

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, OCTOBER 6, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M. & 2:00 P.M.

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

Absent--Mayor Wilson.

Clerk---Edward Nielsen.

Deputy Mayor O'Connor called the Regular Meeting to order at 8:40 a.m.

(Item 100)

Roll call was taken.

(Item 101)

A proposed Resolution, authorizing Suggestion Awards and making presentations to the following employees: Barbara J. Warren, Neil E. Tucker, Alvin W. Broyles - Utilities Department - \$480; Glen A. Paulen - General Services Department - \$440; Tom Hernandez, Sr. - General Services Department - \$235; Lester D. Riemer - General Services Department - \$175; and Neil E. Tucker - Utilities Department - \$150, was presented.

Councilmen Ellis, Gade, Morrow, Haro, and Hubbard presented checks and plaques to the employees for their suggestions.

RESOLUTION 216900, authorizing suggestion awards and making presentations to the following employees: Barbara J. Warren, Neil E. Tucker, Alvin W. Broyles - Utilities Department - \$480; Glen A. Paulen - General Services Department - \$440; Tom Hernandez, Sr. - General Services Department - \$235; Lester D. Riemer - General Services Department - \$175; and Neil E. Tucker - Utilities Department - \$150, was adopted on motion of Councilman Johnson.

(Item 254)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the meetings of September 21 and 29, 1976, at appellant's request, on the appeal of Robert A. Aaberg and Richard L. Hamlin from the decision of the City Engineer in requiring, pursuant to granting a Building Permit, that the existing alleys to the side and rear of appellants property be paved with a concrete surface. Said property is at 4726 - 35th Street and is more particularly described as Lot 17, Block 25, Normal Heights, located north of Adams Avenue between Mansfield and 35th Streets. It was reported that no written protests had been received.

(Item 254 - Continued)

J. R. Crosby, Engineering and Development Department, answered questions directed by Council.

Robert A. Aaberg appeared to speak in favor of the appeal.

A motion by Councilman Hubbard to close the hearing and grant the appeal for paving the alley in Block 25, Normal Heights, died for lack of a second.

Mr. Crosby further answered questions directed by Council.

City Manager McKinley and City Attorney Witt answered questions directed by Council.

Councilman Johnson offered a second to the motion of Councilman Hubbard to close the hearing and grant the appeal for paving the alley in Block 25, Normal Heights, which received no vote at this time.

Mr. Crosby further answered questions directed by Council.

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

RESOLUTION 216901, granting the appeal of Robert A. Aaberg and Richard L. Hamlin from the decision of the City Engineer in requiring, pursuant to granting a building permit, that the existing alleys to the side and rear of appellants property at 4726 - 35th Street, more particularly described as Lot 17, Block 25, Normal Heights, located north of Adams Avenue between Mansfield and 35th Streets, be paved with a concrete surface.

By common consent, the City Manager was directed to initiate a 1911 Act Proceedings for paving the alley in Block 25, Normal Heights.

(Item 250)

A proposed Resolution, continued from the Meetings of September 15 and 29, 1976, for full Council, rejecting all bids received on July 21, 1976, on furnishing Concession Services for the Convention and Performing Arts Center for a period of one year ending August 15, 1977 with an option to renew the contract for two additional one year periods; authorizing the Purchasing Agent to advertise for bids for furnishing Concession Services for the Convention and Performing Arts Center as may be required for a period of one year ending October 31, 1977 with an option to renew the contract for two additional one year periods - Specifications Document No. 756569.

Richard Doty appeared to speak.

Mayor Wilson entered the Chambers and assumed the Chair.

Purchasing Agent Mattis answered questions directed by Council.

Jack Sullivan appeared to speak.

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

A motion by Councilman Johnson to adopt the resolution, received no vote at this time.

(Item 250 - Continued)

William McKenzie and Harold Tibbits appeared to speak.

RESOLUTION 216902, rejecting all bids received on July 21, 1976, on furnishing Concession Services for the Convention and Performing Arts Center for a period of ~~one~~ year ending August 15, 1977 with an option to renew the contract for two additional one year periods; authorizing the Purchasing Agent to advertise for bids for furnishing Concession Services for the Convention and Performing Arts Center as may be required for a period of one year ending October 31, 1977 with an option to renew the contract for two additional one year periods in accordance with Specifications Document No. 756569, was adopted on motion of Councilman Johnson which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Gade, and Haro. Nays-Councilmen Williams, Morrow, Ellis, and Mayor Wilson. Absent-None.

Mayor Wilson left the Chambers. Deputy Mayor O'Connor assumed the Chair.

(Item 102)

The following Resolutions authorizing Suggestion Awards to the following employees, were adopted on motion of Councilman Gade:

RESOLUTION-216903, Laurie S. Lindeneau - Planning Department - \$90; Edward J. Zitter - Police Department - \$50; Danny L. Lenz - General Services Department - \$45; Robert V. Murphy - Park and Recreation Department - \$25; Russell S. Giles - Police Department - \$20; and David R. Hughey and Francis L. Clemings - Park and Recreation Department - \$20; and

RESOLUTION 216904, Leon Crowder - Park and Recreation Department - \$15; and Mary F. Labiak - Park and Recreation Department - \$10.

(Item 104)

A communication from Iris Sankey, representing Californians for Yes on 3 and 12, requesting permission to address the Council, regarding Council's endorsement of the above propositions which will appear on the November ballot and which will provide \$25 million in low cost loan funds for insulation and solar heating and cooling systems, was presented.

