

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, MAY 11, 1976  
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING  
CHARLES C. DAIL CONCOURSE  
2:00 P.M.

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

Mayor Wilson called the Regular Meeting to order at 2:17 p.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced Pastor Donovan Myers, Pastoral Counselor, Calvary Lutheran Church, who gave the Invocation.

(Item 3)

Councilwoman O'Connor led the Pledge of Allegiance.

There were no requests for continuances.

(Item 20 - CASE NO. 37-75-1 - portion of AREA 2C - City-initiated.)

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 April 20, 1976 for further review, on the matter of rezoning Lots 1-3, Back Subdivision, located south of Imperial Avenue and east of Woodman Street in the Skyline-Paradise Hills Area, from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, R-1, or any combination thereof.

Councilman Williams entered the Chambers.

Councilwoman O'Connor stated that she had not listened to the tapes.

On motion of Councilwoman O'Connor the matter was continued to 2:00 p.m., Tuesday, May 18, 1976, to allow Councilwoman O'Connor time to listen to the tape of the testimony, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Gade, and Mayor Wilson. Nays-Councilman Ellis. Absent-Councilmen Hubbard, Morrow, and Haro.

Councilman Haro entered the Chambers.

(Item 21)

A proposed Resolution, authorizing a representative of the City Attorney's Office to travel to Washington, D. C., May 12 - 14, 1976 for the purpose of assisting the San Diego Transit Corporation in negotiation and execution of an Urban Mass Transportation Act 13-C Agreement for the Sante Fe Depot Acquisition; authorizing the expenditure of \$700 out of Unallocated Reserve General Fund 100 (53.31) for lodging, travel and miscellaneous expenses, was presented.

RESOLUTION 215920, authorizing a representative of the City Attorney's Office to travel to Washington, D. C., May 12 - 14, 1976 for the purpose of assisting the San Diego Transit Corporation in negotiation and execution of an Urban Mass Transportation Act 13-C Agreement for the Sante Fe Depot Acquisition; authorizing the expenditure of \$700 out of Unallocated Reserve General Fund 100 (53.31) for lodging, travel and miscellaneous expenses, was adopted on motion of Councilwoman O'Connor.

(Item 22)

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," was presented.

City Manager McKinley answered questions directed by the Council.

Public Services and Safety Committee Consultant Carpi presented a committee report.

Jim Lester, Financial Management, and City Manager McKinley answered questions directed by the Council.

On motion of Councilwoman O'Connor budget page 999 was amended to provide \$965 for Block Grant Program.

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

Discussion followed.

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 Operated The City of San Diego for Said Fiscal Year," was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Gade, Haro, and Mayor Wilson. Nays-Councilman Ellis. Absent-Councilmen Hubbard and Morrow.

(Item 23 - Supplemental Docket No. 1)

A proposed Resolution, continued from the Meeting of May 5, 1976, approving a rent credit of \$698,470 to High Fliers, in the event it becomes the lessee, for the publicly oriented facilities required in connection with the development of a marina in the Quivera Basin Area, Mission Bay Park; authorizing a Ninth Amendment to Option to Agreement and Consent to Assignment with Recreation Specialists, Inc. and High Fliers, Limited, which provides for such rent credit together with an increased minimum annual rent and other provisions involving the necessity to construct a boat repair and marine fuel dock and the deletion of a cancelation provision, was presented.

Committee Chairman Gade presented the Public Facilities and Recreation Committee report.

Property Director MacFarlane and City Manager McKinley answered questions directed by the Council.

Ray Robbins appeared to speak.

Councilman Hubbard entered the Chambers.

Ray Robbins continued speaking.

Property Director MacFarlane answered further questions directed by the Council.

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

The motion of Councilman Williams to amend the proposed Resolution to include a 12-year review of the lease, received no second.

Property Director MacFarlane answered questions directed by the Council.

The motion of Councilman Hubbard to amend the proposed Resolution to provide for rent credit at the prime interest rate, received no second at this time.

Discussion followed.

Councilman Ellis seconded the motion of Councilman Hubbard to amend the proposed Resolution to provide for rent credit at the prime interest rate, which was defeated by the following vote: Yeas-Councilmen Johnson, Hubbard, and Ellis. Nays-Councilmen O'Connor, Williams, Gade, Haro, and Mayor Wilson. Absent-Councilman Morrow.

