

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - WEDNESDAY, SEPTEMBER 8, 1976  
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING  
CHARLES C. DAIL CONCOURSE  
8:30 A.M.

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 8:36 a.m.

(Item 100)

Roll Call was taken.

(Item 101)

A proposed Resolution, authorizing a Suggestion Award and making a presentation to Aldo Chiappone - Utilities - \$500, was presented.  
Dave Wood, Water Utilities Department, presented the recipient to the Council.

Councilman Haro entered the Chambers.

Councilman Ellis presented the check and plaque to Aldo Chiappone for his suggestion.

RESOLUTION 216714, authorizing a Suggestion Award and making a presentation to Aldo Chiappone, Utilities, \$500, was adopted on motion of Councilman Ellis.

(Item 102)

Wallace Higgins, Chairman of International Affairs Board, appeared to speak regarding the Sister City Program.

Mayor Wilson entered the Chambers and assumed the chair.

Wallace Higgins continued with his presentation.

Mayor Wilson presented a Proclamation to Mr. Higgins, proclaiming September 11, 1976 Sister City International Day.

(Item 104)

A communication from Susan Zalkind requesting permission to address the Council regarding a variance to the Municipal Code No. 42.0101.2, or amending the Ordinance to allow the operation of other food vending vehicles within the City, was presented.

Susan Zalkind appeared to speak regarding said communication.

The motion of Councilman Gade to refer said communication to the City Attorney and City Manager for a report back to Council and Ms. Zalkind, received no vote at this time.

Councilman Ellis requested that the motion also include that a report be referred to the Public Facilities and Recreation Committee and that the Committee review the matter under Special Order of Business on Monday, September 13, 1976, which was agreeable to the maker and seconder of the motion.

City Manager McKinley answered questions directed by the Council.

By common consent it was also requested that a report on the stand in the El Prado area be given to Council.

On motion of Councilman Gade, said communication was referred to the City Attorney and City Manager for a report back to Council, Ms. Zalkind and the Public Facilities and Recreation Committee, said report to Public Facilities and Recreation Committee to be in time for Committee review under Special Order of Business on Monday, September 13, 1976.

(Item 105)

A communication from Mrs. Nan Valerio, representing Clairemont Town Council, requesting permission to address the Council to thank them for their assistance in making the Clairemont Bicentennial Celebration the success that it was, was presented.

Mrs. Nan Valerio appeared to speak regarding said communication.

On motion of Councilman Gade, said communication was noted.

The Council considered requests for continuances: Items 252, 253, and 254.

(Item 252)

OTHER RESOLUTIONS: (Continued from the Meeting of August 11, 1976.) Declaring Alfred M. Lewis Properties, Inc., subdivider of Alfred M. Lewis Distribution Center No. 2 Subdivision to be in default under terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider and to Fireman's Fund Insurance Company; authorizing the City Manager to complete or cause to be completed, said improvements.

Carl Peterson appeared to speak on the continuance.

City Manager McKinley answered questions directed by the Council.

On motion of Councilman Johnson, the proposed Resolution was continued to September 22, 1976, 8:30 a.m., at the request of the developer.

(Item 253)

OTHER RESOLUTIONS: (Continued from the Meetings of June 16 and August 11, 1976.) Declaring Anthony E. Sampo and Grace H. Sampo, subdividers of Tony Subdivision, to be in default under terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdividers and to Industrial Indemnity Company; authorizing the City Manager to complete or cause to be completed, said improvements.

City Manager McKinley answered questions directed by the Council.

On motion of Councilwoman O'Connor, the proposed Resolution was continued to September 22, 1976, 8:30 a.m. at City Manager's request to allow developer to complete improvements.

(Item 254)

OTHER RESOLUTIONS: (Continued from the Meeting of August 11, 1976.) Declaring Calpar Building Company, subdivider of Vista Del Cerro Unit No. 1 subdivision to be in default under terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider and to General Insurance Company of America; authorizing the City Manager to complete or cause to be completed, said improvements.

City Manager McKinley answered questions directed by the Council.

The motion of Councilman Ellis to continue the proposed Resolution to September 22, 1976, 8:30 a.m. was not voted on at this time.

City Manager McKinley answered further questions directed by the Council.

Councilman Johnson left the Chambers.

On motion of Councilman Ellis, the proposed Resolution was continued to September 22, 1976, 8:30 a.m. at the City Manager's request.

