

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, APRIL 14, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M. and 2:00 P.M.

Present--Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and
Mayor Wilson.

Absent--Councilwoman O'Connor.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 8:43 a.m.

(Item 100)

Roll Call was taken.

(Item 101)

The Purchasing Agent reported on all bids opened Tuesday, April 13, 1976, for the installation of a sewer main in Spalding Place from Georgia Street to Alley; three bids received.

Finding was made on motion of Councilman Johnson, 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 considered requests for continuances: Item 250.

(Item 250 - Continued from the Meeting of March 17, 1976.)

OTHER RESOLUTIONS: Awarding a contract to Jack W. Brem, dba Brem Landscape Co., for Mission Bay Park - Tecolote Shores, for the sum of \$295,619; authorizing the expenditure of \$341,400 from Park and Recreation Bond Fund No. 725 for said purpose and related costs.

City Manager McKinley answered questions directed by the Council.

On motion of Councilman Haro, the proposed Resolution was continued to 8:30 a.m., May 12, 1976 at the request of the City Manager.

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, 121, 122, and 123.

City Manager McKinley reported that park fees had been paid on Items 120 and 121.

The following Ordinances were introduced at the Meeting of March-30, 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, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilwoman O'Connor.

(Item 120 - CASE NO. 11-76-1)

ORDINANCE 11827 (New Series), incorporating Lot 22, Block 9, Brookes Addition, located on the west side of Fourth Avenue between Pennsylvania Avenue and Brookes Avenue, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 12988, approved October 20, 1930, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 121 - CASE NO. 11-76-2)

ORDINANCE 11828 (New Series), incorporating Lot 7, Block 3, Loma Grande, located on the east side of Fourth Avenue between Walnut Avenue and Brookes Avenue, into CO Zone as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 9706 (New Series), adopted October 26, 1967, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 122 - CASE NO. 48-76-2)

ORDINANCE 11829 (New Series), incorporating a portion of Section 35, Township 18 South, Range 2 West, S.B.B.M., into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 10862 (New Series), approved June 29, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

The following Ordinance was introduced at the Meeting of March 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.

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

(Item 123 - CASE NO. FP/75-01)

ORDINANCE 11830 (New Series), incorporating the San Dieguito River Floodplain, generally bounded by the City of Del Mar on the west, unincorporated areas of the County of San Diego on the north and east, and by Black Mountain Road on the south, into Floodway (FW) and Floodplain Fringe (FPF) Overlay Zones, as defined by Sections 101.0403 (New Series) and 101.0403.1 (New Series) of the San Diego Municipal Code.

The Council considered the portion of the Consent Agenda dealing with Ordinances to be Introduced: Item 200.

(Item 200)

A proposed Ordinance, amending Chapter III, Article 3, Division 14 of the San Diego Municipal Code by amending Section 33.1405 relating to Solicitor Registration Cards, was introduced on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilwoman O'Connor.

The Council considered the remainder of the Consent Agenda, which consisted of Items 150, 151, 152, 153, 154, 155, 156, 157, 158, 160, 161, 165, 166, 167, 202, 203, 204, 205, 206, 207, and 208.

There was discussion on Items 204 and 201.

(Item 150)

RESOLUTION 215717, awarding a contract to Daley Corporation for the improvement of the Rose Canyon bike path, Phase 1, for the sum of \$57,840.00; authorizing the expenditure of \$26,000.00 out of Capital Outlay Fund 245 and \$72,600.00 out of Gas Tax Fund 220 for said purpose and related costs, was adopted on motion of Councilman Hubbard.

(Item 151)

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

RESOLUTION 215718, James Co., for construction of sidewalk on Linda Vista Road adjacent to Linda Vista Hills, for the sum of \$3,876.00; authorizing the expenditure of \$7,000.00 out of Subdivision Trust Fund 302 for said purpose and related costs;

RESOLUTION 215719, Goodwin Equipment Service, for the purchase of one mixer-shredder for a total cost, including tax, terms, less trade-in allowance, of \$23,549.40;

RESOLUTION 215720, International Harvester Co., for the purchase of one fire apparatus (brush rig) for a total cost, including tax and terms, of \$20,857.35;

(Item 151 - continued)

RESOLUTION 215721, Western Water Works Supply Co. for the purchase of 2,500 one inch curb stops, for an actual cost, including tax and terms of \$19,347.65; and

RESOLUTION 215722, Montgomery Elevator Company for furnishing full maintenance of four passenger elevators at the concourse parking garage, for the period of one year ending April 30, 1977, with an option to renew from year to year thereafter for four additional years, unless earlier terminated, for an annual estimated cost of \$18,460.08.

