

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, AUGUST 24, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
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 2:16 p.m.

(Item 1)

Roll Call was taken.

(Item 2)

Councilman Ellis gave the invocation.

(Item 3)

Councilman Haro led the Pledge of Allegiance.

(Item 5 - Supplemental No. 1)

A communication from Cheri Lynn Hoffman, representing the Cultural Heritage Committee, the Save Our Heritage Organization, and the San Diego County Board of Supervisors, requesting permission to address the Council to extend an invitation to attend the Heritage Park House-Moving Party to be held Wednesday, August 25, 1976, 5:00 p.m., at Juan and Harney Streets, was presented.

Cheri Lynn Hoffman and Mary Ward appeared to speak.

The motion of Councilman Johnson to accept the invitation passed unanimously.

(Item 4)

The matter, continued from the Meeting of August 17, 1976, for joint meeting with Centre City Development Corporation to discuss relocation/expansion of County facilities in downtown area, Richard Silberman, Centre City Development Corp., spoke regarding County Office Space; desire to have County abandon its move to Kearney Mesa and moving instead to County-owned property in downtown San Diego and construct appropriate structures to provide office space and parking, was presented.

(Item 4 - Continued)

City Manager McKinley answered questions directed by the Council.

Richard Silberman, Clarence Pendleton, George A. Scott, and Morley Golden appeared to speak and answered questions directed by the Council.

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

Richard Silberman answered further questions directed by the Council.

James Spotts, Engineering and Development, answered questions directed by the Council.

Discussion followed.

The motion of Councilman Hubbard that the Council go the joint meeting with the County on August 30, 1976, 2:00 p.m. and take a stance urging a minimum of 150,000 square feet - that the office space be included in that area; that only warehousing be allowed in the future development for the Kearney Mesa site, and that a maximum of \$1,000,000 be offered, received no second at this time.

Discussion followed.

The motion of Councilman Haro to file the matter, was not voted on.

Discussion followed.

Deputy City Attorney Valderhaug answered questions directed by the Council.

Councilwoman O'Connor seconded the previous motion of Councilman Hubbard that the Council go to the joint meeting with the County on August 30, 1976, 2:00 p.m. and take a stance urging a minimum of 150,000 square feet - that the office space be included in that area; that only warehousing be allowed in the future development for the Kearney Mesa site, and that a maximum of \$1,000,000 be offered, which was not voted on.

Discussion followed.

Mr. Dunphy and Mr. Silberman answered further questions directed by the Council.

Councilman Hubbard withdrew his previous motion that the Council go to the joint meeting with the County on August 30, 1976, 2:00 p.m. and take a stance urging a minimum of 150,000 square feet - that the office space be included in that area; that only warehousing be allowed in the future development for the Kearney Mesa site, and that a maximum of \$1,000,000 be offered, and made a subsequent motion, instructing the City Manager to negotiate an amount of contribution contingent upon the County making a good faith commitment that all of the County office space be located downtown, which died for lack of a second.

Discussion followed.

Mr. Scott and Mr. Pendleton appeared to speak.

A motion of Councilman Williams to go on Monday to negotiate with the Board of Supervisors to reach some kind of acceptable terms under which the Board and the Council would agree to what would be an appropriate contribution to enable the Board to locate the facility downtown, received no vote.

Discussion followed.

Mac Strobl and Richard Silberman appeared to speak.

Councilman Haro withdrew his second to the motion of Councilman Williams to go on Monday to negotiate with the Board of Supervisors to reach some kind of acceptable terms under which the Board and the Council would agree to what would be an appropriate contribution to enable the Board to locate the facility downtown.

(Item 4 - Continued)

The motion of Councilman Williams that as a condition to whatever assistance the City gives in land or money from whatever source, that as an express contingency of making that contribution, the County agrees and abides through future Boards of Supervisors to house all of their office space needs, both prospective and existing, downtown, was not voted on at this time.

Discussion followed and by common consent it was agreed to attach a time limit of 10 years.

A vote was then taken on the previous motion of Councilman Williams that as a condition to whatever assistance the City gives in land or money from whatever source, that as an express contingency of making that contribution, the County agrees and abides through future Boards of Supervisors to house all of their office space needs, both prospective and existing, downtown, which passed unanimously.

