

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, MAY 19, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Deputy Mayor O'Connor called the Regular Meeting to order at 8:37 a.m.

(Item 100)

Roll Call was taken.

(Item 101)

Deputy Mayor O'Connor welcomed fifty students from San Diego Community College, accompanied by Ms. Autumn Keltner and addressed the group.

The Council considered requests for continuances: Item 255.

(Item 255)

Two proposed Resolutions, relative to Sunset Cliffs Park, were presented. Attorney Dan White appeared to address the Council requesting that Item 255 be continued.

The motion of Councilman Gade to continue Item 255 for three weeks until June 9, 1976 at the request of one of the property owners, received no vote at this time.

Councilman Haro entered the Chambers.

Assistant City Attorney Teaze answered questions directed by the Council.
Attorney Dan White answered questions directed by the Council.
Assistant City Attorney Teaze answered questions directed by the Council.

Councilman Morrow entered the Chambers.

On motion of Councilman Gade, Item 255 was continued three weeks until June 9, 1976, at the request of one of the property owners, which passed unanimously.

The Council considered that portion of the Consent Agenda on Ordinances to be Introduced which consisted of Item 200.

(Item 200)

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 transferring prior year Revenue Sharing surplus and unencumbered funds and 3021 Trust Fund monies to the Human Resources Department for the purpose of augmenting 05.61, Human Care Services Program, Recreation Support Program, was introduced on motion of Councilman Johnson by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-None. Absent-Mayor Wilson.

The Council considered the remainder of the Consent Agenda consisting of Items 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 172, 201, 202, 203, and Items 174, 175, 176, and 177 (Supplemental Docket #1.).

(Item 150)

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

Resolution 215972, Fritz A. Nachant, Inc. for the construction of Villa Montezuma - foundation reconstruction, for the sum of \$35,611; authorizing the expenditure of \$48,000 out of Capital Outlay Fund 245 for said purpose and related costs; authorizing the City Auditor and Comptroller to transfer \$12,000 from CIP No. 23-925 to the Capital Outlay Fund (Fund 245) Reserve CIP No. 90-245; and

RESOLUTION 215973, Arrow Electric, for the construction of traffic signal and safety lighting systems at Rancho Bernardo Road and West Bernardo Drive, for the sum of \$25,610; authorizing the expenditure of \$39,000 out of Capital Outlay Fund (Fund 245) for said purpose and related costs.

(Item 151)

RESOLUTION 215974, inviting bids for Central Police Station - Line-up Room improvements in accordance with Specifications Document No. 755142, was adopted on motion of Councilman Johnson.

(Item 152)

RESOLUTION 215975, inviting bids for construction of pedestrian ramps for the handicapped - Contract No. 2, in accordance with Specifications Document No. 755162, was adopted on motion of Councilman Johnson.

(Item 153)

RESOLUTION 215976, inviting bids for construction of Ocean Boulevard Bikeway between Diamond Street and Law Street in accordance with Specifications Document No. 755143, was adopted on motion of Councilman Johnson.

(Item 154)

RESOLUTION 215977, inviting bids for improvement of Sixth Avenue between Upas Street and Pennsylvania Avenue in accordance with Specifications Document No. 755144, was adopted on motion of Councilman Johnson.

(Item 155)

RESOLUTION 215978, inviting bids for construction of Clairemont Bikeway between Arvinels Avenue and Balboa Avenue in accordance with Specifications Document No. 755145, was adopted on motion of Councilman Johnson.

(Item 156)

RESOLUTION 215979, inviting bids for construction of traffic signal and safety lighting systems at 1st Avenue - Beech St., 4th Avenue - Elm Street and 5th Avenue - Elm Street in accordance with Specifications Document No. 755191, was adopted on motion of Councilman Johnson.

(Item 157)

RESOLUTION 215980, inviting bids for construction of street improvements for the San Diego Community College Educational and Cultural Complex in accordance with Specifications Document No. 755192, was adopted on motion of Councilman Johnson.

