

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, NOVEMBER 10, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Absent--Councilmen Williams, 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.

Councilman Haro entered the Chambers.

(Item 101)

The following Resolutions, authorizing suggestion awards and making presentations to the following employees:

a - Robert L. Dodge - Police Department - \$1,000; Rodman C.T. Burpeau - Water Utilities Department - \$825; William H. Dineen and George G. Montague - General Services Department - \$500; and

b - Edward E. Wright - Fire Department - \$465; and John A. Peterson - Water Utilities Department - \$135, were presented.

Robert L. Dodge was not present.

Leland Cook, Water Utilities Department, presented Rodman Burpeau to the Council.

Councilman Johnson presented a check and plaque to Mr. Burpeau for his suggestion.

Bob Epler, General Services department, presented William Dineen and George Montague to the Council.

Councilman Gade presented a check and plaques to the employees for their suggestion.

Councilman Williams entered the Chambers.

(Item 101 - Continued)

Chief Phillips, Fire Department, presented Edward Wright to the Council.
Councilman Ellis presented a check and a plaque to Mr. Wright.
Leland Cook, Water Utilities Department, presented John A. Peterson to the Council.

Councilman Hubbard presented a check and a plaque to Mr. Peterson.

RESOLUTION 217081, authorizing Suggestion Awards and making Presentations to the following employees: Robert L. Dodge - Police Department - \$1,000; Rodman C.T. Burpeau - Water Utilities Department - \$825; and William H. Dineen and George G. Montague - General Services Department - \$500; and

RESOLUTION 217082, authorizing Suggestion Awards and making Presentations to Edward E. Wright - Fire Department - \$465; and John A. Peterson - Water Utilities Department - \$135, were adopted on motion of Councilman Gade.

Deputy Mayor O'Connor introduced Miss Beverly Chapman, Miss Wheelchair America, who was present in the audience.

Miss Chapman addressed the Council.

(Item 102)

RESOLUTION 217083, authorizing Suggestion Awards to the following employees: Sophia C. Vidmar - Human Resources Department - \$50; Bruce J. Ero - General Services Department - \$15; Renato S. Lopez - Police Department - \$15; and Delber C. Chipmen - Engineering and Development Department - \$15, was adopted on motion of Councilman Gade.

(Item 105)

A report on the Title I option quantities in excess of \$10,000, was presented. The RETC Policy Board on November 1, 1976 took action to exercise its "Option Quantities" provisions contained within the "Special Provisions" section of the majority of its present FY '77 CETA Title I training program contracts as approved in September by the RETC Policy Board and assented to by the City and County of San Diego. The affected contracts with option increases in excess of \$10,000 are submitted to the City Council for confirmation:

<u>Contract</u>	<u>Option Increase</u>	<u>Funding Level</u>
Neighborhood House Association	\$ 61,800	\$ 349,242
MAAC	58,050	328,050
Restaurant/Hotel Consortium	36,421	205,821

(Item 105 - Continued)

<u>Contract</u> (Continued)	<u>Option Increase</u>	<u>Funding Level</u>
MAOF	\$ 48,375	\$ 773,375
Escondido Union H.S. District	10,750	60,750
Automotive Consortium	49,955	282,305
San Diego Kind Corporation	43,557	533,056
Eaton College	20,640	116,640
Assertive Training Institute	11,342	64,342
S.D. County Jobs for Progress	55,900	315,900
S.D. Apprentice & Training Coord.	97,680	541,680
Crisis House	36,677	207,270
S.D. Community College Dist.	252,065	3,220,310
Project JOVE	40,000	240,000
S.D. Urban League	25,200	235,186
Occupational Training Serv.	53,750	303,750
Episcopal Community Services	23,435	132,435
OIC-CET	28,160	156,160
City of San Diego/REGY	600,000	1,700,000
S.D. Apprentice & Training Coord.	37,344	208,531
Able/Disabled Advocacy	26,875	151,875

was presented.

City Manager McKinley answered questions directed by the Council.

The motion of Councilman Haro to adopt a Resolution assenting to these Option Increases of RETC pursuant to Joint Powers Agreement, was not voted on at this time.

Michael Yafa, RETC Policy Board, appeared to speak and answered questions directed by the Council.

RESOLUTION 217084, assenting to the following option increases in excess of \$10,000 of the Regional Employment and Training Consortium, approved by its Policy Board on November 1, 1976, and submitted to Council for confirmation pursuant to the Joint Powers Agreement:

<u>Contract</u>	<u>Option Increase</u>	<u>Funding Level</u>
Neighborhood House Association	\$ 61,800	\$ 349,242
MAAC	58,050	328,050
Restaurant/Hotel Consortium	36,421	205,821
MAOF	48,375	773,375
Escondido Union High School District	10,750	60,750
Automotive Consortium	49,955	282,305
San Diego Kind Corporation	43,557	533,056
Eaton College	20,640	116,640
Assertive Training Institute	11,342	64,342
S.D. County Jobs for Progress	55,900	315,900
S.D. Apprentice & Training Coord.	97,680	541,680
Crisis House	36,677	207,270
S.D. Community College District	252,065	3,220,310

(Item 105 - Continued)

<u>Contract</u>	<u>Option Increase</u>	<u>Funding Level</u>
Project JOVE	\$-40,000	\$ 240,000
S.D. Urban League	25,200	235,186
Occupation Training Service	53,750	303,750
Episcopal Community Services	23,435	132,435
OIC-CET	28,160	156,160
City of San Diego/REGY	600,000	1,700,000
S.D. Apprentice & Training Coord.	37,344	208,531
Able/Disabled Advocacy	26,875	151,875

was adopted on motion of Councilman Haro.