Jack Schultz appeared to speak for Iris Sankey regarding said communication.

On motion of Councilman Johnson, the communication was referred to the Rules Committee.

The Council considered requests for continuances: Items 202 and 252.

(Item 202)

RESOLUTIONS: (Continued from the Meetings of August 11, September 1, and September 22, 1976.) Authorizing a Lease Agreement with City Farms of San Diego, leasing a portion of Pueblo Lot 1347, lying northerly of Market Street and westerly of Boundary Street consisting of approximately 13 acres for agricultural purposes, for a one year term; waiving provisions of Council Policy 700-10, as to advertising, public notice, and appraisal for fair rental value.

City Attorney Witt spoke on the continuance.

On motion of Councilman Morrow, the proposed Resolution was continued to October 13, 1976 - 9:00 a.m. Time Certain, at City Attorney's request.

(Item 252)

OTHER RESOLUTIONS: (Continued from the Meeting of September 29, 1976.) Authorizing the City Auditor and Comptroller to transfer the sum of \$5,000 out of the Unallocated Reserve (53.30) to Allocated Reserve (53.20) to provide funds to defray the expenses of the law firm Harrigan, Ruff and Osborne involved in representing The City of San Diego, as co-counsel with the special attorney for the Police Intelligence Inquiry, Coleman Conrad, in legal proceedings to compel City Manager Hugh McKinley to comply with Council direction regarding access to police intelligence files, under that letter of agreement from the law firm of Harrigan, Ruff and Osborne, by Joseph W. Ruff.

City Attorney Witt spoke on the continuance.

On motion of Councilman Ellis, the proposed Resolution was continued to October 27, 1976 - a.m., at City Attorney's request.

Mayor Wilson entered the Chambers and assumed the Chair.

On motion of Councilman Morrow, Coleman Conrad was directed to proceed to file a lawsuit on the Police Intelligence Inquiry, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-None.

Mayor Wilson recessed the Meeting at 10:21 a.m. Upon reconvening at 10:45 a.m., the roll call showed Councilman Morrow absent.

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 Item 120.

The following Ordinance was introduced at the Meeting of September 22, 1976.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of its passage, a written or printed copy of said Ordinance.

(Item 120 - CASE NO. 60-74-5EOT)

ORDINANCE 11921 (New Series), amending Ordinance No. 11346 (New Series), adopted July 18, 1974, incorporating a portion of the Southwest 1/4, Section 5, Township 15 South, Range 2 West, S.B.B.M., into the CA-S Zone, as defined by Section 101.0428 of the San Diego Municipal Code was adopted on motion of Councilman Haro, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilman Morrow.

The Council considered that portion of the Consent Agenda dealing with Ordinances to be Introduced: Items 121 and 122.

(Item 121 - CASE NO. 38-74-3/EOT)

A proposed Ordinance, amending Section 1 of Ordinance No. 11461 (New Series), adopted January 25, 1975, incorporating a portion of Pueblo Lot 1233, into CO Zone as defined by Section 101.0423 of the San Diego Municipal Code was introduced on motion of Councilman Gade, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilman Morrow.

(Item 122 - CASE NO. 45-72-3/EOT 3)

A proposed Ordinance, amending Section 1 of Ordinance No. 10870, (New Series) adopted August 12, 1972, amended by Ordinance No. 11379 (New Series), adopted September 28, 1974, and further amended by Ordinance No. 11681 (New Series), adopted October 30, 1975, incorporating a portion of Rancho San Bernardo, into M-1P Zone, as defined by Section 101.0435.1 of the San Diego Municipal Code was introduced on motion of Councilman Gade, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilman Morrow.

ORDINANCE NO. _____
(New Series)

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 11461 (NEW SERIES), ADOPTED JANUARY 25, 1975, INCORPORATING A PORTION OF PUEBLO LOT 1233, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO CO ZONE AS DEFINED BY SECTION 101.0423 OF THE SAN DIEGO MUNICIPAL CODE.

WHEREAS, a request has been received to extend the time on Ordinance No. 11461, (New Series), adopted January 25, 1975; and

WHEREAS, Section 1 of Ordinance No. 11461 (New Series) provided that the CO Zone would attach if a final subdivision map or maps were recorded on or before July 25, 1976; and

WHEREAS, the requested extension of time will permit the successful conclusion and implementation of the zoning pattern heretofore approved by the Planning Commission; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Section 1 of Ordinance No. 11461 (New Series), adopted January 25, 1975, be, and it is hereby amended to read as follows:

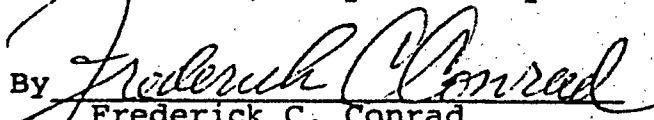
Section 1. That in the event that a portion of Pueblo Lot 1233, in the City of San Diego, California, within the boundary of the district designated "CO" on that certain Zone Map Drawing No. B-2790, is subdivided and a final subdivision map or maps thereof duly submitted to the City on or before July 25, 1977, and thereafter recorded, and within such subdivision or subdivisions

provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0423 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into CO Zone, as described by Section 101.0423 of the San Diego Municipal Code, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2790, filed in the office of the City Clerk as Document No. 749053. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By


Frederick C. Conrad
Chief Deputy City Attorney

FCC:clh
9/20/76
38-74-3/EOT

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 10870, (NEW SERIES) ADOPTED AUGUST 12, 1972, AMENDED BY ORDINANCE NO. 11379 (NEW SERIES), ADOPTED SEPTEMBER 28, 1974, AND FURTHER AMENDED BY ORDINANCE NO. 11681 (NEW SERIES), ADOPTED OCTOBER 30, 1975, INCORPORATING A PORTION OF RANCHO SAN BERNARDO, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO M-1P ZONE, AS DEFINED BY SECTION 101.0435.1 OF THE SAN DIEGO MUNICIPAL CODE.