The motion of Councilman Morrow that the condition require the County build on already owned public space downtown - City, or their own, died for lack of a second.

Discussion followed.

The motion of Councilman Hubbard that the source of whatever contribution made by the City to the County in furtherance of this purpose be ultimately attributable to tax increment of a redevelopment project, received no vote.

Discussion followed.

The motion of Councilman Haro that the previous motion of Councilman Hubbard that the source of whatever contribution made by the City to the County in furtherance of this purpose be ultimately attributable to tax increment of a redevelopment project, be amended that the first source of inducement be public land and the second, tax increment, carried by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Ellis, and Mayor Wilson. Nays-Councilmen Morrow, Gade, and Haro.

The motion of Councilman Williams that no amount be set for the contribution carried by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Gade, Ellis, and Haro. Nays-Councilmen O'Connor, Hubbard, and Mayor Wilson.

Mayor Wilson recessed the Regular Meeting at 5:15 p.m. Upon reconvening at 5:40 p.m., the roll call showed Councilman Morrow absent.

The Council considered requests for continuances: Items 29, 20, 22, 23, 24, 25, 26, 27, and 28.

(Item 29 - CUP NO. 192-PC/AMD)

NOTICED HEARINGS: Appeal of Kensington Park Villas, by Luke R. Corbett, attorney, from the decision of the Planning Commission in denying its application for a proposed plot plan amendment under Conditional Use Permit No. 192-PC. The amendment proposes a revised grading plan and two unlighted tennis courts to a 145-unit planned unit development located southwest of I-8 and Rairmount Avenue, more particularly described as Lot 1, Mission Villas, in the R-1-40 (portion in Hillside Review Overlay) Zone.

(Item 29 - CUP NO. 192-PC/AMD. - Continued)

The motion of Councilman Hubbard to continue the matter to the Meeting of August 31, 1976, due to lack of time, received no vote at this time.

Lou Corbett and Paul Harris appeared to speak on the continuance.

A vote was then taken on the previous motion of Councilman Hubbard to continue the matter to the Meeting of August 31, 1976, due to lack of time, which passed unanimously.

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

(Item 20 - First time.)

SPECIAL HEARINGS: ORDINANCES TO BE INTRODUCED, READING DISPENSED WITH AND ADOPTED: Amending Ordinance No. 11872 (New Series) entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1976-77 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year."

The motion of Councilwoman O'Connor to continue the matter to the Meeting of August 31, 1976 to open up the hearing and allow other individuals ample time to have an opportunity to appear before the Council on the amended budget received no vote.

City Manager McKinley answered questions directed by the Council.

The item was trailed.

The Council considered Items 22, 23, 24, 25, 26, 27, and 28 simultaneously.

(Item 22 - CASE NO. 18-76-1 - UCSD AREA - City-initiated - Drawing No. C-473.1.)

NOTICED HEARINGS: Proposal to apply the HR(Hillside Review)Overlay Zone over the whole or any part of those hillsides east of the Pacific Ocean and west of North Torrey Pines Road, and between Torrey Pines Scenic Drive on the north and Camino Del Oro, Prestwick Drive, and Dunaway Drive on the south, in the La Jolla Community Area.

(Item 23 - CASE NO. 18-76-2 - LA JOLLA PARK AREA - City-initiated - Drawing No. C-474.1.)

NOTICED HEARINGS: Proposal to apply the HR(Hillside Review)Overlay Zone over the whole or any part of those hillsides east of Fay Avenue and west of Hillside Drive, and between Virginia Way, Exchange Place, and Soledad Avenue on the north and Nautilus Street on the south, in the La Jolla Community Area.

(Item 24 - CASE NO. 18-76-3 - MUIRLANDS WEST AREA - City-initiated - Drawing No. C-475.)

NOTICED HEARINGS: Proposal to apply the HR(Hillside Review)Overlay Zone over the whole or any part of those hillsides east of La Jolla Boulevard and west of La Jolla Mesa Drive, and between Nautilus Street on the north and Bird Rock Avenue on the south, in the La Jolla Community Area.