(Item 158)

RESOLUTION 215981, inviting bids for improvement of 41st Street between: Nordica Avenue and Eta Street, Epsilon Street and Gamma Street, Boston Avenue and National Avenue, and Boston Avenue between 40th Street and 41st Street in accordance with Specifications Document No. 755193, was adopted on motion of Councilman Johnson.

(Item 159)

RESOLUTION 215982, inviting bids for the construction of Archery Center improvements, Balboa Park in accordance with Specifications Document No. 755200, was adopted on motion of Councilman Johnson.

(Item 160)

The following Resolutions, relative to the Final Subdivision Map of La Jolla Pacifica Unit No. 2, were adopted on motion of Councilman Johnson:

RESOLUTION 215983, authorizing an Agreement with The Drogin Company, for completion of improvements in La Jolla Pacifica Unit No. 2, a 39-lot subdivision, located northerly of the terminus of Pacifica Drive and westerly of Highway 5; and

RESOLUTION 215984, approving the Final Map and acknowledging receipt of Subdivider's Assurance of Compliance with the Affirmative Marketing Program of La Jolla Pacifica Unit No. 2 Subdivision.

(Item 161)

RESOLUTION 215985, granting an Extension of Time to June 5, 1977, to Surf View Development Co., and A and F Land Investment Company, Inc., for completion of improvements in Dairy Mart International Subdivision, was adopted on motion of Councilman Johnson.

(Item 162)

RESOLUTION 215986, granting an Extension of Time to May 1, 1977, to Scripps Clinic and Research Foundation, for completion of improvements in Scripps Clinic Subdivision, was adopted on motion of Councilman Johnson.

(Item 163)

RESOLUTION 215987, awarding a contract to V. E. Posey for installation of a sewer main in Spalding Place from Georgia Street west to alley in Block 24, University Heights for an estimated cost of \$8,050, was adopted on motion of Councilman Johnson.

(Item 164)

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

RESOLUTION 215988, Jean Ann Kohler (street purposes) - Dunemere Drive (Located on the southwesterly corner of Monte Vista Avenue and Dunemere Drive in the La Jolla Community Area.); and

RESOLUTION 215989, John Francis Abegglen and Sylvia R. Abegglen (park reserve purposes for Navajo Canyon Park) (Located easterly of Waring Road and southerly of Mound Avenue in the Allied Gardens Community Area.)

(Item 165)

The following Resolutions, approving the acceptance by the City Manager of Deeds relative to the widening of 47th Street from Hartley Street to the south City limits:

RESOLUTION 215990, State of California, Department of Transportation, (street purposes) - 47th Street; authorizing the expenditure of \$6,000 from Gas Tax Fund 220 for acquisition of said property;

RESOLUTION 215991, State of California, Department of Transportation, (street purposes) - 47th Street; and

RESOLUTION 215992, State of California, Department of Transportation, for drainage purposes.

(Item 166)

RESOLUTION 215993, authorizing the acceptance by the City Manager of Deed of Pardee Construction Company; authorizing the expenditure not to exceed \$29,600 from Environmental Growth Fund 2505. (Located on the west side of Westonsil Drive north of Capricorn Way in Mira Mesa Community Area.), was adopted on motion of Councilman Johnson.

(Item 167)

RESOLUTION 215994, authorizing an Agreement with The San Diego Community College District for the purpose of the joint use of City of San Diego and Community College District facilities, was adopted on motion of Councilman Johnson.

(Item 168)

RESOLUTION 215995, authorizing the City Manager to donate an obsolete and surplus breathalyzer machine, City Property #59912 to National Council on Alcoholism, was adopted on motion of Councilman Johnson.

(Item 169)

RESOLUTION 215996, confirming the following appointments by the Mayor to the International Affairs Board for two-year terms ending March 1, 1978:
Pauline R. D'Agostino (Reappointment)
Mrs. Joan Walsh (Reappointment)
James Wallace Higgins (Reappointment)
Mrs. Quincella Kimbrough (Reappointment)
Pete Rios (Reappointment)
Mihoko Rodriguez (Reappointment)
Norman V. Schute,
was adopted on motion of Councilman Johnson.

