, awarding a contract to Micro Records Corp. for furnishing microfilming service for a period of one year ending February 28, 1977, for an estimated cost, including tax and terms, of \$178,916.20, with an option to renew contract for an additional six month period subject to escalation not to exceed 5% of bid prices, was adopted on motion of Councilman Morrow.

(Item 251)

RESOLUTION 215598, authorizing an agreement with Proprietary Computer Systems, Inc., for the purpose of designing and implementing a data retrieval system that will prepare and print the Council docket; authorizing the Auditor and Comptroller to transfer within the General Fund No. 100 the sum of \$1,500 from the Unallocated Reserve (53.31) to the Allocated Reserve (53.20) to be used solely and exclusively for the above purpose, was adopted on motion of Councilman Morrow.

(Item 252)

RESOLUTION 215599, authorizing an agreement with the City of Del Mar, enabling The City of San Diego Planning Department to provide Special Planning Staff Services to the City of Del Mar Planning Department, was adopted on motion of Councilman Gade.

(Item 254)

RESOLUTION 215600, authorizing the expenditure of \$2,500 out of Capital Outlay Fund 245 for the purpose of providing funds for the purchase and installation of supporting structures for uniform newsracks City-wide, was adopted on motion of Councilwoman O'Connor.

(Item 255)

A proposed Resolution, determining that the area described below requires study to determine if a Redevelopment project or projects within said area are feasible; designating said survey area as all the lands in The City of San Diego contained within the following described line: Commencing at the intersection of the southerly right-of-way line of Highway 94 and the westerly right-of-way line of 32nd Street, thence southerly along the westerly right-of-way line of 32nd Street to the southerly right-of-way of Interstate 5, thence westerly and northwesterly along said line to the northerly right-of-way line of Laurel Street, thence westerly along the northerly right-of-way line of Laurel Street extended

(Item 255 - Continued)

to the extended Bulkhead line of San Diego Bay, thence southwesterly along said bulkhead line to the pierhead line of San Diego Bay, thence southerly along said line to the Boundary of The City of San Diego, thence easterly along said boundary to the southern right-of-way line of Interstate 5, thence northerly along said line to the extended easterly right-of-way line of 36th Street, thence northerly along said line to the southerly right-of-way line of Interstate 94, thence westerly along said line to the point of beginning; said area to be known as the Central San Diego Redevelopment Survey Area; rescinding Resolution No. 210233 establishing the Southeast Redevelopment Survey Area, was presented.

Max Schmidt, Planning Department, answered questions directed by the Council.

The motion of Councilman Williams to adopt the proposed Resolution received no vote at this time.

The Council discussed the matter at length.

City Manager McKinley and Planning Director Goff answered questions directed by the Council.

RESOLUTION 215601, determining that the area described below requires study to determine if a redevelopment project or projects within said area are feasible; designating said survey area as all the lands in The City of San Diego contained within the following described line: Commencing at the intersection of the southerly right-of-way line of Highway 94 and the westerly right-of-way line of 32nd Street, thence southerly along the westerly right-of-way line of 32nd Street to the southerly right-of-way of Interstate 5, thence westerly and northwesterly along said line to the northerly right-of-way line of Laurel Street, thence westerly along the northerly right-of-way line of Laurel Street extended to the extended Bulkhead line of San Diego Bay, thence southwesterly along said bulkhead line to the pierhead line of San Diego Bay, thence southerly along said line to the Boundary of The City of San Diego, thence easterly along said boundary to the southern right-of-way line of Interstate 5, thence northerly along said line to the extended easterly right-of-way line of 36th Street, thence northerly along said line to the southerly right-of-way line of Interstate 94, thence westerly along said line to the point of beginning; said area to be known as the Central San Diego Redevelopment Survey Area; rescinding Resolution No. 210233 establishing the Southeast Redevelopment Survey Area, was adopted on motion of Councilman Williams.

(Item 256)

A proposed Resolution, authorizing the expenditure of \$8,800 out of Transient Occupancy Tax Fund No. 224 (Contingency Reserve), to cover expenditures in connection with the American Freedom Train, said \$8,800 being in excess of the \$27,000 originally authorized; authorizing the use of City Forces to repair the drill field at NAS Miramar damaged in conjunction with the exhibition of the above-said train, was presented.

City Manager McKinley and Martin Breslauer, Assistant to the City Manager, answered questions directed by the Council.

(Item 256 - Continued)

Councilman Gade left the Chambers.

City Attorney Teaze answered questions directed by the Council.

RESOLUTION 215602, authorizing the expenditure of \$8,800 out of Transient Occupancy Tax Fund No. 224 (Contingency Reserve), to cover expenditures in connection with the American Freedom Train, said \$8,800 being in excess of the \$27,000 originally authorized; authorizing the use of City Forces to repair the drill field at NAS Miramar damaged in conjunction with the exhibition of the above-said train, was adopted on motion of Councilman Morrow.