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 and 121.

The following Ordinances were introduced at the Meeting of August 25, 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 Haro, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson, Williams, and Morrow.

(Item 120 - CASE NO. 41-73-1/EOT #2)

ORDINANCE 11892 (New Series), amending Section 1 of Ordinance No. 11221 (New Series), adopted January 24, 1974, amended by Ordinance No. 11680 (New Series), adopted October 1, 1975, incorporating portions of Lots 27, 37, 38 and 46, Rosedale Tract, and portions of Lots 54 and 56, Rancho Mission, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code.

(Item 121 - CASE NO. 48-76-3)

AREA A

ORDINANCE 11893 (New Series), incorporating those hillsides east of Hollister Street and west of Beyer Boulevard, and between the City boundary of The City of San Diego on the north and Palm Avenue on the south, in the Otay Mesa Community Area, into the HR Overlay Zone, as defined by Section 101.0454 of the San Diego Municipal Code.

AREA B

ORDINANCE 11894 (New Series), incorporating those hillsides east of Beyer Way and west of I-805, and between the City boundary of The City of San Diego on the north and Palm Avenue on the south, in the Otay Mesa Community Area, into the HR Overlay Zone, as defined by Section 101.0454 of the San Diego Municipal Code.

AREA C

ORDINANCE 11895 (New Series), incorporating those hillsides east of Beyer Boulevard and west of Beyer Way, and between Coronado Avenue on the north and Fern Avenue on the south, in the Otay Mesa Community Area, into the HR Overlay Zone, as defined by Section 101.0454 of the San Diego Municipal Code.

The Council considered the remainder of the Consent Agenda consisting of Resolutions: Items 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, and 201.

(Item 150)

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

RESOLUTION 216715, Evans Construction Company, -for the sum of \$29,161<sup>7</sup> for the construction of Chollas Operations Station Storage Building, Schedule II; authorizing the expenditure of \$36,700 out of Capital Outlay Fund (Fund 245) for said purpose and related costs; authorizing the City Auditor and Comptroller to transfer \$10,500 from CIP NO. 37-071(6) to Capital Outlay Fund Reserve, CIP NO. 90-245;

RESOLUTION 216716, Transportation Design & Technology, Inc., for the purchase of five wheel chair lifts and installation of same, for an actual cost, including tax and terms, of \$38,993; and

RESOLUTION 216717, I.T.T. Building Services, for furnishing complete cleaning maintenance of Centre City Way as may be required for a period of eleven months ending July 31, 1977 at a cost of \$1,125 per month for an estimated cost of \$12,375 with an option to renew the contract for two additional one year periods.

(Item 151)

The following Resolutions, relative to the Final Subdivision Map of Encore Mira Mesa Unit No. 3 Subdivision, were adopted on motion of Councilman Gade:

RESOLUTION 216718, authorizing an agreement with Larwin Southern California, Inc., for the completion of improvements in Encore Mira Mesa Unit No. 3 Subdivision, an 81-lot subdivision located north of New-Salem Street and west of Camino Ruiz;

RESOLUTION 216719, approving the final map of Encore Mira Mesa Unit No. 3 and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program;

RESOLUTION 216720, authorizing an agreement with Larwin-Southern California, Inc., for conditional reacquisition of a sewer easement affecting said subdivision; and

RESOLUTION 216721, authorizing the divestment of City's easement interest by negotiated sale for the sum of \$65 affecting a portion of Section 25, Township 14 South, Range 3 West, San Bernardino Meridian; authorizing the execution of a Quitclaim Deed, quitclaiming to Larwin-Southern California, Inc., said interest in unneeded sewer easement.

(Item 152)

RESOLUTION 216722, granting the petition for construction of certain improvements of Frankfort Street (south side) from Tonopah Street to the Alley, Block 3, Corella Tract (east-west portion); directing the City Manager to furnish description and plat of district, was adopted on motion of Councilman Gade.

(Item 153)

RESOLUTION OF INTENTION NO. 216723, setting a public hearing on the Intention to Vacate Yuma Street between Colusa Street and Donahue Street and between Blocks 8 and 9, Bay View Addition, was adopted on motion of Councilman Gade.

(Item 154)

RESOLUTION 216724, approving the acceptance by the City Manager of Deed of Martha Becker (street purposes) - SIXTH AVENUE, was adopted on motion of Councilman Gade.