WHEREAS, a request has been received to extend the time on Ordinance No. 10870 (New Series), adopted August 12, 1972; and

WHEREAS, Section 1 of Ordinance No. 10870 (New Series) provided that the M-1P Zone would attach if a final subdivision map or maps were recorded on or before August 12, 1974; and

WHEREAS, the requested extension of time will permit the successful conclusion and implementation of the zoning pattern heretofore approved by the Planning Commission; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Section 1 of Ordinance No. 10870 (New Series), adopted August 12, 1972, amended by Ordinance No. 11379 (New Series), adopted September 28, 1974, and further amended by Ordinance No. 11681 (New Series), adopted October 30, 1975, be, and it is hereby amended to read as follows:

Section 1. That in the event that a portion of Rancho San Bernardo, in the City of San Diego, California, within the boundary of the district designated "M-1P" on that certain Zone Map Drawing No. B-2606.1, is subdivided and a final subdivision map or maps thereof duly

submitted to the City on or before August 12, 1977, and thereafter recorded, and within such subdivision or subdivisions, provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0435.1 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land and the said subdivided land shall be incorporated into M-1P Zone, as described by Section 101.0435.1 of the San Diego Municipal Code, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2606.1, filed in the office of the City Clerk as Document No. 740124. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By

Frederick C. Conrad
Frederick C. Conrad
Chief Deputy City Attorney

FCC:clh
9/20/76
45-72-3/EOT#3

The Council considered that portion of the Consent Agenda dealing with Resolutions, which consisted of Items 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 201, and 171.

There was discussion on Item 153.

(Item 150)

RESOLUTION 216905, awarding contracts to San Diego Janitor Supply and The Price Company, for furnishing paper products, as may be required for a period of one year ending November 30, 1977, for an actual estimated cost, including tax, terms with escalation, of \$20,514.82, was adopted on motion of Councilman Haro.

(Item 151)

RESOLUTION 216906, inviting bids for Geohydrologic Investigation of Pamo Valley under Specifications Document No. 756775, was adopted on motion of Councilman Haro.

(Item 152)

The following Resolutions relative to authorizing an Amendment to Agreement with McMillin's Scripps and Leadership Housing Systems, Inc., for completion of improvements, were adopted on motion of Councilman Haro:

RESOLUTION 216907, Scripps Ranch Unit No. 10 Subdivision; and

RESOLUTION 216908, Scripps Ranch Unit No. 11 Subdivision.

(Item 153)

RESOLUTION 216909, granting the petition for the undergrounding of utilities and construction of steel lighting facilities of San Aquario Drive and Romney Road under the combined terms of the California Improvement Acts of 1911 and 1913, and directing the preparation of a report on said improvement under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, was adopted on motion of Councilman Haro.

(Item 154)

RESOLUTION 216910, granting the petition for paving the alley, Block 22, Kensington Park bounded by Adams Avenue, Madison Avenue, Marlborough Drive, and Edgeware Road; directing the City Manager to furnish description and plat of district, was adopted on motion of Councilman Haro.

(Item 155)

The following Resolutions relative to installation of sewer, main and appurtenance on Sunrise Drive from Sycamore Road to the terminus, were adoption on motion of Councilman Haro:

RESOLUTION 216911, approving the plans, specifications, and plat no. 3914 of the assessment district; and

RESOLUTION 216912, resolution of intention.

(Item 156)

RESOLUTION 216913, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate a portion of Friars Road between State Highway 163 and Frazee Road and fixing a time and place for hearing thereof, was adopted on motion of Councilman Haro.

(Item 157)

RESOLUTION 216914, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate a portion of Via de la Valle adjacent to Parcel 1 of Parcel Map No. 3594, being also a portion of Lot 4, San Diego Center Unit No. 3, Map No. 6738; and fixing a time and place for hearing thereof, was adopted on motion of Councilman Haro.

(Item 158)

The following Resolutions relative to improvement of Linda Vista Road from Morena Boulevard to 500 feet easterly of Alcala Knolls Drive were adopted on motion of Councilman Haro:

RESOLUTION 216915, awarding a contract to R.E. Hazard Contracting Co.;

RESOLUTION 216916, authorizing the expenditure of \$243,500 from Gas Tax Funds 220 and \$59,000 from Capital Outlay Fund 245, for the City's contribution for above improvement, pursuant to the Improvement Act of 1911; and

RESOLUTION 216917, authorizing the use of City Forces to do the work of relocating and adjusting fire hydrants, water meters and/or other Utility Department appurtenances in connection with the above improvements under the Improvement Act of 1911, the combined costs of which shall not exceed \$3,400.

(Item 159)

RESOLUTION 216918, approving the acceptance by the City Manager of two Directors Deeds from the State of California - (public purposes) - portions of Lot 47 of Rancho Mission; authorizing the City Auditor and Comptroller to transfer \$56,600 from C.I.P. 92-505 Environmental Growth Unallocated Reserve to C.I.P. 20-006, Park Reserve and to expend \$56,600 from Environmental Growth Fund 2505, C.I.P. 20-006 for acquisition of said property, was adopted on motion of Councilman Haro.