(Item 152)

RESOLUTION 215723, inviting bids for construction of traffic signal and safety lighting systems at the intersections of Clairemont Mesa Boulevard and Shawline Street; and Clairemont Mesa Boulevard and Mercury Street, in accordance with Specifications Document No. 754834, was adopted on motion of Councilman Hubbard.

(Item 153)

The following Resolutions, relative to La Pintura Drive storm drain, were adopted on motion of Councilman Hubbard:

RESOLUTION 215724, inviting bids for construction of The La Pintura Drive storm drain, in accordance with Specifications Document No. 754835; and

RESOLUTION 215725, authorizing the expenditure of not to exceed \$780 out of Flood Control and Storm Drain Bond Fund 727 for the acquisition of right-of-way for a storm drain in La Pintura Drive.

(Item 154)

RESOLUTION 215726, authorizing the acceptance by the City Manager of check for \$2,580.00 from Insurance Company of North America in lieu of performance of improvements in Farley Office Park Subdivision; directing the City Manager to use said monies to complete as much of the required improvements as possible; rescinding Council Resolution No. 214628 declaring Farley Office Park Subdivision to be in Default and terminating Improvement Agreement; and relieving Insurance Company of North America of its obligations under its Performance Bond No. M 659826, was adopted on motion of Councilman Hubbard.

(Item 155)

RESOLUTION OF INTENTION NO. 215727, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate the street reservation, portion of Lot 8, The Highlands, Map No. 284, and fixing a time and place for hearing thereof, was adopted on motion of Councilman Hubbard.

(Item 156)

The following Resolutions, relative to Market Street widening, located between 47th Street and Euclid Avenue, were adopted on motion of Councilman Hubbard:

RESOLUTION 215728, authorizing an Agreement with Curtis Jones and Beulah M. Jones, for the purpose of providing City with street and slope easements, and Jones with a portion of City-owned property with driveway and walkway improvements in lieu of severance damages; authorizing the expenditure of not to exceed \$2,400 from Fund 244 for the above purpose;

RESOLUTION 215729, authorizing the acceptance by the City Manager of a deed of Curtis and Beulah M. Jones (street and slope purposes) - MARKET STREET; authorizing the expenditure of not to exceed \$2,000 from Fund 244 to provide for acquisition of easements;

RESOLUTION 215730, authorizing the execution of a grant deed to Curtis and Beulah M. Jones for portion of Lot 431, Sunshine Gardens, which property has been determined to have a value of \$500; and

RESOLUTION 215731, dedicating for a public street, a portion of Lot 431, Sunshine Gardens; naming the same MARKET STREET.

(Item 157)

RESOLUTION 215732, approving the acceptance by the City Manager of deed of David J. and Dorothy M. Sevel, (street purposes) - PLAM AVENUE, was adopted on motion of Councilman Hubbard.

(Item 158)

RESOLUTION 215733, authorizing the Auditor and Comptroller to transfer within the General Fund (100) the sum of \$25,000 from the Unallocated Reserve (53.31) to the Allocated Reserve (53.20) for the purpose of defraying appraisal and engineering costs and expert witness fees in the inverse condemnation case of San Diego Gas & Electric Company v. City of San Diego, et al, was adopted on motion of Councilman Hubbard.

(Item 160)

RESOLUTION 215734, excusing Councilman Lee Hubbard from the joint meeting of the City Council and San Diego County Board of Supervisors on March 25, 1976, was adopted on motion of Councilman Hubbard.

(Item 161)

RESOLUTION 215735, excusing Councilman Jim Ellis from the morning portion of the Council Meeting on Wednesday, April 28, 1976, was adopted on motion of Councilman Hubbard.

(Item 165)

RESOLUTION 215736, awarding a contract to R. H. Palmer Filter Company for the purchase of six hundred tons of anthracite filter media for an actual cost, including tax and terms, of \$64,182.00, was adopted on motion of Councilman Hubbard.

(Item 166)

RESOLUTION 215737, authorizing an amendment to agreement with Donald L. Bren Company, for completion of improvements in Villa La Jolla No. 5 Subdivision, was adopted on motion of Councilman Hubbard.