(Item 155)

RESOLUTION 216725, authorizing a First Amendment to Agreement with Mrs. Lucy Killea for consultant services for Fronteras 1976 from September 1, 1976 to December 31, 1976 at a rate of \$625 per month, was adopted on motion of Councilman Gade.

(Item 156)

RESOLUTION 216726, authorizing Joint Use Agreement No. 10919 with the State Department of Transportation for sewer easements in the vicinity of La Jolla Village Drive, was adopted on motion of Councilman Gade.

(Item 157)

RESOLUTION 216727, authorizing an agreement with Berryman, Mohle, Stephenson & Perry, Inc. for engineering services for design of traffic signal and safety lighting systems at the intersection of North Harbor Drive and Scott Street, and the intersection of Santa Monica Avenue and Sunset Cliffs Boulevard; that the sum of \$4,600 be transferred from Gas Tax Fund 220, Sources CIP Projects No. 61-123(6), \$2,600, and No. 61-125(6), \$2,000 to the 244 Fund Program/Element 4508 to be expended solely and exclusively for the above referenced services, was adopted on motion of Councilman Gade.

(Item 158)

RESOLUTION 216728, authorizing an agreement with Southeast Community Theater to conduct a Youth Workshop Program in the summer of 1976, was adopted on motion of Councilman Gade.

(Item 159)

RESOLUTION 216729, consenting to a Joint Public Hearing with the Redevelopment Agency in accordance with the California Redevelopment Law; designating October 5, 1976 at 2:00 p.m. as the date and time for said joint hearing, to consider the adoption of the Dells Redevelopment Plan, was adopted on motion of Councilman Gade.

(Item 201)

The following Resolutions, relative to negotiated sale of an excess gas tax parcel located on the south side of Nautilus Street in the La Jolla area, were adopted on motion of Councilman Gade:

RESOLUTION 216730, certifying that the information contained in the Environmental Negative Declaration No. 75-11-01-P 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 216731, authorizing the sale by negotiation of portion of Pueblo Lot 1255 for the sum of \$5,305, to Robert A. Schaffer and Irene S. Schaffer, husband and wife as joint tenants; authorizing the execution of a grant deed, granting to Robert A. Schaffer and Irene S. Schaffer said portion.

(Item 200)

A proposed Resolution, authorizing an agreement with the San Diego City and County War Against Litter Committee, Inc. to promulgate a Program of Public Education designed to alert the people of San Diego to the problems of pollution, to the potential fire threat caused by litter, and to eliminate litter from our streets, highways, parks, schools and recreation areas, was presented.

The motion of Councilman Hubbard to refer the matter to the Public Services and Safety Committee for review, was not voted on at this time.

Discussion followed.

Councilman Johnson entered the Chambers.

Discussion followed.

On motion of Councilman Hubbard, the proposed Resolution was referred to the Public Services and Safety Committee for review.

(Item 202)

A proposed Ordinance, amending Chapter V, Article 5 of the San Diego Municipal Code by repealing Sections 55.01.302 and 55.34.1 relating to Sec. 1.302 of the 1973 Uniform Fire Code Amended, and Section 55.34.1 relating to Application and Inspection for Verification of Conformance (relating to Fire Permit Fee Program), was presented.

Councilman Hubbard gave the Public Services and Safety Committee report and made a motion to introduce the proposed Ordinance, which received no second at this time.

City Manager McKinley answered questions directed by the Council.

Councilman Ellis seconded the motion of Councilman Hubbard to introduce the proposed Ordinance, which was not voted on at this time.

City Manager McKinley answered further questions directed by the Council.

A proposed Ordinance, amending Chapter V, Article 5 of the San Diego Municipal Code by repealing Sections 55.01.302 and 55.34.1 relating to Sec. 1.302 of the 1973 Uniform Fire Code Amended, and Section 55.34.1 relating to Application and Inspection for Verification of Conformance (relating to Fire Permit Fee Program), was introduced on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilmen Williams and Morrow.

(Item 203)

A proposed Ordinance, amending Chapter V of the San Diego Municipal Code by repealing, renumbering, amending and adding to Article 9.5 relating to Noise Abatement and Control, was presented.

Councilman Haro gave the Public Services and Safety Committee report.

Jim Dukes, Building Inspection Department, and City Manager McKinley answered questions directed by the Council.

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

Jim Dukes, Building Inspection Department, answered further questions directed by the Council.