(Item 170)

RESOLUTION 215997, excusing Mayor Pete Wilson from the Council Meeting of May 19, 1976, due to his being in Washington, D. C. on City business, was adopted on motion of Councilman Johnson.

(Item 172)

RESOLUTION 215998, authorizing a representative of the Police Department to travel to Hartford, Connecticut, during the period of May 26 through May 28, 1976, for the purpose of participating in the Annual National Convention of the American Academy for Professional Law Enforcement; that the total cost of said travel, excluding salary, shall be paid by the American Academy for Professional Law Enforcement, was adopted on motion of Councilman Johnson.

(Item 201)

RESOLUTION 215999, inviting bids for Morley Field additional tennis court lighting in accordance with Specifications Document No. 755203, was adopted on motion of Councilman Johnson.

(Item 202)

RESOLUTION 216000, authorizing a Lease Agreement with Wansa Enterprises, Inc., leasing The Pro Shop, driving range and cart storage areas fo Torrey Pines Municipal Golf Course for a period of 16 1/2 years at an initial minimum rent of \$90,000; waiving the requirements of Council Policy 700-10 for appraising the property by a fee appraiser, was adopted on motion of Councilman Johnson.

(Item 203)

RESOLUTION 216001, authorizing the City Manager to execute a Memorandum of Understanding with the County of San Diego for the purpose of implementing guidelines for the cooperative efforts of the City and County of San Diego in order to better serve the needs of senior citizens in the City and County region, was adopted on motion of Councilman Johnson.

(Item 174 - Supplemental Docket #1)

RESOLUTION 216002, inviting bids for construction of Friars Road Bikeway from Ulric Street to Sea World Drive in accordance with Specifications Document No. 755246, was adopted on motion of Councilman Johnson.

(Item 175)

RESOLUTION 216003, inviting bids for construction of traffic signal and safety lighting systems at the intersection of Ingraham Street and Crown Point Drive/Riviera Drive in accordance with Specifications Document No. 755249, was adopted on motion of Councilman Johnson.

(Item 176)

RESOLUTION 216004, inviting bids for construction of traffic signal and safety lighting systems at San Diego Avenue and Taylor Street, and at Pacific Highway and Rosecrans Street/Taylor Street in accordance with Specifications Document No. 755247, was adopted on motion of Councilman Johnson.

(Item 177)

RESOLUTION 216005, inviting bids for construction of traffic signal and safety lighting systems at 32nd Street and University Avenue in accordance with Specifications Document No. 755248, was adopted on motion of Councilman Johnson.

(Item 171)

A proposed Resolution, authorizing a representative of the City Attorney's Office to travel to Los Angeles, California, to attend the ALI-ABA course of study on Municipal Securities: Disclosure Requirements for Underwriters and Issuers to be held on May 27-29, 1976, and to incur all necessary expenses; authorizing the expenditure of \$570 from Unallocated Reserve General Fund 100 (53.31) for the sole and exclusive purpose of providing funds for lodging, travel, registration and miscellaneous expenses, was presented.

The Council discussed the matter.

Assistant City Attorney Teaze answered questions directed by the Council.

The Council discussed the matter.

Assistant City Attorney Teaze answered questions directed by the Council.

RESOLUTION 216006, authorizing a representative of the City Attorney's Office to travel to Los Angeles, California, to attend the ALI-ABA course of study on Municipal Securities: Disclosure Requirements for Underwriters and Issuers to be held on May 27-29, 1976, and to incur all necessary expenses; authorizing the expenditure of \$570 from Unallocated Reserve General Fund 100 (53.31) for the sole and exclusive purpose of providing funds for lodging, travel, registration and miscellaneous expenses, was adopted on motion of Councilman Ellis.

(Item 173)

A proposed Resolution, accepting the generous donation of \$500 from the California First Bank, Mira Mesa Office, to assist the City in providing athletic or recreational equipment at Mira Mesa Community Park; authorizing the expenditure of \$500 out of Capital Outlay Fund 245, for the City's share of the above-described improvement; commending the California First Bank, Mira Mesa Office, for this act of civic generosity and publicly expressing on behalf of the citizens of San Diego a debt of gratitude to it, was presented.