(Item 160)

The following Resolutions relative to Mira Mesa East Neighborhood Park, were adopted on motion of Councilman Haro:

RESOLUTION 216919, approving the acceptance by the City Manager of Deed of Larwin-Southern California, Inc. (public purposes); and

RESOLUTION 216920, authorizing the City Auditor and Comptroller to transfer the sum of \$62,519 from C.I.P. 29-263(7) to the Environmental Growth Fund Unallocated Reserve; authorizing the expenditure of \$39,519 from Park Service District 221 Fund and \$36,481 from Environmental Growth Fund, for a total expenditure of \$76,000, to be used solely and exclusively for acquisition purposes of said park.

(Item 161)

RESOLUTION 216921, authorizing the acceptance by the City Manager of Deed of Centro de Salud de la Comunidad de San Ysidro, Inc., (street purposes), was adopted on motion of Councilman Haro.

(Item 162)

The following Resolutions relative to a Lease Agreement for the operation and maintenance of Live Bait Barges in Quivira Basin, Mission Bay Park, were adopted on motion of Councilman Haro:

RESOLUTION 216922, approving the acceptance by the City Manager of the proposal, in response to the Prospectus of June 14, 1976, of Everingham Brothers Bait Company; and

RESOLUTION 216923, authorizing the Property Department to negotiate said lease with Everingham Brothers Bait Company in accordance with Alternate No. 1 of said proposal.

(Item 163)

RESOLUTION 216924, authorizing an agreement with Associated Engineers, for engineering services for design of North Park Drain, Phase I Improvements, between El Cajon Boulevard at 30th Street and Polk Avenue at Interstate 805; authorizing the expenditure of \$21,000 out of Storm Drain Fund 727 for said purpose, was adopted on motion of Councilman Haro.

(Item 164)

The following Resolutions relative to proposed agreements for engineering and other professional services for the Park and Recreation Department, were adopted on motion of Councilman Haro:

RESOLUTION 216925, authorizing an agreement with E.F. Cook & Associates, Ltd.; authorizing the City Auditor and Comptroller to expend the sums of \$5,000 from Capital Outlay Fund 245; \$5,000 from Park Service District Fund 12141; \$5,000 from Park Service District Fund 12145; \$1,000 from Park Service District Fund 11403; and \$12,000 from Fund 100 (Park and Recreation Department Budget) for said purpose and related costs; and

RESOLUTION 216926, authorizing an agreement with Mitchell Webb Associates, Inc.; authorizing the City Auditor and Comptroller to expend the sum of \$6,000 from Capital Outlay Fund 245; \$2,000 from Park Service District Fund 11420; and \$10,000 from Fund 100 (Park and Recreation Department Budget) for said purpose and related costs.

(Item 165)

RESOLUTION 216927, authorizing an agreement with Van Dyke/Halsey Design Group, Inc., for landscape architectural and other professional services for the Park and Recreation Department; authorizing the City Auditor and Comptroller to expend the sum of \$4,000 from Park Service District Fund 11481; \$5,000 from Park Service District Fund 12141; \$5,000 from Park Service District Fund 12145; and \$10,000 from Fund 100 (Park and Recreation Department Budget) for said purpose and related costs, was adopted on motion of Councilman Haro.

(Item 166)

RESOLUTION 216928, authorizing a First Amendment to Agreement with Brink & Roberts, Architects, for professional services in connection with the design and construction of various City Fire Stations; authorizing the City Auditor and Comptroller to transfer within the 244 Fund, \$7,200 from CIP Project No. 33-021 (Fire Station No. 12) to CIP Project No. 33-029 (Fire Station No. 13; \$3,400) and CIP Project No. 33-027 (Fire Station No. 39; \$3,800) for said purpose, was adopted on motion of Councilman Haro.

(Item 167)

The following Resolutions relative to authorizing permits granting permission to the San Diego Gas & Electric Company, to install electrical facilities across portions of Pueblo Lot 1265 (Soledad Park), were adopted on motion of Councilman Haro:

RESOLUTION 216929, overhead electrical facilities to provide more electrical service to the Mount Soledad Area; and

RESOLUTION 216930, underground electrical facilities to provide more power service to the Mount Soledad Area.

(Item 168)

RESOLUTION 216931, authorizing an agreement with George S. Nolte & Associates, Inc., for engineering services for the design of traffic signals and safety lighting systems at the intersection of Grand Avenue and Ingraham Street; authorizing the expenditure of \$2,700 out of Gas Tax Fund 220, for said purpose, was adopted on motion of Councilman Haro.

(Item 169)

RESOLUTION 216932, approving Change Order No. 1, issued in connection with the contract with M.P. Mitrovich for construction of Sewer Main Replacement - Group 14 - North Hillcrest Area; said change amounting to a net decrease in the contract price of \$19,543 thereby amending the contract amount to \$368,037, was adopted on motion of Councilman Haro.

(Item 170)

RESOLUTION 216933, authorizing a representative of the City Attorney's Office, Stuart H. Swett, Chief Criminal Deputy City Attorney, to travel to Washington, D.C. to attend a meeting of the Promis Users Group to be held on October 28-29, 1976; the total cost of said travel shall be at ~~the expense~~ to the City but shall be paid by the Institute for Law and Social Research, was adopted on motion of Councilman Haro.