A proposed Ordinance, amending Chapter V of the San Diego Municipal Code by repealing, renumbering, amending and adding to Article 9.5 relating to Noise Abatement and Control, was introduced on motion of Councilman Haro by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilmen Williams and Morrow.

(Item 204)

A proposed Resolution, approving the allocation of the Fiscal Year 1977 Environmental Growth Fund Unallocated Reserve, as recommended in the City Manager's Report to Council dated August 26, 1976, with the understanding that available Park-Service District Funds shall be utilized as may be necessary with the Environmental Growth Fund monies for the proposed acquisitions, was presented.

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

City Manager McKinley, Henry Pepper and Dave Roberts, Park and Recreation Department, answered questions directed by the Council.

RESOLUTION 216732, approving the allocation of the Fiscal Year 1977 Environmental Growth Fund Unallocated Reserve, as recommended in the City Manager's Report to Council dated August 26, 1976, with the understanding that available Park Service District Funds shall be utilized as may be necessary with the Environmental Growth Fund monies for the proposed acquisitions, was adopted on motion of Councilman Hubbard.

(Item 205)

A proposed Resolution, directing the Planning Department to develop and directing the Planning Commission to conduct public hearings on a Food and Fiber/ Agriculture Component of the Revised General Plan according to the recommendations and guidelines proposed in the Planning Department's August 10, 1976 Report, and directing the Planning Department to include in that component the following:

(a) A comparative historical inventory and analysis of the types and quantities of agricultural products produced in the San Diego area from 1950 to the present.

(b) A fiscal analysis of Williamson Act implementation in San Diego including: 1) the tax consequences to the property under contract; 2) the impact of such tax consequences on the City's tax base and residents; and 3) a comparative analysis of Williamson Act related property tax losses versus possible net cost increases for the provision of City services to such land, if allowed to be developed for residential and/or commercial purposes, was presented.



(Item 205 - Continued)

Transportation and Land Use Committee Consultant Wilken presented the Committee report.

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

Transportation and Land Use Committee Consultant Wilken answered questions directed by the Council.

RESOLUTION 216733, directing the Planning Department to develop and directing the Planning Commission to conduct public hearings on a food and fiber/agriculture component of the Revised General Plan according to the recommendations and guidelines proposed in the Planning Department's August 10, 1976 Report, and directing the Planning Department to include in that component the following:

(a) A comparative historical inventory and analysis of the types and quantities of agricultural products produced in the San Diego area from 1950 to the present.

(b) A fiscal analysis of Williamson Act implementation in San Diego including: 1) the tax consequences to the property under contract; 2) the impact of such tax consequences on the City's tax base and residents; and 3) a comparative analysis of Williamson Act related property tax losses versus possible net cost increases for the provision of City services to such land, if allowed to be developed for residential and/or commercial purposes, was adopted on motion of Councilman Ellis.

Mayor Wilson recessed the Regular Meeting at 10:07 a.m. Upon reconvening at 10:30 a.m., the Roll Call showed Councilmen O'Connor, Williams, Morrow, and Ellis absent.

(Item 250 - CASE NO. 10-76-1)

A proposed Ordinance, which had been introduced at the Meeting of July 7, 1976, and continued from the Meetings of July 21, August 4 and September 1, 1976 for the payment of park fees, incorporating portions of Villa Lots 195 and 196, Normal Heights, located on the north and south sides of Adams Avenue between 39th Street and Ward Road, into C-1 Zone, was presented.

Councilman Ellis entered the Chambers.

City Manager McKinley spoke regarding a continuance of the matter.

The motion of Councilman Hubbard to continue the proposed Ordinance to September 15, 1976, 8:30 a.m. to permit property owner to pay park fees, was not voted on at this time.

A gentleman from the audience appeared to speak in favor of the continuance.

Councilman Haro left the Chambers.

On motion of Councilman Hubbard, the proposed Ordinance which had been introduced at the Meeting of July 7, 1976, was continued to the Meeting of September 15, 1976, 8:30 a.m. to permit property owner to pay park fees, by the following vote: Yeas-Councilmen Johnson, Hubbard, Gade, Ellis, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor, Williams, Morrow, and Haro.

Councilman Haro entered the Chambers.

(Item 251)

A proposed Ordinance, amending Ordinance No. 11845 (New Series), entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of The City of San Diego for the Fiscal Year 1976-77," by amending exhibits A, B and C thereto relating to Additions of Position Titles and Corrections to the Table of Pay for Standard Rates; deleting Exhibits D and E; and amending Ordinance language to conform to said corrections, was presented.