Councilman Johnson addressed the Council and publicly expressed a debt of gratitude on behalf of the Council and the citizens of San Diego for the generous donation by the California First Bank, Mira Mesa Office.

RESOLUTION 216007, accepting the generous donation of \$500 from the California First Bank, Mira Mesa Office, to assist the City in providing athletic or recreational equipment at Mira Mesa Community Park; authorizing the expenditure of \$500 out of Capital Outlay Fund 245, for the City's share of the above-described improvement; commending the California First Bank, Mira Mesa Office, for this act of civic generosity and publicly expressing on behalf of the citizens of San Diego a debt of gratitude to it, was adopted on motion of Councilman Johnson.

(Item 204)

A proposed Resolution, establishing Council Policy No. 000-21 entitled "Submission of Ballot Proposals", was presented.

Councilman Haro answered questions directed by the Council.

RESOLUTION 216008, establishing Council Policy No. 000-21 entitled "Submission of Ballot Proposals", was adopted on motion of Councilman Haro.

(Item 205)

A proposed Ordinance, repealing Ordinance No. 11147 (New Series) and amending Chapter III, Article 3, Division 23, of the San Diego Municipal Code by repealing Sections 33.2301 through Section 33.2330, inclusive, and adding Chapter IV, Article 6, Division 1, Sections 46.0101 through 46.0105, all relating to the regulation of massage technicians, was presented.

Councilman Ellis addressed the Council.

Rick Might appeared to address the Council in favor of the proposed Ordinance.

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

Assistant City Attorney Teaze answered questions directed by the Council.

Rick Might answered questions directed by the Council regarding a qualified school in Hollywood, California.

Assistant City Attorney Teaze answered questions directed by the Council.

The Council discussed the matter.

A proposed Ordinance, repealing Ordinance No. 11147 (New Series) and amending Chapter III, Article 3, Division 23, of the San Diego Municipal Code by repealing Sections 33.2301 through Section 33.2330, inclusive, and adding Chapter IV, Article 6, Division 1, Sections 46.0101 through 46.0105, all relating to the regulation of massage technicians, was introduced on motion of Councilman Ellis by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-None. Absent-Mayor Wilson.

(Item 206)

A proposed Resolution, directing the City Manager, in accordance with the procedures outlined in Council Policy 700-10, to publish a "Marketing Catalog" which describes City-owned real property, which property is, in accordance with the procedures outlines in Council Policy 700-30, declared to be surplus to present and future City requirements; directing the City Manager to format the "Marketing Catalog" in a manner which will include the marketing options, which options should correspond to the "Recommended Disposition" instructions, available for each parcel, that is whether the parcel is available for short or long term lease only, for lease or sale, or for sale only, was presented.

Committee Consultant Wilken, Transportation and Land Use Committee, presented his report.

The Council discussed the matter.

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

The motion of Councilman Ellis to adopt the proposed Resolution as amended to reflect the Committee's votes in the catalog, received no vote at this time.

Assistant City Attorney Teaze answered questions directed by the Council. Councilman Ellis withdrew his amendment on his second motion.

The Council discussed the matter.

Assistant City Attorney Teaze answered questions directed by the Council regarding Council Policy 700-10.

The Council discussed the matter.

The motion of Councilman Hubbard to amend the proposed Resolution, under the "Recommended Disposition" column, to say lease/sale of surplus property, died for lack of a second.

The Council discussed the matter.

The motion of Councilman Hubbard to amend the proposed Resolution, under the "Recommended Disposition" column, to say lease/sale of surplus property, received no vote at this time.

The Council discussed the matter at length.

The motion of Councilman Hubbard to amend the proposed Resolution, under the "Recommended Disposition" column, to say lease/sale of surplus property, failed due to the lack of five affirmative votes by the following vote: Yeas-Councilmen Hubbard, Gade, Ellis, and Deputy Mayor O'Connor. Nays-Councilmen Johnson, Williams, Morrow and Haro. Absent-Mayor Wilson.

The motion of Councilman Gade to amend the proposed Resolution by stating that a person desiring to enter into negotiations with the City should be advised of the available property in the "Marketing Catalog", received no vote at this time.