(Item 201)

RESOLUTION 216934, authorizing the City Manager to submit to the Law Enforcement Assistance Administration the applicant for grant for Law Enforcement Purposes, "Law Enforcement Focus on Career Criminal"; in the event the Law Enforcement Assistant Administration consents to fund the above project from funds made available through the Omnibus Crime Control and Safe Streets Act, the City agrees to accept the grant and designates the City Manager to execute the contract for the grant for law enforcement purposes, including any extensions or amendments thereof, that do not require any additional appropriation of cash match; agreeing to provide the required matching funds to said project (including any extension or amendments thereof) under the Safe Streets Act and the Law Enforcement Assistance Administration and that cash will be appropriated as required thereby; grant funds received shall not be used to supplant ongoing law enforcement expenditures; authorizing the City Manager without further Council action to go to bid (when necessary) and to execute contracts and agreements specified in the grant contract; appropriating \$33,333 of City funds in the City's Fiscal Year 1977 Budget for the purpose of the required cash match specified in the grant contract, was adopted on motion of Councilman Haro.

(Item 171 - Supplemental)

The following Resolutions relative to the final subdivision map of Torrey Pines Research Park, were adopted on motion of Councilman Haro:

RESOLUTION 216935, authorizing an agreement with Torrey Pines Research Park for completion of improvements in Torrey Pines Research Park, an 8-lot subdivision, located west of North Torrey Pines Road at the west end of Genesee Avenue;

RESOLUTION 216936, approving the final map of Torrey Pines Research Park; and

RESOLUTION 216937, authorizing the divestment of the City's easement by negotiated sale for the sum of \$65 for portions of Pueblo Lots 1323 and 1326; authorizing the execution of a quitclaim deed quitclaiming to Torrey Pines Research Park, said interest in unneeded water easement.

(Item 103)

The matter of Ron Currie, representing Scripps Ranch Business Park, requesting permission to address the Council, regarding sale of Torrey Pines Research Park properties to Kodak and an unnamed insurance company, was presented.

Ron Currie appeared to speak on the matter.

Councilman Morrow entered the Chambers.

(Item 103 - Continued)

A motion by Councilman Ellis to set up a Special Meeting with interested parties on a general revision of Council Policy 900-1, Economic Growth, received no vote at this time.

James Covell appeared to speak.

A motion by Councilman Ellis to place on Council docket on the general revision of Council Policy 900-1, Economic Growth, received no vote at this time.

A motion by Councilman Ellis to refer to Transportation and Land Use Committee to consider the general revision of Council Policy 900-1, Economic Growth, passed unanimously.

A motion by Councilman Ellis to file the item, passed unanimously.

(Item 200)

A proposed Resolution, authorizing an agreement with Central City Association of San Diego, Inc., San Diego Transit Corporation, and San Diego Convention and Visitors Bureau for the continued operation of the Horton Plaza Information Center, was presented.

City Manager McKinley answered questions directed by Council.

Councilmen Ellis and Haro left the Chambers.

On motion of Councilman Williams, the proposed Resolution was continued to October 13, 1976 - a.m., for information from a Committee appointed by the former Mayor Curran on improvements to the information booth.

Councilmen Ellis and Haro entered the Chambers.

(Item 203)

RESOLUTION 216938, authorizing an agreement with William L. Walton & Associates for the purpose of performing a payroll tax audit; payment to said consultant shall be 50% of any payroll tax savings received by the City as a result of the audit.

(Item 204)

A proposed Resolution, authorizing the City Manager to submit to and to execute with the California Office of Criminal Justice Planning, the application for grant for Law Enforcement purposes, "ARJIS - City of San Diego, 2nd Year"; in the event the California Office of Criminal Justice Planning consents to fund the above project from funds made available through the Omnibus Crime Control and Safe Streets Act, the City agrees to accept the grant and designates the City Manager to execute the contract for the grant for law enforcement purposes, including any extensions or amendments which do not require an additional expenditure of City funds; authorizing the City Auditor to transfer \$20,209 from the Police Department (100/15.05/3299) to the Data Processing Department (100/14.20/3299) to be set aside as cash match for this grant and to transfer \$21,307 from the Police Department (100/15.05/3299) to the Unallocated Reserve (the balance of the amount originally set aside in the Police Department Budget for this grant cash match); appropriating the required \$20,209 cash matching funds to said project under the Safe Streets Act and the rules and regulations of the California Office of Criminal Justice Planning and the Law Enforcement Assistance Administration; grant funds received shall not be used to supplant ongoing data processing or law enforcement expenditures or operations; authorizing the City Manager, without further City Council action and according to all legal requirements, to negotiate and execute agreements for contractual services that are within the scope of the grant contract; City Manager shall periodically report to Council on the progress of the grant project, was presented.

City Manager McKinley answered questions directed by Council.

RESOLUTION 216939, authorizing the City Manager to submit to and to execute with the California Office of Criminal Justice Planning, the application for grant for law enforcement purposes, "Arjis - City of San Diego, 2nd Year"; in the event the California Office of Criminal Justice Planning consents to fund the above project from funds made available through the Omnibus Crime Control and Safe Streets Act, the City agrees to accept the grant and designates the City Manager to execute a contract for the grant for law enforcement purposes, including any extensions or amendments which do not require an additional expenditure of City funds; authorizing the City Auditor to transfer \$20,209 from the Police Department (100/15.05/3299) to the Data Processing Department (100/14.20/3299) to be set aside as cash match for this grant and to transfer \$21,307 from the Police Department (100/15.05/3299) to the Unallocated Reserve (the balance of the amount originally set aside in the Police Department Budget for this grant cash match); appropriating the required \$20,209 cash matching funds to said project under the Safe Streets Act and the rules and regulations of the California Office of Criminal Justice Planning and the Law Enforcement Assistance Administration; grant funds received shall not be used to supplant ongoing data processing or law enforcement expenditures or operations; authorizing the City Manager, without further City Council action and according to all legal requirements, to negotiate and execute agreements for contractual services that are within the scope of the grant contract; City Manager shall periodically report to Council on the progress of the grant project, was adopted on motion of Councilman Haro.