Chief Deputy City Attorney Katz answered questions directed by the Council. The motion of Councilman Gade to introduce the proposed Ordinance received no second at this time.

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

Councilwoman O'Connor entered the Chambers.

Assistant City Attorney Teaze answered questions directed by the Council.

The motion of Councilman Johnson to continue the matter to the Meeting of September 15, 1976 for full Council, was not voted on at this time.

Mr. Teaze answered questions directed by the Council.

The vote was then taken on the previous motion of Councilman Johnson, which passed unanimously.

(Item 255)

A proposed Resolution, approving the scope of services, work program and budget for the Barrio-Logan Planning Study; authorizing the City Auditor and Comptroller to transfer \$100,000 from Block Grant Fund 290 to Redevelopment Fund 9837 for planning community improvement projects in said area; considering said transfer of funds as an advance to be repaid from future tax increments or other appropriate sources as such funds become available, was presented.

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

Antonia Perez appeared to speak.

Planning Director Goff answered questions directed by the Council.

Antonia Perez appeared to speak further to the matter.

RESOLUTION 216734, approving the scope of services, work program and budget for the Barrio-Logan Planning Study; authorizing the City Auditor and Comptroller to transfer \$100,000 from Block Grant Fund 290 to Redevelopment Fund 9837 for planning community improvement projects in said area; considering said transfer of funds as an advance to be repaid from future tax increments or other appropriate sources as such funds become available, was adopted on motion of Councilman Haro.

(Item 256)

A proposed Resolution, authorizing the City Manager or his designee to reallocate the sum of \$50,920 within Block Grant Fund 290 from Program Element 89.10 - Industrial Development - to Program Element 87.90 - Redevelopment Planning - to provide funds to finance a San Ysidro planning study; approving the scope of services, work program and budget for the San Ysidro planning study; authorizing the City Manager or his designee to expend the sum of \$50,920 from Block Grant Fund 290 for planning development projects in San Ysidro, was presented.

Thomas Murphy, Planning Department answered questions directed by the staff.

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

Thomas Murphy, Planning Department, answered further questions directed by the Council.

RESOLUTION 216735, authorizing the City Manager or his designee to relocate the sum of \$50,920 within Block Grant Fund 290 from Program Element 89.10 - Industrial Development - to Program Element 87.90 - Redevelopment Planning - to provide funds to finance a San Ysidro planning study; approving the scope of services, work program and budget for the San Ysidro planning study; authorizing the City Manager or his designee to expend the sum of \$50,920 from Block Grant Fund 290 for planning development projects in San Ysidro, was adopted on motion of Councilman Haro.

(Item 257)

A proposed Resolution, cosponsoring with Club America S.C.E. (Social, Cultural, Educational) a Mexican Independence Day Celebration and dance at the Recital Hall, Balboa Park, on Saturday, September 11, 1976, for which no admission will be charged; waiving the rental fee for the use of the Recital Hall, was presented.

RESOLUTION 216736, cosponsoring with Club America S.C.E. (Social, Cultural, Educational) a Mexican Independence Day Celebration and dance at the Recital Hall, Balboa Park, on Saturday, September 11, 1976, for which no admission will be charged; waiving the rental fee for the use of the Recital Hall, was adopted on motion of Councilman Haro.

(Item 258)

A proposed Resolution, cosponsoring with the La Jolla- San Diego Chapter of the Military Order of the World Wars a Massing of the Colors and Service of Remembrance to be held at the Organ Pavilion in Balboa Park on November 7, 1976; waiving the rental fee for the use of the Balboa Park facilities, was presented.

The motion of Councilwoman O'Connor to adopt the proposed Resolution was not voted on at this time.

Assistant City Attorney Teaze answered questions directed by the Council.

RESOLUTION 216737, cosponsoring with the La Jolla-San Diego Chapter of the Military Order of the World Wars a Massing of the Colors and Service of Remembrance to be held at the Organ Pavilion in Balboa Park on November 7, 1976; waiving the rental fee for the use of the Balboa Park facilities, was adopted on motion of Councilwoman O'Connor. Councilmen Hubbard and Ellis were excused from voting due to possible conflict of interest.