The Council discussed the matter.

Assistant City Attorney Teaze answered questions directed by the Council regarding Councilman Gade's amendment.

The Council discussed the matter.

Assistant Director Ben Hagar, Property Department, answered questions directed by the Council regarding Council Policy 700-30.

The Council discussed Councilman Gade's proposed amendment.

(Item 206 - Continued)

The motion of Councilman Gade to amend the proposed Resolution by stating that a person desiring to enter into negotiations with the City should be advised of the available property in the "Marketing Catalog", was defeated by the following vote: Yeas-Councilmen Hubbard, Gade, and Ellis. Nays-Councilmen Johnson, Williams, Morrow, Haro and Deputy Mayor O'Connor. Absent-Mayor Wilson.

RESOLUTION 216009, directing the City Manager, in accordance with the procedures outlined in Council Policy 700-10, to publish a "Marketing Catalog" which describes City-owned real property, which property is, in accordance with the procedures outlined in Council Policy 700-10 and Council Policy 700-30, declared to be surplus to present and future City requirements; directing the City Manager to format the "Marketing Catalog" in a manner which will include the marketing options, which options should correspond to the "Recommended Disposition" instructions, available for each parcel, that is, whether the parcel is available for short or long term lease only, for lease or sale, or for sale only, was adopted on motion of Councilman Ellis by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Ellis, Haro, and Deputy Mayor O'Connor. Nays-Councilmen Hubbard and Gade. Absent-Mayor Wilson.

(Item 103)

Deputy Mayor O'Connor welcomed a group of students from Marcy Elementary School, accompanied by Mrs. Litchy.

Councilman Johnson addressed the group.

Deputy Mayor O'Connor welcomed a group of thirty-five students from Toler Elementary School, accompanied by Mrs. Cornell.

Councilman Johnson welcomed Allyn Lord, past President of the La Jolla Town Council, who was accompanying the group.

Councilman Gade welcomed the group.

(Item 207)

A proposed Resolution, establishing Council Policy No. 600-23 entitled "Open Space Provided Through the Development Process", was presented.

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

The Council discussed the matter.

Committee Consultant Wilken answered questions directed by the Council regarding the tax advantage of the proposed policy.

The Council discussed the matter.

RESOLUTION 216010, establishing Council Policy No. 600-23 entitled "Open Space Provided Through the Development Process", was adopted on motion of Councilman Williams.

The following Ordinance was introduced at the Meeting of May 4, 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, written or printed copies of said Ordinance.

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

(Item 250)

ORDINANCE 11844 (New Series), incorporating Parcel 7, Record of Survey Map No. 4212, being portions of Pueblo Lots 1175 and 1176, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 3729 (New Series), adopted May 4, 1948, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 251)

A proposed Resolution, granting a petition for paving and otherwise improving the alley in Block 196, University Heights (between Florida Street-Alabama Street-University Avenue-Lincoln Avenue; directing the City Manager to furnish description and plat of district, was presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 216011, granting a petition for paving and otherwise improving the alley in Block 196, University Heights (between Florida Street-Alabama Street-University Avenue-Lincoln Avenue; under the provisions of the Improvement Act of 1911; directing the City Manager to furnish description and plat of the district, was adopted on motion of Councilman Hubbard.

(Item 252)

A proposed Resolution, authorizing the Auditor and Comptroller to transfer within the 100 Fund the sum of \$70,000 from the Public Liability Insurance Reserve (44.24) to Claims (44.06) to be used solely and exclusively for payment of claims against the City of San Diego for the remainder of the Fiscal Year 1976, was presented.

City Manager McKinley presented his report to the Council.

The Council discussed the matter.

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

City Manager McKinley answered questions directed by the Council regarding a study which is in progress concerning local self government, one item under study being the possibility of the City self-insuring itself for fire protection.

The Council discussed the matter.

RESOLUTION 216012, authorizing the Auditor and Comptroller to transfer within the 100 Fund the sum of \$70,000 from the Public Liability Insurance Reserve (44.24) to Claims (44.06) to be used solely and exclusively for payment of claims against the City of San Diego for the remainder of the Fiscal Year 1976, was adopted on motion of Councilman Hubbard.