(Item 25 - CASE NO. 18-76-4 - MUIRLANDS EAST AREA - City-initiated - Drawing No. C-476.1.)

NOTICED HEARINGS: Proposal to apply the HR(Hillside Review)Overlay Zone over the whole or any part of those hillsides east of La Jolla Mesa Drive and west of Soledad Road and Soledad Mountain Road, and between Nautilus Street on the north and the southerly boundary of the La Jolla Community Plan on the south, in the La Jolla Community Area.

(Item 26 - CASE NO. 38-76-2 - INTERSTATE 5 CORRIDOR AREA - City-initiated - Drawing No. C-477.1.)

NOTICED HEARINGS: Proposal to apply the HR(Hillside Review)Overlay Zone over the whole or any part of those hillsides east of Soledad Mountain Road and west of I-5, and between Via Capri on the north and the southerly boundary of the La Jolla Community Plan on the south, in the La Jolla Community Area.

(Item 27- CASE NO. 18-76-8 - BIRDROCK SOUTH AREA - City-initiated - Drawing No. C-479.)

NOTICED HEARINGS: Proposal to apply the HR(Hillside Review)Overlay Zone over the whole or any part of those hillsides east of Linda Rosa Avenue and west of La Jolla Mesa Drive, and between Skylark Drive on the north and Colima Street on the south, in the La Jolla Community Area.

(Item 28 - CASE NO. 60-76-2 - TORREY PINES COMMUNITY AREA - AREAS A, B, and C - City-initiated - Drawing No. C-478.)

NOTICED HEARINGS: Proposal to apply the HR(Hillside Review)Overlay Zone over the whole or any part of the following in the Torrey Pines Community Area:

AREA A - CREST CANYON AREA

Those hillsides east of Crest Way and west of Durango Drive, and between the westerly extension of Lozano Road on the north and El Amigo Road on the south.

AREA B - DEL MAR TERRACE AREA

Those hillsides east of Via Grimaldi and west of I-5, and between Del Mar Heights Road on the north and Carmel Valley Road on the south.

Ken Klein, Planning Department, answered questions directed by the Council on Items 22, 23, 24, 25, 26, 27 and 28.

The motion of Councilman Johnson to close the hearings and introduce Ordinances for HR Overlay Zones in the said areas, was not voted on.

Discussion followed.

Councilman Morrow entered the Chambers.

On motion of Councilman Johnson, Items 22, 23, 24, 25, 26, 27 and 28 were continued to the Meeting of August 31, 1976 due to lack of time.

(Item 20 - Second time.)

A proposed Ordinance, amending Ordinance No. 11872 (New Series) entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1976-77 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.

The motion of Councilman Haro to introduce, dispense with the reading, and adopt the proposed Ordinance, received no vote.

Financial Management Director Haden answered questions directed by the Council.

Mrs. Shannon appeared to speak.

The motion of Councilman Johnson to authorize in the Budget the expenditure of sufficient funds to hire an additional 50 police officers, was not voted on at this time.

Mrs. Shannon appeared to speak.

The motion of Councilman Ellis to suspend the Rules to extend the Council Meeting beyond 6:30 p.m. passed unanimously.

Financial Management Director Haden and City Manager McKinley answered questions directed by the Council.

A vote was then taken on the previous motion of Councilman Johnson to authorize in the Budget the expenditure of sufficient funds to hire an additional 50 police officers, which was defeated by the following vote: Yeas-Councilmen Johnson, Hubbard, Gade, and Haro. Nays-Councilmen O'Connor, Williams, Morrow, Haro, and Mayor Wilson.

The motion of Councilman Morrow, to amend the Ordinance to increase the entire Ordinance by \$125,000 total and to immediately authorize the expenditure of the Contingency Fund itself, with the priority of 10 men for the SCAT detail, 10 men to border increased activity and 7 men for the fencing detail, was not voted on at this time.

City Manager McKinley answered questions directed by the Council.

The motion of Councilman Ellis to continue the remainder of the docket to the Meeting of August 25, 1976, 8:30 a.m. after vote on the Budget, received no vote.