(Item 259)

A proposed Resolution, granting or denying the request of John I Williamson and Williamson Enterprises, by Joseph W. Ruff, attorney, for an extension of time of approximately 18 months on Conditional Use Permit No. 408-PC. This Permit was granted by the City Council on March 6, 1975 by Resolution 212731, for permission to construct and operate a travel trailer park of 498 spaces on a 24-acre tract, located on the westerly side of Hollister Street, northerly of Conifer Avenue, in the South Bay area, more particularly described as a portion of the South 1/2 of the Northeast 1/4 of the Southeast 1/4, Section 21, Township 18 South, Range 2 West, S.B.B.M., R.O.S. 1950, was presented.

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

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

Planning Director Goff answered questions directed by the Council.

John Williamson appeared to speak.

RESOLUTION 216738, granting Williamson Enterprises, a partnership, owner and permittee under Conditional Use Permit No. 408-PC, an extension of time of 18 months within which to utilize the permit granted on March 6, 1975,

was adopted on motion of Councilman Gade.

On motion of Councilman Ellis, the Council removed Item 302 from the Referral Agenda for Council consideration.

(Item 302)

A proposed Resolution, authorizing the City Manager to execute a modification to the contract with Barney and Barney by Resolution No. 216519, adopted August 4, 1976, for furnishing San Diego Stadium Liability Insurance by increasing the amount of insurance from \$500,000 to \$1,000,000 combined single limit for an additional premium of \$3,642, was presented.

RESOLUTION 216739, authorizing the City Manager to execute a modification to the contract with Barney and Barney by Resolution No. 216519, adopted August 4, 1976, for furnishing San Diego Stadium Public Liability Insurance by increasing the amount of insurance from \$500,000 to \$1,000,000 combined single limit for an additional premium of \$3,642, was adopted on motion of Councilman Gade.

(Unanimous Consent No. 1)

By Unanimous Consent granted to Councilman Haro, a proposed Resolution, authorizing the acceptance by the City Manager of deed of Jim E. and Jean M. Brannan, and Elmo Laverne and Harriet Jean Maurer; authorizing the expenditure of \$133,000 out of Capital Outlay Fund 245; \$38,423.49 out of Park Service District Fund 11741; \$10,815 out of Park Service District Fund 16741 and \$16,761.51 out of Capital Outlay Fund Unallocated Reserve, for a total of \$199,000 for acquisition costs and related expenses (Howard Lane Park), was presented.

(Unanimous Consent No. 1 - Continued)

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

City Manager McKinley answered questions directed by the Council.

RESOLUTION 216740, authorizing the acceptance by the City Manager of deed of Jim E. and Jean . Brannan, and Elmo Laverne and Harriet Jean Maurer; authorizing the expenditure of \$139,000 out of Capital Outlay Fund 245; \$38,423.49 out of Park Service District Fund 11741; \$10,815 out of Park Service District Fund 16741 and \$16,761.51 out of Capital Outlay Fund Unallocated Reserve, for a total of \$199,000 for acquisition costs and related expenses (Howard Lane Park), was adopted on motion of Councilman Haro.

The Regular Meeting was adjourned at 11:17 a.m. on motion of Councilman Gade, into Executive Session in the 12th Floor Council Conference Room for the purpose of considering pending litigation, after the continued Meeting of the Redevelopment Agency. The following resolutions were adopted:

RESOLUTION 216741, authorizing the City Manager to pay \$30,000 in settlement of each and every claim against the City resulting from personal injuries to Chuck Hal McKinnon; authorizing the City Auditor and Comptroller to issue a warrant in the amount of \$30,000 to Chuck Hal McKinnon and his attorney, John L. Stennett, in full settlement of all claims; Yeas-Councilmen Johnson, O'Connor, Hubbard, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilmen Williams and Morrow.

RESOLUTION 216742, authorizing the City Manager to pay \$6,000 in the settlement of each and every claim against the City resulting from personal injuries to Helen Ross; authorizing the City Auditor and Comptroller to issue a warrant in the amount of \$6,000 to Helen Ross and her attorney Raymond F. Avetina, in full settlement of all claims; Yeas-Councilmen Johnson, O'Connor, Hubbard, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilmen Williams and Morrow.

There being no further business to come before the Council, the Regular Meeting was adjourned.

  
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Mayor of The City of San Diego, California

ATTEST:

  
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City Clerk of The City of San Diego, California

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

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

Mayor Wilson called the Regular Meeting to order at 2:07 p.m.