(Item 205 - First Time)

A proposed Resolution, confirming the following appointments by the Mayor to the La Jolla Shores Planned District Advisory Board for terms expiring as indicated:

	<u>Term Expires</u>
Patricia M. Aeder (Reappointment)	April 1, 1978
John H. Hindrichs, Jr. (Reappointment)	April 1, 1978
Eugene Weston III (Reappointment)	April 1, 1978,

was presented.

By common consent, this item was considered at the p.m. meeting as Unfinished Business.

(Item 251)

A proposed Resolution, continued from the Meeting of September 29, 1976, for Ballard Williams to meet with City Manager, awarding a contract to R.S. Construction Co. for the sum of \$21,995.14 for construction of Morrell Street Drain; authorizing the expenditures of \$13,000 out of Flood Control and Storm Drain Bond Fund (Fund 727) and \$16,000 out of Gas Tax Unallocated Reserve (Fund 219) for said purpose and related costs, was presented.

City Manager McKinley answered questions directed by Council.

Ballard Williams appeared to speak.

Councilwoman O'Connor left the Chambers.

Mr. McKinley further answered questions directed by Council.

Councilwoman O'Connor entered the Chambers.

Mr. McKinley further answered questions directed by Council.

RESOLUTION 216940, awarding a contract to Organized Construction for the sum of \$21,397 for construction of Morrell Street Drain; authorizing the expenditures of \$13,000 out of Flood Control and Storm Drain Fund (Fund 727) and \$16,000 out of Gas Tax Unallocated Reserve (Fund 219) for said purpose and related costs, was adopted on motion of Councilman Morrow.

(Item 253)

RESOLUTION 216941, authorizing an agreement with San Diego Community College District of San Diego County, California, for improvements to baseball field no. 5 in the Morley Field Athletic Area of Balboa Park, was adopted on motion of Councilman Haro.

Mayor Wilson recessed the Meeting at 12:06 p.m. to reconvene at 2:00 p.m.

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, OCTOBER 6, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

Present-Councilmen Johnson, O'Connor, Hubbard, Morrow, Gade, Ellis, and Mayor Wilson.

Absent--Councilmen Williams and Haro.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:00 p.m.

(Item 400)

Roll Call was taken.

(Item 406)

A proposed Resolution, authorizing the City Manager to execute a Joint Exercise of Powers Agreement between The City of San Diego and the City of La Mesa providing for the joint use and development of property known as the "Padre Bay Arm" of Lake Murray, as a public park, was presented.

Councilman Ellis answered questions directed by the Council.

George Bailey, Councilman from the City of La Mesa, appeared to speak.

Councilman Haro entered the Chambers.

RESOLUTION 216942, authorizing the City Manager to execute a Joint Exercise of Powers Agreement between The City of San Diego and the City of La Mesa providing for the joint use and development of property known as the "Padre Bay Arm" of Lake Murray, as a public park, was adopted on motion of Councilman Ellis.

The Council considered requests for continuances: Item 403.

(Item 403 - CASE NO. 7560)

NOTICED HEARINGS: (Continued from the Meeting of Wednesday, July 7, 1976.)
Appeal of Charles M. Maddox, doing business as A.A. Auto Parts, from the decision of the Old San Diego Planned District Review Board in denying his application, under Case No. 7560, to maintain an existing pole sign at 4285 Taylor Street, in the Old San Diego Planned District.

Russell Tanner appeared to speak on the continuance.

Councilman Williams entered the Chambers.

On motion of Councilwoman O'Connor, the matter was continued to the Meeting of January 19, 1977, 2:00 p.m. at appellant's request.

(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 second hearing, continued from the Meeting of September 29, 1976, on the matter of Annual Council Programming for the purpose of defining City-wide goals and objectives, developing program effectiveness, and prioritizing community needs for fiscal year 1978 Budget.

Byron Ware, Bill Owen, Nan Valerio, Barbara McCarthy, Theodore Lundy, Dr. Dwight Twist, and Lawrence Fogel appeared to speak.

Councilwoman O'Connor left the Chambers.

William Rosser appeared to speak.

Councilwoman O'Connor entered the Chambers.

Clarence Pendletin, Barbara Shannon, and Art Traber appeared to speak.
City Manager McKinley answered questions directed by the Council.
Mac Strobl appeared to speak.

Councilmen Williams and Haro left the Chambers.

Mac Strobl continued to speak.

Doug Card, Ruth Schneider, Jewell Hooper, Judy Copeland, Marian Bear, Althea Cochran, Janet Crispeels, and Arthur Casey appeared to speak.

Mayor Wilson recessed the Meeting at 3:46 p.m. Upon reconvening at 4:05 p.m., the Roll Call showed Councilmen O'Connor, Williams, and Haro absent.

On motion of Councilman Johnson, the Council reconsidered Item 200, which had been considered by the Council in the morning session.

(Item 200 - Docket of Wednesday, October 6, 1976 - 8:30 a.m.)