The motion of Councilman Williams to amend the Ordinance to add \$125,000 to the Contingency Reserve - sustain prior action waiting until a study is complete, was not voted on at this time.

Discussion followed.

A vote was then taken on the previous motion of Councilman Williams to amend the Ordinance to add \$125,000 to the Contingency Reserve - sustain prior action waiting until a study is complete, which was defeated by the following vote: Yeas-Councilmen O'Connor, Williams, and Mayor Wilson. Nays-Councilmen Johnson, Hubbard, Morrow, Gade, Ellis, and Haro.

(Item 20 - Second Time - Continued)

A vote was then taken on the previous motion of Councilman Morrow to amend the Ordinance in increase the entire Ordinance by \$125,000 total and to immediately authorize the expenditure of the contingency fund itself, with the priority of 10 men for the SCAT detail, 10 men to border increased activity and 7 men for the fencing detail, which passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Morrow, Gade, Ellis, and Haro. Nays-Councilmen O'Connor, Williams, and Mayor Wilson.

The motion of Councilwoman O'Connor to continue the Budget Ordinance to the Meeting of August 25, 1976 a.m., received no vote.

Discussion followed.

The item was trailed.

The motion of Councilman Gade to continue the remainder of the docket, except the Budget, which consisted of Items 21 and 30, passed unanimously.

(Item 21)

ORDINANCES TO BE INTRODUCED, READING DISPENSED WITH AND ADOPTED: Fixing the tax rates and levying taxes for the Fiscal Year 1976-77.

(Item 30)

SPECIAL HEARINGS: Awarding a contract to AM General Corporation, for the purchase of forty-five 70-passenger articulated transit buses, for an actual estimated cost, including tax and transportation costs, of \$8,366,552; authorizing the City Manager to execute a modification to the agreement with the Urban Mass Transportation Administration (UMTA), authorized by Resolution No. 214111, adopted August 27, 1975, for the purchase of said buses, associated fare collection and communications support equipment, assorted shop and office equipment, and five road supervisor automobiles, by increasing the amount for purchase from \$6,633,670 to \$9,327,996 and by authorizing the City Auditor and Comptroller to increase the sum transferred from the Public Transportation Reserve Fund 2517 to Transit System Purchase 45 Buses Fund 2578 from \$63,178 to \$88,496 for payment for the one percent sales tax not eligible for Federal participation.

(Item 20 - Third time.)

The motion of Councilman Gade to continue the Budget Ordinance to the Meeting of August 25, 1976, 8:30 a.m. was defeated by the following vote: Yeas-Councilmen Hubbard, Morrow, Gade, and Ellis. Nays-Councilmen Johnson, O'Connor, Williams, Haro, and Mayor Wilson.

Mac Strobl appeared to speak.

The motion of Councilman Ellis to amend the Budget by allocating \$1,000,000 from the CIP Program for acquisition of fire fighting equipment - replacement, was not voted on at this time.

City Manager McKinley answered questions directed by the Council.

A vote was then taken on the previous motion of Councilman Ellis to amend the Budget by allocating \$1,000,000 from the CIP Program for acquisition of fire fighting equipment - replacement, which passed unanimously.

The motion of Councilman Morrow to reduce the tax rate by 4.4¢ to offset the assessed valuation increase and instruct the City Manager to reduce his requested increase in water rates sufficient to offset the property tax reduction requested, died for lack of a second.

The motion of Councilman Ellis to introduce, dispense with the reading and adopt the Ordinance, as amended, was not voted on at this time.

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

A vote was then taken on the previous motion of Councilman Ellis to introduce, dispense with the reading and adopt the Ordinance, as amended.

The following Ordinance was passed on the day of its introduction, to-wit, on August 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 11882 (New Series), amending Ordinance No. 11872 (New Series) entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1976-77 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year," was adopted, as amended, on motion of Councilman Ellis by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilwoman O'Connor. Absent-None.

Councilman Ellis left the Chambers.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Gade, the Regular Meeting was adjourned at 8:13 p.m. on motion of Councilman Gade, in memory of George M. Loop, Jr., CALTRANS Civil Engineer who passed away on August 20, 1976.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

John S. Anderson

City Clerk of The City of San Diego, California