(Item 167)

The following Resolutions, relative to Comprehensive Employment and Training Act (CETA) Memoranda of Understanding agreements, were adopted on motion of Councilman Hubbard:

RESOLUTION 215738, authorizing a Fourth Amendment to Memorandum of Understanding with the San Diego Community College District, for the purpose of increasing by \$100,000 the amount of CETA 1973 Title VI funding and for the purpose of increasing by \$18,200 the amount of CETA 1973 Title II funding for the balance of fiscal year 1976; amending Resolution No. 215606 according to above specifications; and

RESOLUTION 215739, authorizing a Fifth Amendment to Memorandum of Understanding with the San Diego Unified School District, for the purpose of increasing by \$224,200 the amount of CETA 1973 Title II funding for the balance of fiscal year 1976; amending Resolution No. 215608 according to above specifications.

(Item 201)

RESOLUTION 215740, cosponsoring with the Fraternal Order of Eagles, Aerie 244, the 29th-Annual Mothers Day Program to be held in the Organ Pavilion, Balboa Park, on Sunday, May 9, 1976; waiving the rental fee in the amount of \$25 for the aforementioned facility, was adopted on motion of Councilman Hubbard.

(Item 202)

RESOLUTION 215741, authorizing the expenditure of \$31,219 out of Capital Outlay Fund 245 for conversion of the former business office at Central Police Headquarters to a Police Emergency Communications Center; authorizing the use of City Forces to do the work in conjunction with the above referenced project, was adopted on motion of Councilman Hubbard.

(Item 203)

RESOLUTION 215742, authorizing the City Manager to apply to the United States Assistant Secretary of Commerce for Economic Development for an amendment to the United States Department of Commerce Economic Development Administration Grant No. 07-25-01663 in order to extend the grant termination date from June 30, 1976, to December 31, 1976, was adopted on motion of Councilman Hubbard.

(Item 204)

RESOLUTION 215743, authorizing the City Attorney to submit to the California Office of Criminal Justice Planning an application for a grant to fund a project to be known as "San Diego City Attorney Civil Prosecution Task Force"; in the event the California Office of Criminal Justice Planning consents to fund the above project through the Omnibus Crime Control and Safe Streets Act, the City agrees to accept the grant and designates the City Attorney to execute and implement the contract for the grant for law enforcement purposes, including any extensions or amendments thereof; City agrees to provide all matching funds required for said project (including any extension or amendments thereof) and that cash will be appropriated as required thereby; determining that grant funds received shall not be used to supplant ongoing law enforcement expenditures; authorizing the Auditor and Comptroller to transfer within the General Fund No. 100 the sum of \$5,023 from the Unallocated Reserve (53.31) to the Allocated Reserve (53.20) to be used solely and exclusively to meet cash match requirements of the above grant, was adopted on motion of Councilman Hubbard.

(Item 205)

The following Resolutions, relative to removal of architectural barriers, were adopted on motion of Councilman Hubbard:

RESOLUTION 215744, certifying that the information contained in Environmental Negative Declaration No. 75-01-00.19BG, 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 215745, authorizing the City Manager to implement through the Transportation Department, the Removal of Architectural Barriers Project, a Community Development Block Grant program, according to the terms and conditions contained in the Scope of Services, Project Work Program, Project Progress Report, Performance Standards, and Program Budget; utilizing \$172,187 in First Year Community Development Block Grant Fund 2910 to finance the above mentioned project.

(Item 206)

RESOLUTION 215746, inviting bids for construction of pedestrian ramps for the handicapped - Contract No. 1, in accordance with Specifications Document No. 754851, was adopted on motion of Councilman Hubbard.

(Item 207)

RESOLUTION 215747, inviting bids for Tecolote Canyon Trunk Sewer, in accordance with Specifications Document No. 754442, was adopted on motion of Councilman Hubbard.

(Item 208)

RESOLUTION 215748, authorizing an agreement with Traffic Systems Engineering for preliminary engineering design of a master traffic control system for the central business district; authorizing the expenditure of \$30,000 out of Gas Tax Fund 220 for above referenced services, was adopted on motion of Councilman Hubbard.

(Item 159)

A proposed Resolution, accepting the generous donation of installed carpeting from Wurts Contract Furnishers, Inc., by George Saadeh, President, to carpet the lobby portion of the City Administration Building containing the Freedom Shrine; commending Wurts Contract Furnishers, Inc., for this act of civic generosity and publicly expressing on behalf of the citizens of San Diego a debt of gratitude, was presented.

Councilman Haro spoke to the gift and introduced Mr. George Saadeh, who was present.

RESOLUTION 215749, accepting the generous donation of installed carpeting from Wurts Contract Furnishers, Inc., by George Saadeh, President, to carpet the lobby portion of the City Administration Building containing the Freedom Shrine; commending Wurts Contract Furnishers, Inc., for this act of civic generosity and publicly expressing on behalf of the citizens of San Diego a debt of gratitude, was adopted on motion of Councilman Haro.