On motion of Councilman Morrow, the City Manager was directed to bring before the Council the matter of how much money was owed to the Aztec Bus Lines for transportation in connection with the American Freedom Train so that a determination could be made.

Mayor Wilson recessed the Meeting at 12:06 p.m. to be reconvened at 2:00 p.m.

Upon reconvening at 2:29 p.m., the Roll Call showed all present.

(Item 401)

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 November 6 and 20, December 18, 1975, and February 25, 1976, at applicant's request, on the appeal of Big Brothers of San Diego County and Time Tele-Marketing, Inc., by John R. Wertz, attorney, from the decision of the Chief of Police in denying their application for a Public Charitable Solicitation Permit, pursuant to the provisions of Section 57.01.7 of the San Diego Municipal Code. It was reported that no written protests had been received.

City Clerk Nielsen and Deputy City Attorney Valderhaug answered questions directed by the Council.

The motion of Councilman Hubbard to refer the matter to the Police Department for further review, received no second at this time.

City Manager McKinley answered questions directed by the Council.

Councilman Gade offered the second to the motion of Councilman Hubbard to refer the matter to the Police Department for further review.

The Council discussed the matter further.

On motion of Councilman Hubbard, the matter was referred to the Police Department for further review.

Mayor Wilson recessed the Meeting at 2:41 p.m. Upon reconvening at 4:01 p.m., the Roll Call showed Councilmen Williams, Morrow, and Haro absent.

The Council discussed how the proposed ballot items would be considered.

(Item 259)

Councilmen Williams, Morrow, and Haro entered the Chambers.

RESOLUTION 215603, requesting the consolidation of a Special Municipal Bond Election to be held in the City of San Diego on June 8, 1976, with the Statewide Primary Election to be held on the same date, was adopted on motion of Councilman Ellis.

(Item 261)

The following Ordinance was passed on the day of its introduction, to-wit, on March 24, 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 11820 (New Series), ordering, calling, providing for and giving notice of a Special Municipal Bond Election to be held in the City of San Diego on June 8, 1976, for the purpose of submitting to the qualified voters of the City a proposition to incur General Obligation Bonded Indebtedness of the City for Certain Municipal Improvements and consolidating the Special Municipal Bond Election with the Statewide Primary Election to be held on the same date, was adopted on motion of Councilman Ellis, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 262 - 2nd Time)

A proposed Ordinance, ordering, calling, providing for and giving notice of a Special Municipal Election to be held in the City of San Diego on June 8, 1976, for the purpose of submitting to the qualified voters of the City four propositions amending the Charter of The City of San Diego by amending Sections 129, 130, 219 and by adding Section 129.1 to said Charter; and consolidating said Special Municipal Election with the Statewide Primary Election to be held on the same date, was presented.

The proposition amending Section 129 of the Charter of The City of San Diego providing authority to protect employees charged with misconduct from immediate or premature discipline by providing for a temporary nondisciplinary suspension pending complete investigation of such charges of misconduct was presented.

On motion of Councilman Johnson, the proposition amending Section 129 of the Charter of The City of San Diego was approved for the June 8, 1976, ballot, on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilmen Williams and Morrow. Absent-None.

(Item 262 - 2nd Time - Continued)

The proposition adding Section 129.1 to the Charter of The City of San Diego prohibiting strikes by City employees; authorizing dismissal of striking employees in accordance with applicable provisions of the Charter; providing that employees be assured and accorded due process of law; providing further that no official of the City shall have authority to grant amnesty to any City employee who has violated the "No Strike" provision of this Charter and excludes appeals to the Civil Service Commission from disciplinary action authorized by this section, was presented.

Mayor Wilson presented copies of the proposition with additional language for the Council to review.

Mac Strobl, San Diego Taxpayer's Association, and Lee Grissom, Chamber of Commerce, appeared to speak in favor of the proposition.

Richard Castle, San Diego Police Officers Association, appeared to speak in opposition to the proposition.

Mayor Wilson presented a letter from Lt. Jack R. Pearson, President, San Diego Police Officers Association, stating opposition to the proposition.

Chief Deputy City Attorney Katz answered questions directed by the Council.

The Council discussed the matter at length.

The motion of Councilman Hubbard to place the proposition on the November, 1976, ballot received no vote at this time.

Chief Deputy City Attorney Katz answered questions directed by the Council.

The motion of Councilman Ellis to strike the last sentence of the proposition was defeated, by the following vote: Yeas-Councilmen Johnson, Hubbard, Ellis, and Haro. Nays-Councilmen O'Connor, Williams, Morrow, Gade, and Mayor Wilson. Absent-None.

City Manager McKinley answered questions directed by the Council.