Deputy Mayor O'Connor answered questions directed by the Council regarding Resolution 215960, Council Policy 000-13, which was adopted on May 12, 1976.

The motion of Councilman Hubbard to reconsider Resolution 215960, received no vote at this time.

The Council discussed the matter.

Deputy Mayor O'Connor recessed the Meeting at 10:05 a.m. Upon reconvening at 10:36 a.m., the Roll Call showed Mayor Wilson absent.

By Unanimous Consent, the Council continued the discussion on Council Policy 000-13.

The motion of Councilman Hubbard to discuss Council Policy 000-13 and place the matter on the Council Docket of May 25, 1976, p.m., received no vote at this time.

The Council discussed the matter.

The motion of Councilman Hubbard to discuss Council Policy 000-13 and place the matter on the Council Docket of May 25, 1976, p.m., passed unanimously.

(Item 253)

A proposed Resolution, 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 (Sixth Avenue) and incidents thereto in portions of Lots 5, 6, 7, 14, 15, 16, 19, 20, 21, and 22 in Block 2 of Crittenden Addition, and portions of Lots 11, 12, 13 and 14 in Block 3 of Crittenden Addition; and portions of Lots 7 and 8 in Block 5 of Brooke's Addition, was presented.

City Manager McKinley presented his report.

City Clerk Nielsen: Deputy Mayor, Members of the Council, with respect to Item 253 on today's docket, legal notice has 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 April 27, 1976 and copies have been filed with my office.

Your Honor, we have received a written request from William C. Smith by Fred J. Crawford who desires to appear before the Council and be heard on Item 253 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.

Deputy Mayor O'Connor: All right, Mr. Clerk. Mr. Smith or Mr. Crawford, you may speak to the Council on the appropriate item, but only with respect to the three issues outlined by the City Clerk. Please confine your remarks to those issues and try not to get into areas of fair market value and the like.

Fred J. Crawford appeared to address the Council in opposition to the proposed improvement.

Superintendent William Schempers, Transportation Department, answered questions directed by the Council. It was reported that one protest was received to the proposed improvement. Mr. Schempers then presented his report on this proposed condemnation action.

The motion of Councilman Haro to adopt the proposed Resolution, died for lack of a second.

Assistant City Attorney Teaze answered questions directed by the Council.

(Item 253 - Continued)

Councilman Gade seconded Councilman Haro's motion to adopt.

RESOLUTION 216013, 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 (Sixth Avenue) and incidents thereto in portions of Lots 5, 6, 7, 14, 15, 16, 19, 20, 21 and 22 in Block 2 of Crittenden Addition, and portions of Lots 11, 12, 13 and 14 in Block 3 of Crittenden Addition; and portions of Lots 7 and 8 in Block 5 of Brooke's Addition, was adopted on motion of Councilman Haro.

(Item 254)

The following Resolutions, relative to the widening of Imperial Avenue between 47th Street and Euclid Avenue, were presented: 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 43, Horton's Purchase, Ex-Mission Lands of San Diego; and b - Authorizing the expenditure of \$105,000 out of Capital Outlay Fund 245 to cover the cost of said acquisition and related costs.

City Manager McKinley presented his report.

City Clerk Nielsen reported no written protests had been received.

Superintendent William Schempers, Transportation Department, presented his report.

City Clerk Nielsen: Deputy Mayor, Member of Council, with respect to Item 254 on today's docket, legal notice has 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 April 27, 1976 and have been filed with my office. As of today's date, May 19, 1976, my office has not received any written requests to speak.

Deputy Mayor O'Connor: Thank you, Mr. Clerk. Is there anyone in the audience desiring to be heard with regard to Item 254? If not, is there any discussion by the Council?

RESOLUTION 216014, 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 43, Horton's Purchase, Ex-Mission Lands of San Diego, was adopted on motion of Councilman Williams.

RESOLUTION 216015, authorizing the expenditure of \$105,000 out of Capital Outlay Fund 245 to cover the cost of said acquisition and related costs, was adopted on motion of Councilman Williams.