(Item 162)

The following proposed Resolutions, relative to the widening of Imperial Avenue between 47th Street and Euclid Avenue: a - Authorizing the City Attorney to commence action in Superior Court to acquire, under Eminent Domain Proceedings, easements for the construction, operation, and maintenance of a public street (IMPERIAL AVENUE) and incidents thereto in portions of Lots 42 and 53, Horton's Purchase, Ex-Mission Lands of San Diego, and in a portion of Lot 1, Imperial Euclid Center Unit No. 1; and b - Authorizing the expenditure of \$75,000 out of Gas Tax Fund No. 220 to cover the cost of said condemnation, were presented.

City Clerk Nielsen stated that, with respect to Item 162, legal notice had been provided to the appropriate persons in accordance with Section 1245.235 of the California Code of Civil Procedure. Copies of said notice were forwarded by Property Department personnel on March 29, 1976 and copies had been filed with the City Clerk's Office.

The City Clerk further stated that he had received a written request from Mr. Antoni Ruchlewicz who desires to appear before the Council and be heard on Item 162 on the matters referred to in Section 1240.030, Code of Civil Procedure, which are: 1 - Does the public interest and necessity require the proposed project; 2 - Is the proposed project planned and located in a manner most compatible with the greatest public good and the least private injury; and 3 - Is the property sought to be acquired necessary for the proposed project.

Antoni Ruchlewicz appeared to speak.

(Item 162 - Continued)

William Schempers, Transportation Department, and Richard Greenleaf, Property Department, answered questions directed by the Council.

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

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

Antoni Ruchlewicz appeared to speak further to the matter.

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

RESOLUTION 215750, authorizing the City Attorney to commence action in Superior Court to acquire, under Eminent Domain Proceedings, easements for the construction, operation, and maintenance of a public street (Imperial Avenue) and incidents thereto in portions of Lots 42 and 53, Horton's Purchase, Ex-Mission Lands of San Diego, and in a portion of Lot 1, Imperial Euclid Center Unit No. 1; and

RESOLUTION 215751, authorizing the expenditure of \$75,000 out of Gas Tax Fund No. 220 to cover the cost of said condemnation, were adopted on motion of Councilman Williams.

(Item 163)

The following proposed Resolutions, relative to Miramar Road widening: a - Authorizing the City Attorney to commence action in Superior Court to acquire, under Eminent Domain Proceedings, a portion of Lot 1 of Miramar Plaza, for the construction, operation and maintenance of a public street; and b - Authorizing the expenditure of \$15,824.00 out of Gas Tax Fund 220 for the acquisition of the necessary rights of way, were presented.

City Clerk Nielsen stated that with respect to Item 163, legal notice had been provided to the appropriate persons in accordance with Section 1245.235 of the California Code of Civil Procedure, and that copies of said notice were forwarded by Property Department personnel on March 29, 1976 and copies have been filed with the City Clerk's Office.

City Clerk Nielsen further stated that no written requests to appear before the Council to be heard on Item 163 on the matters referred to in Section 1240.030, Code of Civil Procedure, which are: 1) Does the public interest and necessity require the proposed project; 2) Is the proposed project planned and located in a manner most compatible with the greatest public good and the least private injury; and 3) Is the property sought to be acquired necessary for the proposed project, had been received.

Deputy City Attorney Detisch and William Schempers, Transportation Department answered questions directed by the Council.

No one appeared to speak.

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

(Item 163 - Continued)

William Schempers, Transportation Department, and Deputy City Manager Lockwood answered questions directed by the Council.

RESOLUTION 215752, authorizing the City Attorney to commence action in Superior Court to acquire, under Eminent Domain Proceedings, a portion of Lot 1 of Miramar Plaza, for the construction, operation and maintenance of a public street; and

RESOLUTION 215753, authorizing the expenditure of \$15,824.00 out of Gas Tax Fund 220 for the acquisition of the necessary rights of way, were adopted on motion of Councilman Johnson.

(Item 164)

The following proposed Resolutions, relative to Navajo Canyon Park Acquisition: a - Authorizing the City Attorney to commence action in Superior Court to acquire, under Eminent Domain Proceedings, portions of Lot 67, Rancho Mission of San Diego, according to Partition Map thereof, for the development of a park (Navajo Canyon Park); b - Approving the acceptance by the City Manager of Deed of Princess Park Estates, Inc., conveying Parcel "A" of Princess Del Cerro Unit No. 2; and c - Authorizing the expenditure of \$680,000.00 out of Capital Outlay Fund 245 for acquisition of the necessary property in fee title for the development of said park, were presented.