The Council continued discussion of the item.

The vote was then taken on the motion of Councilman Hubbard to place the item on the November ballot, which was defeated, by the following vote: Yeas-Councilmen Johnson, Hubbard, and Haro. Nays-Councilmen O'Connor, Williams, Morrow, Gade, Ellis, and Mayor Wilson. Absent-None.

On motion of Councilman Morrow, the Mayor's revised language for the proposition was approved, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Gade, Ellis, and Mayor Wilson. Nays-Councilmen Johnson, Hubbard, and Haro. Absent-None.

Deputy City Attorney Katz answered questions directed by the Council.

The motion of Councilman Gade, to approve the wording for ballot language on Section 129.1, received no vote at this time.

Councilwoman O'Connor left the Chambers.

The vote was then taken on the motion of Councilman Gade to approve the wording for ballot language on Section 129.1, which passed by the following vote: Yeas-Councilmen Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilmen Johnson and Hubbard. Absent-Councilwoman O'Connor.



(Item 262 - 2nd Time - Continued)

The proposition amending Section 130 of the Charter of The City of San Diego assigning to the Civil Service Commission the responsibility to prepare and furnish annually to the City Council timely and appropriate salary information for the guidance of the Council; deleting the duty that the Commission be required to prepare and furnish a schedule of compensation each year, was presented.

The motion of Councilman Ellis to approve the proposition for the June 8, 1976, ballot, received no vote at this time.

The motion of Councilman Hubbard to amend the ballot language of the proposition by the addition of the word "recommend" to the last sentence whereby it would read "Deletes the duty that the Commission be required to prepare and recommend a schedule of compensation each year," died for lack of a second.

The vote was then taken on the motion of Councilman Ellis to approve the proposition for the June 8, 1976, ballot, which passed by the following vote: Yeas-Councilmen Johnson, Williams, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilmen Hubbard and Morrow. Absent-Councilwoman O'Connor.

The proposition amending Section 219 of the Charter of The City of San Diego prohibiting the sale of any real property owned by The City of San Diego unless such sale is first authorized by Council ordinance and then ratified by the voters of a citywide election; deleting the provision that Pueblo Lands may not be leased for a period longer than fifteen years; providing that any lease of real property by the City exceeding two years must be authorized by Council ordinance and that no lease shall exceed fifty-five years; excluding real property owned or acquired by the Redevelopment Agency of the City, was presented.

The motion of Councilman Ellis to file the proposition received no vote at this time.

Councilman Morrow presented a strike-out revision of the proposition for the Council's review.

The Council discussed the matter at length.

Councilman Ellis withdrew his motion to file the proposition.

The motion of Councilman Morrow to approve the revised proposition for the June 8, 1976, ballot, received no vote at this time.

Councilwoman O'Connor entered the Chambers.

The motion of Councilman Hubbard to suspend the rules to permit the Council to continue the meeting 30 minutes beyond 5:30 p.m. passed unanimously.

Committee Consultant Weatherford answered questions directed by the Council.

Mac Strobl, San Diego Taxpayer's Association, appeared to speak in opposition to the proposition.

(Item 262 - 2nd Time - Continued)

Scott Harvey, San Diego Building Contractor's Association, Jim Schmidt, San Diego Federal, Leland Pratt, Kelko Company, and Lee Grissom, San Diego Chamber of Commerce, appeared to speak in opposition to the proposition.

The motion of Councilman Ellis to suspend the rules to permit the Council to extend the Meeting time to 6:30 p.m., passed unanimously.

Helen Cobb, San Diego Gas and Electric Company, Loch Crane, architect, Harold McKnee, Jr., Marlin Burnham Company, Harold Green, Regional Vice-President of Union Bank, Ray Foster, Assistant to the President of Grimlin Industries, and Bill Kaiser, San Diego Board of Realtor's appeared to speak in opposition to the proposition.

Marion Bear appeared to speak in favor of the proposition.

The motion of Councilman Johnson to suspend the rules to permit the Council to continue the meeting by 20 minutes, passed unanimously.

The Council discussed the proposition at length.

The vote was then taken on the motion of Councilman Morrow to approve the revised proposition for the June 8, 1976, ballot, which was defeated, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, and Haro. Nays-Councilmen Johnson, Hubbard, Gade, Ellis, and Mayor Wilson. Absent-None.

Councilmen Morrow and Haro left the Chambers.

(Item 260)

A proposed Resolution, requesting the consolidation of a Special Municipal Election for the purpose of ratifying Charter amendment, to be held in the City of San Diego on June 8, 1976, with the Statewide Primary Election to be held on the same date; authorizing the Auditor and Comptroller to transfer the sum of \$20,000 within the 100 Fund from the Unallocated Reserve (53.31) to the City Clerk, Elections (03.90) for the purpose of providing additional funds to pay the charges of the County of San Diego, Registrar of Voters, for the consolidation of the above election, was presented.