(Item 256)

A proposed Resolution, declaring a Special Meeting at 7:00 p.m., June 8, 1976, in the Council Chambers, 12th Floor, 202 C Street, for the purpose of hearing the appeal of the East San Diego Concerned Citizens from the decision of the Planning Commission approving Planned Residential Development No. 101, Brightside Estates; directing the City Clerk to cause those notices required by law to be published, posted and mailed to those persons affected by said appeal, was presented.

Councilman Haro addressed the Council requesting that the proposed date for the Special Meeting be changed to 7:00 p.m., June 15, 1976, in the Council Chambers, 12th Floor, 202 C Street.

(Item 256 - Continued)

The Council discussed the matter regarding the scheduling of Special Meetings.

The motion of Councilman Haro to revise the proposed Resolution by changing the meeting date to June 21, 1976, 7:00 p.m., in the Council Chambers, 12th Floor, 202 C Street, died for lack of a second.

The Council discussed the matter at length.

The motion of Councilman Haro to adopt the proposed Resolution as revised, received no vote at this time.

The Council discussed the matter of establishing a Council Policy regarding the scheduling of Special Meetings.

Ken Klein, Planning Department, answered questions directed by the Council. The Council discussed the matter.

Mrs. Arlene Van de Wetering appeared to address the Council in favor of the proposed revised Resolution.

RESOLUTION 216016, declaring a special meeting at 7:00 p.m., June 21, 1976, in the Council Chambers, 12th Floor, 202 C Street, for the purpose of hearing the appeal of the East San Diego Concerned Citizens from the decision of the Planning Commission approving Planned Residential Development No. 101, Brightside Estates; directing the City Clerk to cause those notices required by law to be published, posted and mailed to those persons affected by said appeal, was adopted on motion of Councilman Haro by the following vote: Yeas-Councilmen Johnson, Williams, Ellis, Haro, and Deputy Mayor O'Connor. Nays-Councilmen Hubbard, Morrow, and Gade. Absent-Mayor Wilson.

(Item 257)

A proposed Resolution, granting or denying the request of McKeon Construction, by Jim Carter, for an extension of time of 12 months on Conditional Use Permit No. 418-PC. This Permit was granted by the City Council on January 30, 1975 by Resolution 212529, for permission to construct and operate a 269-space mobile home park with 658 parking spaces, located northeast of Del Sol Boulevard and Beyer Way intersection, more particularly described as Ocean Bluffs Subdivision and a portion of Majestic Drive to be closed, was presented.

Ken Klein, Planning Department, presented his report.

The motion of Councilman Ellis to adopt the proposed resolution, died for lack of a second.

The Council discussed the matter.

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

Mrs. Ruth Schneider appeared to address the Council.

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

Mrs. Ruth Schneider appeared to address the Council.

Jim Carter appeared to address the Council and answered questions directed by the Council.

Ken Klein, Planning Department, answered questions directed by the Council regarding letters received from an adjacent school.

RESOLUTION 216017, granting McKeon Construction an extension of time of 12 months within which to utilize the permit granted on January 30, 1975.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Hubbard, the Regular Meeting was adjourned at 11:38 a.m., in memory of Mrs. Anna Marie Varner, wife of Bob Varner, who died Monday, May 17, 1976, on motion of Councilman Hubbard and the City Clerk was instructed by the Council to adjourn the afternoon meeting as there was no business to transact.

Pete Wilson

~~Mayor~~ Mayor of The City of San Diego, California

ATTEST:

[Signature]
City Clerk of The City of San Diego California

ADJOURNED REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, MAY 19, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONGOURSE

Present--None.

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

Clerk---Edward Nielsen.

(Item 400)

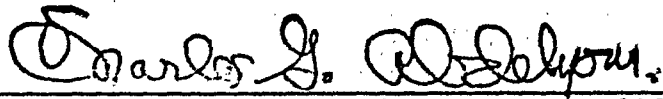
Roll Call was taken.

The City Clerk was directed to adjourn the Regular Meeting because
there was no business to transact.

The Meeting was adjourned at 2:15 p.m.

Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California