City Clerk Nielsen stated that with respect to Item 164, legal notice had been provided to the appropriate persons in accordance with Section 1245.235 of the California Code of Civil Procedure, and that copies of said notice were forwarded by Property Department personnel on March 29, 1976 and copies have been filed with the City Clerk's Office.

City Clerk Nielsen indicated that no written requests had been received to appear before the Council on Item 164 on the matters referred to in Section 1240.030, Code of Civil Procedure, which are: 1) Does the public interest and necessity require the proposed project; 2) Is the proposed project planned and located in a manner most compatible with the greatest public good and the least private injury; and 3) Is the property sought to be acquired necessary for the proposed project.

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

Richard Greenleaf, Property Department, and City Manager McKinley answered questions directed by the Council.

RESOLUTION 215754, authorizing the City Attorney to commence action in Superior Court to acquire, under Eminent Domain Proceedings, portions of Lot 67, Rancho Mission of San Diego, according to Partition Map thereof, for the development of a park (Navajo Canyon Park);

RESOLUTION 215755, approving the acceptance by the City Manager of Deed of Princess Park Estates, Inc., conveying Parcel "A" of Princess Del Cerro Unit No. 2; and

RESOLUTION 215756, authorizing the expenditure of \$680,000.00 out of Capital Outlay Fund 245 for acquisition of the necessary property in fee title for the development of said park, were adopted on motion of Councilman Ellis.

(Item 209)

A proposed Resolution, establishing Council Policy No. 000-20 entitled "Annual Council Programming," was presented.

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

City Manager McKinley answered questions directed by the Council.

RESOLUTION 215757, establishing Council Policy No. 000-20 entitled "Annual Council Programming," was adopted on motion of Councilman Morrow.

(Item 210)

A proposed Resolution, directing the Legislative Representative to seek specific amendments to the California Environmental Quality Act (CEQA), was presented.

Mayor Wilson presented Rules Committee Report on the matter.

RESOLUTION 215758, directing the Legislative Representative to seek specific amendments to the California Environmental Quality Act (CEQA), was adopted on motion of Councilman Johnson.

(Item 211)

A proposed Resolution, directing the Planning Department as follows: a. To prepare an addendum to its FY 1977 proposed budget request to include in its FY 1977 work program the preparation of the Mission Valley-Community Plan; b. That the Entire Mission Valley geographic area from Grantville on the east to I-5 on the west be included in the planning area; c. That the City Manager and the Planning Department proceed with the preparation of the Mission Valley Community Plan; and d. To work with the Councilmen of the affected area to cooperatively establish a citizens' group for citizen input into the planning process, was presented.

Transportation and Land Use Committee Consultant Wilken, Jack Van Cleave, Planning Department, and Deputy City Attorney Valderhaug answered questions directed by the Council.

Eldon C. Anderson, Bruce Hazard, and Russell B. Grant appeared to speak.

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

The motion of Councilman Ellis to divide the Resolution and amend b to exclude from the planning area those areas already under a planning group, was not voted on at this time.

Discussion followed.

Councilman Ellis withdrew his motion to divide the Resolution and to exclude from the planning area those areas already under a planning area.

By common consent the Council agreed to vote on each part of the Resolution separately.

The motion of Councilman Morrow to adopt a received no vote at this time.

Jack Van Cleave, Planning Department, answered questions directed by the Council.

The motion of Councilman Morrow to adopt a passed by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilwoman O'Connor.

(Item 211 - Continued)

The motion of Councilman Morrow to adopt b was not voted on at this time. Jack Van Cleave, Planning Department, answered questions directed by the Council.

Grant Anderson appeared to speak.

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

The motion of Councilman Morrow to adopt c died for lack of a second.

The motion of Councilman Williams to continue c and d for three weeks, received no vote at this time.

Russell Grant, Eldin Anderson, and Bruce Hazard appeared to speak.

Jack Van Cleave, Planning Department, answered questions directed by the Council.

The motion of Councilman Gade to amend the motion to continue c and d to July, died for lack of a second.

Discussion followed.

Deputy City Attorney Valderhaug answered questions directed by the Council.

The motion to continue c and d for three weeks was defeated by the following vote: Yeas-Councilmen Williams, Morrow, and Haro. Nays-Councilmen Johnson, Hubbard, Gade, Ellis, and Mayor Wilson. Absent-Councilwoman O'Connor.