Deputy City Attorney Katz answered questions directed by the Council.

On motion of Councilman Gade, the proposed Resolution was amended to delete Proposition on Section 219 CITY-OWNED LANDS, and the ballot language on Section 129.1 REMOVAL OF STRIKING EMPLOYEES was revised, and the following Resolution was adopted, as amended, by the following vote: Yeas-Councilmen O'Connor, Williams, Gade, Ellis, and Mayor Wilson. Nays-Councilmen Johnson and Hubbard. Absent-Councilmen Morrow and Haro.

(Item 260 - Continued)

RESOLUTION 215604, requesting the consolidation of a Special Municipal Election for the purpose of ratifying Charter amendments, to be held in the City of San Diego on June 8, 1976, with the Statewide Primary Election to be held on the same date; authorizing the Auditor and Comptroller to transfer the sum of \$20,000 within the 100 Fund from the Unallocated Reserve (53.31) to the City Clerk, Elections (03.90) for the purpose of providing additional funds to pay the charges of the County of San Diego, Registrar of Voters, for the consolidation of the above election, as amended.

(Item 262 - 3rd Time)

The following Ordinance was passed on the day of its introduction, to-wit, on March 24, 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 11821 (New Series), ordering, calling, providing for and giving notice of a Special Municipal Election to be held in the City of San Diego on June 8, 1976, for the purpose of submitting to the qualified voters of the City three propositions amending the Charter of The City of San Diego by amending Section 129 and 130 and by adding Section 129.1 to said Charter; and consolidating said Special Municipal Election with the Statewide Primary Election to be held on the same date, was adopted on motion of Councilman Gade, by the following vote: Yeas-Councilmen O'Connor, Williams, Gade, Ellis, and Mayor Wilson. Nays-Councilmen Johnson and Hubbard. Absent-Councilmen Morrow and Haro.

(Item 257)

A proposed Resolution, finding that the Torrey Pines Community Plan is consistent with the policies of the California Coastal Plan; submitting this analysis and recommendation to the San Diego Coast Regional Commission for the purpose of determining the findings of that body; requesting the San Diego Coast Regional Commission to advise the City Council of its findings and recommendations in this matter in order for the City to consider such findings and recommendations in processing additional community plans affected by the requirements of the California Coastal Plan, was presented.

The Council discussed the matter.

The motion of Councilwoman O'Connor to adopt the proposed Resolution received no vote at this time.

Mrs. Kelley appeared to speak regarding the proposed Resolution.

Planning Director Goff answered questions directed by the Council.

(Item 257 - Continued)

RESOLUTION 215605, finding that the Torrey Pines Community Plan is consistent with the policies of the California Coastal Plan; submitting this analysis and recommendation to the San Diego Coast Regional Commission for the purpose of determining the findings of that body; requesting the San Diego Coast Regional Commission to advise the City Council of its findings and recommendations in this matter in order for the City to consider such findings and recommendations in processing additional community plans affected by the requirements of the California Coastal Plan, was adopted on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Gade, Ellis, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilmen Morrow and Haro.

(Item 404)

A proposed Resolution, endorsing the Planning Director's recommendations regarding SB 1579, Coastal Zone Conservation Act of 1976 contained in a memorandum to the Rules Committee dated March 19, 1976, was presented.

The motion of Councilwoman O'Connor to adopt the proposed Resolution received no vote at this time.

The Council discussed the matter.

Planning Director Goff answered questions directed by the Council.

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

Councilman Johnson left the Chambers.

Planning Director Goff answered questions directed by the Council.

The Council discussed the matter of reconsideration.

The motion of Councilman Gade to reconsider Item 404 failed due to the lack of sufficient votes, by the following vote: Yeas-Councilmen O'Connor, Williams, Gade, and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-Councilmen Johnson, Morrow, and Haro.

At 7:10 p.m., on motion of Councilman Hubbard, the balance of the items on the March 24, 1976, agenda, consisting of:

Item 204 - Seven Resolutions relative to amendments to CETA Memoranda of Understanding/Agreements;

Item 258 - Resolution authorizing an agreement with the San Diego State University Foundation, etc., from the General Fund No. 100 Unallocated Reserve;

Item 402 - Resolution vacating Majestic Drive;

Item 403 - Three Resolutions relative to Ocean Bluffs Resubdivision; and

Item 405 - The matter of proposed amendments to AB 416, 911 Emergency Phone System;

was continued due to lack of time and this Meeting was adjourned until the hour of 8:30 a.m., Thursday, March 25, 1976, in the Council Chambers, City Administration Building, 202-C Street.

Mayor of The City of San Diego, California

ATTEST:

Charles L. Robinson  
City Clerk of The City of San Diego, California