RESOLUTION 215921, approving a rent credit of \$698,470 to High Fliers, in the event it becomes the lessee, for the publicly oriented facilities required in connection with the development of a marina in the Quivera Basin Area, Mission Bay Park; authorizing a Ninth Amendment to Option Agreement and Consent to Assignment with Recreation Specialists, Inc. and High Fliers, Limited, which provides for such rent credit together with an increased minimum annual rent and other provisions involving the necessity to construct a boat repair and marine fuel dock and the deletion of a cancelation provision, was adopted on motion of Councilman Gade.

Mayor Wilson recessed the Regular Meeting at 3:38 p.m. to go into executive session in the 12th floor conference room on a Meet and Confer Matter. Upon reconvening at 5:17 p.m., the Roll Call showed Councilmen Williams and Morrow absent.

At this time, the Council considered the matter of the Committee of The Whole Meeting - Police Intelligence Investigation, which was noted on the Council Docket for 2:00 p.m.

The motion of Councilman Ellis to continue the Committee of The Whole - Police Intelligence Investigation to 8:00 a.m., May 12, 1976, was not voted on at this time.

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

Councilman Williams entered the Chambers.

On motion of Councilman Ellis, the Committee of The Whole - Police Intelligence Investigation was continued to 8:00 a.m., May 12, 1976.

(Item 24 - Supplemental Docket No. 3)

A proposed Resolution, directing the City Attorney to prepare the annual salary ordinance for officers and employees of The City of San Diego for fiscal year 1977 for consideration by the City Council on May 12, 1976 pursuant to the provisions of Section 130 of the Charter of The City of San Diego, was presented.

Deputy City Manager Blair answered questions directed by the Council.

On motion of Councilman Gade, the rules were suspended to allow the regular meeting to continue past 5:30 p.m.

Deputy City Manager Blair continued answering questions directed by the Council.

Jack Pearson appeared to speak.

RESOLUTION 215922, directing the City Attorney to prepare the annual salary ordinance for officers and employees of The City of San Diego for fiscal year 1977 for consideration by the City Council on May 12, 1976 pursuant to the provisions of Section 130 of the Charter of The City of San Diego, was adopted on motion of Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilman Morrow.

(Unanimous Consent No. 1)

By Unanimous Consent granted to Mayor Wilson, a proposed Resolution, approved by the Committee on Rules, Legislation, and Intergovernmental Relations, at the recommendation of the City Auditor, declaring the City's opposition to HR 10210, HR 8366 and HR 8614 which relate to the mandated inclusion of state and local governments into the Unemployment Compensation Insurance Fund, was presented.

RESOLUTION 215923, declaring the City's opposition to HR 10210, HR 8366 and HR 8614 which relate to the mandated inclusion of state and local governments into the Unemployment Compensation Insurance Fund, was adopted on motion of Councilman Ellis.

(Unanimous Consent No. 2)

By Unanimous Consent granted to Mayor Wilson, a proposed Resolution, authorizing the City Manager to submit a grant application to the United States Department of Health, Education and Welfare - Region IX, entitled "Application of Marketing Management Procedures to the Planning, Delivery and Evaluation of Human Service Programs for Low-Income Groups;" referring a copy of the grant application to the Public Service and Safety Committee for an in depth analysis of the proposal, was presented.

RESOLUTION 215924, authorizing the City Manager to submit a grant application to the United States Department of Health, Education and Welfare - Region IX, entitled "Application of Marketing Management Procedures to the Planning, Delivery and Evaluation of Human Service Programs for Low-Income Groups;" referring a copy of the grant application to the Public Service and Safety Committee for an in depth analysis of the proposal, was adopted on motion of Councilman Haro.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilwoman O'Connor the Regular Meeting was adjourned at 5:49 p.m. on motion of Councilman Williams in memory of Mrs. Helen Mary O'Connor, wife of Judge Robert O'Connor, who passed away May 8, 1976, and by Unanimous Consent granted to Councilman Hubbard the Regular Meeting was also adjourned on motion of Councilman Hubbard in memory of Harry Evans Calloway, owner of Thearle Music Co., who passed away on Wednesday, May 5, 1976.

*Pete Wilson*

Mayor of The City of San Diego, California

ATTEST:

*Opale S. Belding*

City Clerk of The City of San Diego, California