On motion of Councilman Gade, the proposed Resolution, directing the Planning Department as follows: a. To prepare an addendum to its FY 1977 proposed budget request to include in its FY 1977 work program the preparation of the Mission Valley Community Plan; b. That the Entire Mission Valley geographic area from Grantville on the east to I-5 on the west be included in the planning area; c. That the City Manager and the Planning Department proceed with the preparation of the Mission Valley Community Plan; and d. To work with the Councilmen of the affected area to cooperatively establish a citizens' group for citizen input into the planning process, was continue to June 2, 1976.

Mayor Wilson recessed the Meeting at 10:58 a.m. Upon reconvening at 11:22 a.m., the Roll Call showed Councilmen O'Connor and Haro, and Mayor Wilson absent.

(Item 251)

A proposed Resolution, declaring that the leased tidelands in Mission Bay, upon expiration of said leases May 31, 1976, become the public property of all of the people to be used only for public park purposes from that date forward, subject to the restrictions imposed on such recreational tidelands by the State trust and by the City's park dedication ordinance, was presented.

Councilman Gade answered questions directed by the Council.

The motion of Councilman Morrow to refer the matter to the Public Facilities and Recreation Committee, which received no second at this time.

(Item 251 - Continued)

Councilman Haro entered the Chambers.

Deputy City Attorney Valderhaug answered questions directed by the Council.
Eleanor Mathews appeared to speak.

Mayor Wilson entered the Chambers and assumed the Chair.

Mrs. Schwartz appeared to speak.

Councilman Haro seconded the motion to refer the matter to the Public Facilities and Recreation Committee, which received no vote.

Mrs. Schwartz appeared to speak.

The motion of Councilman Hubbard to extend the rules to allow the Council Meeting to continue ten minutes beyond 12:00 Noon passed unanimously.

The motion of Councilman Gade to amend the proposed Resolution to refer the recommendations of the Park and Recreation Board to the Public Facilities and Recreation Committee to be heard on Monday, April 26, 1976, and direct the City Manager to seek a blanket Coastal permit to remove all piers, was not voted on at this time.

Discussion followed.

Councilman Ellis left the Chambers.

RESOLUTION 215767, declaring that the leased tidelands in Mission Bay, upon expiration of said leases May 31, 1976, become the public property of all of the people to be used only for public park purposes from that date forward, subject to the restrictions imposed on such recreational tidelands by the State trust and by the City's park dedication ordinance; referring the subject of the required demolition of the existing piers and docks in the leased area to the Public Facilities and Recreation Committee to be considered at its meeting of April 26, 1976; directing the City Manager to apply for such Coastal Commission permits as may be necessary in order to remove the piers and docks and to take whatever action he deems appropriate to expedite compliance with the requirements of the Coastal Commission, was adopted on motion of Councilman Gade.

Councilman Hubbard left the Chambers.

B. R. Swarts appeared to speak.

Mayor Wilson recessed the Meeting at 12:22 p.m. to reconvene at 2:00 p.m. Upon reconvening at 2:19 p.m., the Roll Call showed Councilwoman O'Connor absent.

(Item 257 - Supplemental No. 2)

A proposed Resolution, authorizing and directing the City Manager to enter into an exchange of property with Roy G. Andersen as described below and shown on the Proposed Tentative Subdivision Map _____, contingent upon the conditions subsequent, as listed below: Property to be conveyed from City to Mr. Andersen: 1. Portion of Pueblo Lot 1205, shown as Parcel A on the southeast area of the map. 2. Developable portions of Assessor's Parcel 426-70-14, acquired by the City from the United Jewish Federation, and shown as Parcel B on the southern area of the map. Property to be conveyed from Mr. Andersen to the City: 1. Portion of Assessor's Parcel 426-70-21, shown as Parcel C on the western area of the map. 2. Portions of Assessor's Parcels 426-70-20 and 419-37-2, along the hillside west of Genesee Avenue, and shown as Parcels D and E on the map. 3. Assessor's Parcel 419-37-3, along the east side of Genesee Avenue, and shown as Parcel F on the map. 4. Portions of Assessor's Parcels 419-31-6 and 419-31-14, and shown as Parcel G on the northwest area of the map. 5. Assessor's Parcel 419-31-15, and a portion of Assessor's Parcel 419-31-13, along the west side of Genesee Avenue, and shown as Parcel H on the map. Conditions subsequent to the exchange of land between The City of San Diego and Roy G. Andersen: 1. Approval of a subdivision map substantially the same as Proposed Tentative Subdivision Map _____. 2. The City will expedite processing of the proposed map with consideration by the Subdivision Review Board no later than _____.; finding that the requirements of Council Policy 600-10 are met with respect to the proposed subdivision; providing improvements by Mr. Andersen on parcels conveyed to the City as shown on the map, notably: 1. Installation of a drainage ditch and grading and replanting of natural or semi-natural vegetation to restore Parcel C. 2. Improvement of access road with minimum 28-foot roadway and 4-foot sidewalk through Parcels D and E. 3. Installation of pedestrian paths through Parcel H from Genesee Avenue to the schools and park, was presented.