A proposed Resolution, authorizing an Agreement with Central City Association of San Diego, Inc., San Diego Transit Corporation, and San Diego Convention and Visitors Bureau for the continued operation of the Horton Plaza Information Center, which had been continued to the Meeting of October 13, 1976, 8:30 a.m. by prior Council action, was presented for reconsideration.

Frank Curran appeared to speak.

Councilmen Haro and Williams entered the Chambers.

Frank Curran continued to speak.

RESOLUTION 216943, authorizing an Agreement with Central City Association of San Diego, Inc., San Diego Transit Corporation, and San Diego Convention and Visitors Bureau for the continued operation of the Horton Plaza Information Center, was adopted on motion of Councilman Williams.

(Item 402 - Second Time)

City Manager McKinley, Mac Strobl, and Douglas Card answered questions directed by the Council.

Discussion followed.

The motion of Councilman Gade to schedule another hearing on October 27, 1976, 2:00 p.m. Time Certain to consider formulating City-wide goals and objectives, program prioritizing and other budget policy guidelines, passed unanimously.

Jewell Hooper appeared to speak.

(Item 408 - Supplemental No. 4)

A proposed Resolution, requesting the Planning Director and the Growth Management Consultant, Dr. Freilich, to appear before the City Council at a future date for the purpose of providing the City Council with an interim report on the progress of the Growth Management Study, was presented.

Mayor Wilson answered questions directed by the Council.

Lee Grissom appeared to speak.

The motion of Councilman Hubbard that Council not create an Interim Ordinance until the Council receives an economic or fiscal analysis, died for lack of a second.

Chief Deputy City Attorney Conrad answered questions directed by the Council. Discussion followed.

(Item 408 - Supplemental No. 4 - Continued)
Councilwoman O'Connor entered the Chambers.

Discussion followed.

Councilman Ellis left the Chambers.

Discussion followed.

The motion of Councilman Gade to set a meeting during which the Planning Director and Growth Management Consultant Dr. Frelich would appear before the Council to give a complete update upon the fiscal study of the Growth Management Study at such time as that has received the recommendations of the Planning Commission and thereafter to entertain, perhaps in an immediately subsequent meeting, the subject of the draft ordinance, passed unanimously.

(Item 404 - Supplemental No. 3)

A proposed Resolution, authorizing an agreement with The Reynolds Environmental Group, Landscape/Architecture/Planning, for the development of a Master Plan of the Crescent Bay (Sail Bay) area of Mission Bay Park; authorizing the Auditor and Comptroller to expend \$57,000 from the Capital Outlay Fund No. 245 for the above described professional services and related expenses, was presented.

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

Discussion followed and the Clerk was directed to correct the docket to state that District 3 had voted "nay" on the matter in the Public Facilities and Recreation Committee Meeting of October 4, 1976.

RESOLUTION 216944, authorizing an agreement with The Reynolds Environmental Group, Landscape/Architecture/Planning, for the development of a Master Plan of the Crescent Bay (Sail Bay) area of Mission Bay Park; authorizing the Auditor and Comptroller to expend \$57,000 from the Capital Outlay Fund No. 245 for the above described professional services and related expenses, was adopted on motion of Councilman Gade by the following vote: Yeas-Councilman Johnson, O'Connor, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilman Ellis.

(Item 405- Supplemental No. 3)

A proposed Resolution, amending Resolution No. 210916 adopted June 20, 1974, to direct the Park and Recreation Director to continue collecting surcharge monies; directing the City Auditor to continue to deposit said surcharge monies into Special Fund No. 248 to be used to partially reimburse Capital Outlay Fund No. 245 for the expenses necessary to automate the irrigation system at Torrey Pines Golf Course and that all unexpended funds in Fund No. 248 be reallocated for the same purpose; this Resolution will become effective October 1, 1976, was presented.

(Item 405 - Supplemental No. 3 - Continued)

RESOLUTION 216945, amending Resolution No. 210916 adopted June 20, 1974, to direct the Park and Recreation Director to continue collecting surcharge monies; directing the City Auditor to continue to deposit said surcharge monies into Special Fund No. 248 to be used to partially reimburse Capital Outlay Fund No. 245 for the expenses necessary to automate the irrigation system at Torrey Pines Golf Course and that all unexpended funds in Fund No. 248 be reallocated for the same purpose; this Resolution will become effective October 1, 1976, was adopted on motion of Councilman Morrow.

(Item 407)

The matter of appropriating approximately \$17,000 for FY 1977 Data Processing Department Budget to provide computer programming for which \$17,000 had been budgeted in FY 1976, was presented.

Public Facilities and Recreation Committee chairman Morrow answered questions directed by the Council.

A proposed Resolution, approving and authorizing the expenditure of \$17,000 from the 100 General Fund, Unallocated Reserve to be used by the Data Processing Department in the computerization and basic programming of a comprehensive data base for all City-owned properties, was presented.

RESOLUTION 216946, approving and authorizing the expenditure of \$17,000 from the 100 General Fund, Unallocated Reserve to be used by the Data Processing Department in the computerization and basic programming of a comprehensive data base for all City-owned properties, was adopted on motion of Councilman Morrow.

The Council considered Unfinished Business from the Wednesday Morning Meeting: Item 205 - Supplemental No. 1.

(Item 205 - Supplemental No. 1)

A proposed Resolution, confirming the following appointments by the Mayor to the La Jolla Shores Planned District Advisory Board for terms expiring as indicated:

Patricia M. Aeder (Reappointment)	April 1, 1978
John H. Hinrichs, Jr. (Reappointment)	April 1, 1978
Eugene Weston III (Reappointment)	April 1, 1978

was presented.