(Item 400)  
Roll call was taken.

Councilman Hubbard entered the Chambers.

(Item 402 - First Time)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of Point Loma College, by W. Shelburne Brown, president, from the decision of the Historical Site Board in designating Cabrillo Hall (Madame Tingley Home) as a historical site, pursuant to Section 26.02 (D.7) of the San Diego Municipal Code. The property is located at 3900 Lomaland Drive, continued from the Meetings of August 25 and September 1, 1976. By common consent, the item was trailed.

Items 404, 405, and 406 were taken simultaneously.

(Item 404)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on paving and otherwise improving the Alley in Block 68, Morena - on Resolution of Intention 216480.

No one appeared to be heard.

RESOLUTION 216743, continuing the hearings on the proposal to ~~pave~~ and otherwise improve the Alley in Block 68, Morena, under Resolution of Intention No. 216480, adopted July 28, 1976, to the hour of 2:00 p.m., Tuesday, September 14, 1976, was adopted on motion of Councilman Haro.

(Item 405)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on paving and otherwise improving Market Street from 47th Street to Euclid Avenue - on Resolution of Intention 216482.

Robert Foster appeared to speak.

RESOLUTION 216744, continuing the hearings on the proposal to pave and otherwise improve Market Street from 47th Street to Euclid Avenue, under Resolution of Intention No. 216482, adopted July 28, 1976, to the hour of 3:30 p.m., Time Certain, Tuesday, September 14, 1976, was adopted on motion of Councilman Haro.

(Item 406)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on paving and otherwise improving Escuela Street from Imperial Avenue to Nogal Street - on Resolution of Intention 216523.

No one appeared to be heard.

RESOLUTION 216745, continuing the hearings on the proposal to pave and otherwise improve Escuela Street from Imperial Avenue to Nogal Street, under Resolution of Intention No. 216523, adopted August 4, 1976, to the hour of 2:00 p.m., Tuesday, September 14, 1976, was adopted on motion of Councilman Haro.

(Item 402 - Second Time)

William Rick, Chairman, Historical Site Board, presented his report.

Robert Foster appeared to speak.

Councilman Ellis entered the Chambers.

Discussion followed.

By common consent, the item was trailed.

(Item 403)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of June 16 and 23, 1976, on paving and otherwise improving Imperial Avenue from 400 feet east of Euclid Avenue to 61st Street - on Resolution of Intention 215934.

A motion by Councilman Ellis to continue for two weeks, received no vote at this time.

James McLaughlin, Engineering and Development Department, presented his report.

Mr. Estep appeared to be heard.

RESOLUTION 216746, continuing hearings on the proposal to pave and otherwise improve Imperial Avenue from 400 feet east of Euclid Avenue to 61st Street, under Resolution of Intention No. 215934, adopted May 12, 1976, continued from the Meetings of June 16, 1976 and June 23, 1976, to the hour of 2:00 p.m., Wednesday, September 22, 1976, was adopted on motion of Councilman Ellis.

(Item 402 - Third Time)

Discussion followed.

Robert Foster answered questions directed by Council and withdrew appeal on the matter.

Councilwoman O'Connor moved to file the matter and directed the City Manager to take the necessary steps to relocate Madame Tingley's Home, and work with the Historical Site Board to determine a suitable location, passed unanimously.

(Item 401)

The matter of 1976 Public Works Act, was presented.

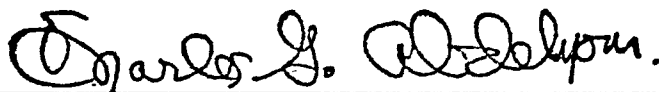
City Manager McKinley presented his report.

Marilyn Wolfram and Dave Ryan answered questions directed by Council.

RESOLUTION 216747, waiving Council Policy 300-7 relating to the hiring of consultants for all projects for which financing is to be requested in accordance with the Public Works Employment Act of 1976 provided that any contract to engage the services of a consultant in connection with projects thereunder shall require Council approval, was adopted on motion of Councilman Haro.

The Mayor announced Council will meet as a Committee of the Whole to discuss the 1976 Public Works Act at 9:30 a.m., Tuesday, September 14, 1976, 12th Floor, Council Chambers.

There being no further business to come before the Council, the Regular Meeting was adjourned at 4:05 p.m., on motion of Councilman Gade.



City Clerk of The City of San Diego, California