Mrs. Eloise Battle and Mrs. Nancy Anderson appeared to speak.

City Manager McKinley answered questions directed by the Council.

On motion of Councilman Morrow the proposed Resolution was amended to interlineate May 15, 1976 on condition No. 2, and a number give to the Tentative Map.

RESOLUTION 215759, authorizing and directing the City Manager to enter into an exchange of property with Roy G. Andersen as described below and shown on the Proposed Tentative Subdivision Map Cambridge Colony Units 1-5, contingent upon the conditions subsequent, as listed below: Property to be conveyed from City to Mr. Andersen: 1. Portion of Pueblo Lot 1205, shown as Parcel A on the southeast area of the map. 2. Developable portions of Assessor's Parcel 426-70-14, acquired by the City from the United Jewish Federation, and shown as Parcel B on the southern area of the map. Property to be conveyed from Mr. Andersen to the City: 1. Portion of Assessor's Parcel 426-70-21, shown as Parcel C on the western area of the map. 2. Portions of Assessor's Parcels 426-70-20 and 419-37-2, along the hillside

(Item 257 - Supplemental No. 2 - Continued)

west of Genesee Avenue, and shown as Parcels D and E on the map. 3. Assessor's Parcel 419-37-3, along the east side of Genesee Avenue, and shown as Parcel F on the map. 4. Portions of Assessor's Parcels 419-31-6 and 419-31-14, and shown as Parcel H on the map. Conditions subsequent to the exchange of land between The City of San Diego and Roy G. Andersen: 1. Approval of a subdivision map substantially the same as Proposed Tentative Subdivision Map Cambridge Colony Units 1-5. 2. The City will expedite processing of the proposed map with consideration by the Subdivision Review Board no later than May 15, 1976.; finding that the requirements of Council Policy 600-10 are met with respect to the proposed subdivision; providing improvements by Mr. Andersen on parcels conveyed to the City as shown on the map, notably: 1. Installation of a drainage ditch and grading and replanting of natural or semi-natural vegetation to restore Parcel C. 2. Improvement of access road with minimum 28-foot roadway and 4-foot sidewalk through Parcels D and E. 3. Installation of pedestrian paths through Parcel H from Genesee Avenue to the schools and park, was adopted on motion of Councilman Morrow.

(Item 252)

A proposed Resolution, requesting the County Board of Supervisors to act as the lead agency in proceedings to annex to The City the unincorporated areas of Murphy Canyon Area (uninhabited), Mission Gorge Area (uninhabited), Greenwood Cemetery Area (uninhabited), Tooley Street & 60th Street Area (uninhabited), Alta Vista (uninhabited), Pomerado Road & I-15 (uninhabited), and Miramar Reservoir Area (uninhabited), pursuant to the District Reorganization Act of 1965, was presented.

Dixon Goen appeared to speak.

City Manager McKinley answered questions directed by the Council.

The motion of Councilman Morrow to amend the Resolution to exclude the property under the ownership of V. R. Dennis Company and Mission Gorge Development Co. (Mission Gorge Property Area #2), was not voted on at this time.

Deputy City Attorney Valderhaug stated that Alta Vista is inhabited rather than uninhabited.

City Manager McKinley and Deputy City Attorney Valderhaug answered questions directed by the Council.

The proposed Resolution was amended to exclude the property under the ownership of V. R. Dennis Company and Mission Gorge Development Co. and to correct the Resolution further to indicate that Alta Vista is (inhabited) rather than (uninhabited), on motion of Councilman Morrow.

RESOLUTION 215760, requesting the County Board of Supervisors to act as the lead agency in proceedings to annex to The City the unincorporated areas of Murphy Canyon Area (uninhabited), Mission Gorge Area (uninhabited), Greenwood Cemetery Area (uninhabited), Tooley Street & 60th Street Area (uninhabited), Alta Vista (inhabited), Pomerado Road & I-15 (uninhabited), pursuant to the District Reorganization Act of 1965, was adopted as amended on motion of Councilman Ellis.