RESOLUTION 216947, confirming the following appointments by the Mayor to the La Jolla Shores Planned District Advisory Board for terms expiring as indicated:

Patricia M. Aeder (Reappointment)	April 1, 1978
John H. Hinrichs, Jr. (Reappointment)	April 1, 1978
Eugene Weston III (Reappointment)	April 1, 1978

was adopted on motion of Councilman Morrow.

(Item 409).

A proposed Resolution, cosponsoring with the Vietnamese Alliance Association the Children's Harvest Festival to be conducted October 23, 1976 in the Balboa Park Club in Balboa Park; waiving the rental fee for use of the Balboa Park Club, was presented.

RESOLUTION 216948, cosponsoring with the Vietnamese Alliance Association the Children's Harvest Festival to be conducted October 23, 1976 in the Balboa Park Club in Balboa Park; waiving the rental fee for use of the Balboa Park Club, was adopted on motion of Councilman Morrow.

(Item 410)

A proposed Resolution, authorizing and instructing a representative of the City to present the City's position regarding the California Transportation Plan at public hearings or meetings, was presented.

Transportation and Land Use Committee Chairman Williams answered questions directed by the Council.

RESOLUTION 216949, authorizing and instructed a representative of the City to present the City's position regarding the California Transportation Plan at public hearings or meetings, was adopted on motion of Councilman Williams.

(Item 401

The matter of the applications under the 1976 Public Works Act, was presented.

City Manager McKinley presented four proposed resolutions, relative to Fire Station Site No. 3:

a - Certifying that the information contained in Environmental Negative Declaration No. 74-12-15C 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 Council;

b - Approving the acceptance by the City Manager of deed of Ettore S. Bertagnolli and William W. Hurr, and Geraldine F. Bertagnolli, and Dorothy M. Hurr;

c - Approving the acceptance by the City Manager of deed of Foster and Kleiser Division of Metromedia, Inc., conveying leasehold interest;

d - Authorizing the expenditure of \$75,950 from Capital Outlay Fund 245 to be used solely and exclusively for said acquisition.

In addition, City Manager McKinley presented a proposed Resolution, authorizing an agreement with Woodward-Clyde Consultants for engineering services for design of various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976.

Deputy City Manager Lockwood answered questions directed by the Council.

Councilwoman O'Connor left the Chambers.

Deputy City Manager Lockwood answered further questions directed by the Council.

(Item 401 - First Time - Continued)

The following Resolutions, relative to Fire Station Site No. 3:

RESOLUTION 216950, certifying that the information contained in Environmental Negative Declaration No. 74-12-15C 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 Council;

RESOLUTION 216951, approving the acceptance by the City Manager of deed of Ettore S. Bertagnolli and William W. Hirr, and Geraldine F. Bertagnolli, and Dorothy M. Hirr;

RESOLUTION 216952, approving the acceptance by the City Manager of deed of Foster and Kleiser Division of Metromedia, Inc. Lessee, conveying leasehold interest;

RESOLUTION 216953, authorizing the expenditure of \$75,950 from Capital Outlay Fund wrt to be used solely and exclusively for said acquisition; and

RESOLUTION 216954, authorizing an agreement with Woodward-Clyde Consultants for engineering services for design to various proposed improvements to City facilities included in grant applications with the Economic Development Administration, U.S. Department of Commerce for financial assistance under Title I of the Public Works Employment Act of 1976, were adopted on motion of Councilman Morrow.

(Unanimous Consent No. 1)

By Unanimous Consent granted to Mayor Wilson, a proposed Resolution, declaring the Month of October, 1976, to be "La Paz Disaster Relief Month;" expressing support of the Mayor of Tijuana in current relief efforts to aid the victims of this disaster, was presented.

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

Discussion followed.

RESOLUTION 216955, declaring the Month of October, 1976, to be "La Paz Disaster Relief Month;" expressing support of the Mayor of Tijuana in current relief efforts to aid the victims of this disaster, was adopted on motion of Councilman Haro.

At this time Councilman Haro spoke to the Organization of Border Communities.

(Item 402 - Third Time)

By common consent, Mayor Wilson read into the record a letter from the Ninth District of the California Congress of Parents and Teachers, which had been presented by Dr. Twist.

Councilman Morrow and Mayor Wilson left the Chambers, and Acting Mayor Johnson assumed the Chair.

(Item 401 - Second Time)

Deputy City Manager Lockwood and City Manager McKinley answered questions directed by the Council relative to Market Street Improvement project.

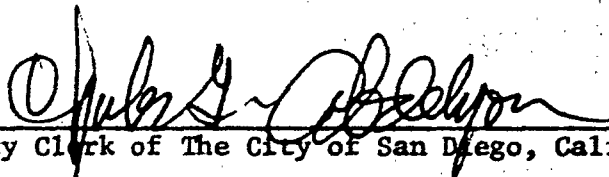
RESOLUTION 216956, authorizing the City Manager to submit a grant application to improve Market Street, from 47th Street to Euclid Avenue; revoking Resolution of Intention No. 216482, adopted on July 28, 1976, and abandoning the proposed assessment district; and transferring funds in the amount of \$290,000 previously allocated from Gas Tax Fund CIP NO. 52-063.4 into Gas Tax Fund Unallocated Reserve, CIP NO. 90-220, was adopted on motion of Councilman Williams.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 5:32 on motion of Councilman Gade.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California