(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 Meeting of March 17, 1976, at the request of a new owner to work out access problems, on vacating the Alley in Block 369 of Corrected Plat of Subdivision of Blocks 368, 369, 374, 375, and 376, Old San Diego; Resolution of Intention No. 215289.

J. Russ Crosby, Engineering and Development, answered questions directed by the Council.

No one appeared to speak.

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

RESOLUTION 215761, vacating the Alley in Block 369 of Corrected Plat of Subdivision of Blocks 368, 369, 374, 375, and 376, Old San Diego, Map No. 420.

Mayor Wilson recessed the Meeting at 2:35 p.m. to reconvene as Redevelopment Agency and Committee of the Whole. Upon reconvening at 4:17 p.m., the Roll Call showed Councilwoman O'Connor absent.

(Item 253)

The following Resolutions, relative to the proposed amendments to the Linda Vista Redevelopment Plan: a - Acknowledging receipt of proposed amendments and the report to the City Council on the proposed amendments, including a draft environmental report; and b - Consenting to a Joint Public Hearing with the Redevelopment Agency as provided for in Section 33548 of the Health and Safety Code of the State of California; designating May 18, 1976, at 2:00 p.m. as the date and time for said joint hearing, to consider proposed amendments, were presented.

Councilman Morrow was excused from voting due to conflict of interest.

RESOLUTION 215762, acknowledging receipt of proposed amendments and the report to the City Council on the proposed amendments, including a draft environmental report; and

RESOLUTION 215763, consenting to a Joint Public Hearing with the Redevelopment Agency as provided for in Section 33548 of the Health and Safety Code of the State of California; designating May 18, 1976, at 2:00 p.m. as the date and time for said joint hearing, to consider proposed amendments, were adopted on motion of Councilman Ellis.

(Item 254)

A proposed Resolution, authorizing a lease agreement with John A Baldan and Amelia Baldan, dba Casa Machado No. 3, for the purpose of operating and maintaining a restaurant and cocktail lounge open to the general public in the Montgomery Field Administration Building Restaurant Facility, the real property valued at \$215,000 as established by the Property Department, for a period of fifteen years, 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.

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Deputy City Attorney Valderhaug answered questions directed by the Council.

Page 13 of the proposed Lease Agreement was amended to strike out the provision "install a water meter," on motion of Councilman Haro.

RESOLUTION 215764, authorizing a Lease Agreement with John A. Baldan and Amelia Baldan, dba Casa Machado No. 3, for the purpose of operating and maintaining a restaurant and cocktail lounge open to the general public in the Montgomery Field Administration Building Restaurant Facility, the real property valued at \$215,000 as established by the Property Department, for a period of fifteen years, was adopted on motion of Councilman Haro.

(Item 255)

A proposed Resolution, finding the La Jolla Community Plan and the La Jolla Shores Precise Plan consistent with the policies of SB 1579 (introduced to enact the California Coastal Conservation Act of 1976); submitting this finding to the San Diego Coast Regional Commission for the purpose of determining the findings of that body; requesting that Council be advised of findings and recommendations made by the San Diego Coast Regional Commission in this matter in order for the City to consider such findings and recommendations in processing additional community plans affected by the requirements of SB 1579, was presented.

Planning Director Goff answered questions directed by the Council.

RESOLUTION 215765, finding the La Jolla Community Plan and the La Jolla Shore Precise Plan consistent with the policies of SB 1579 (introduced to enact the California Coastal Conservation Act of 1976); submitting this finding to the San Diego Coast Regional Commission for the purpose of determining the findings of that body; requesting that Council be advised of findings and recommendations made by the San Diego Regional Commission in this matter in order for the City to consider such findings and recommendations in processing additional community plans affected by the requirements of SB 1579, was adopted on motion of Councilman Johnson.

(Item 256)

A proposed Resolution, scheduling a Special Meeting of the Committee of The Whole to be held jointly with the San Diego County Board of Supervisors in the Board Conference Room at the County Administration Center on Thursday, June 3, 1976, at 4:00 p.m., for a purpose concerning the Los Penasquitos Regional Park, was presented.

RESOLUTION 215766, scheduling a Special Meeting of the Committee of the Whole to be held jointly with the San Diego County Board of Supervisors in the Board Conference Room at the County Administration Center on Thursday, June 3, 1976, at 4:00 p.m., for a purpose concerning the Los Penasquitos Regional Park, was adopted on motion of Councilman Hubbard.

There being no further business to come before the Council at this time,
the Regular Meeting was adjourned at 4:25 p.m. on motion of Councilman Johnson.

Mayor of The City of San Diego, California

ATTEST:

Charles J. Delap

City Clerk of The City of San Diego, California