The Council considered requests for continuances: Item 158.

(Item 158)

RESOLUTIONS: Authorizing the sale of Lots 13 through 18, Block 24, Western Addition, to John E. Morris for the sum of \$53,300; authorizing the Mayor and City Clerk to execute a grant deed granting to John E. Morris the above described property; 6% broker's commission shall be paid by City on above described sale.

City Manager McKinley answered questions directed by the Council.

On motion of Councilman Gade, the proposed Resolution was continued to the Meeting of November 17, 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, 121, 122, 123, 124, 125, 126, and 127.

The following Ordinances were introduced at the Meeting of October 26, 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 Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-None. Absent-Mayor Wilson.

(Item 120 - CASE NO. 45-76-1)

ORDINANCE 11938 (New Series), incorporating Lots 2 and 4, Oaks North Unit 1, located on the east side of Pomerado Road and north of Oaks North Drive, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 8766 (New Series), adopted December 13, 1962 and Ordinance No. 10604 (New Series), adopted June 24, 1971, of the Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 121 - CASE NO. 48-76-10)

ORDINANCE 11939 (New Series), incorporating a portion of the Southwest 1/4, Section 26, and a portion of the Southeast 1/4, Section 27, Township 18 South, Range 2 West, S.B.N.M., into M-1B Zone, as defined by Section 101.0435.2 of the San Diego Municipal Code, and repealing Ordinance No. 10862 (New Series), adopted June 29, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 122 - CASE NO. 48-76-9)

ORDINANCE 11940 (New Series), incorporating a portion of the Northeast 1/4 of the Northeast 1/4, Section 2, Township 19 South, Range 2 West, S.B.B.M., into M-1P Zone, as defined by Section 101.0435.1 of the San Diego Municipal Code, and repealing Ordinance No. 10862 (New Series), adopted June 29, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 123 - CASE NO. 35-76-5)

ORDINANCE 11941 (New Series), incorporating portions of Pueblo Lots 1202 and 1203, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 13457, approved February 15, 1932, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 124 - CASE NO. 48-76-8)

ORDINANCE 11942 (New Series), incorporating portions of Blocks 5, 6, 7, 15 and 16, and portions of streets and alleys therein to be closed, Tia Juana City Re-Filed, into C-1 Zone, as defined by Section 101.0430.1 of the San Diego Municipal Code, and repealing Ordinance No. 8028 (New Series), adopted December 18, 1958, and Ordinance No. 10862 (New Series), adopted June 29, 1972, of the Ordinances of The City of San Diego insofar as they conflict herewith.

The following Ordinances were introduced at the Meeting of October 27, 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 Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-None. Absent-Mayor Wilson.

(Item 125 - CASE NO. 42-73-6/EOT 2)

ORDINANCE 11943 (New Series), amending Ordinance No. 11143 (New Series), adopted October 18, 1973, amended by Ordinance No. 11756 (New Series), adopted January 7, 1976, incorporating a portion of Pueblo Lot 1110, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code.

(Item 126 - CASE NO. 48-74-3/EOT)

ORDINANCE 11944 (New Series), amending Ordinance No. 11406, (New Series), adopted October 10, 1974, incorporating a portion of the Northwest 1/4, Section 35, Township 18 South, Range 2 West, S.B.M., Record of Survey 2371, into M-1P Zone, as defined by Section 101.0435.1 of the San Diego Municipal Code.

(Item 127)

ORDINANCE 11945 (New Series), consenting to the transfer of the non-exclusive right, privilege and franchise to lay and use lines, wires, coaxial cable and appurtenances for transmitting, distributing and supplying radio and television antenna service along, across and upon the public streets, ways, alleys and places in all areas within the corporate limits of The City of San Diego lying northerly of the San Diego River Channel, excepting and excluding the Rancho San Bernardo CATV Franchise service area as described in The City of San Diego Ordinance No. 8926 (New Series), from Southwestern Cable Company to American Television and Communications Corporation.

The Council considered the portion of the Consent Agenda dealing with Ordinances to be introduced: Item 200.

(Item 200)

A proposed Ordinance, amending Chapter III, Article 3, Division 32, of the San Diego Municipal Code by adding Section 33.3208; and amending Chapter III, Article 1, Division 3, by amending Section 31.0391 relating to swap meets and swap lots, was introduced on motion of Councilman Haro by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-None. Absent-Mayor Wilson.

The Council considered the remainder of the Consent Agenda, which consisted of Items 150, 151, 152, 153, 154, 155, 156, 157, 159, 160, 161, 162, 164, 165, 166, and 167.

There was discussion on Item 152.

(Item 150)

RESOLUTION 217085, inviting bids for construction of traffic signal and safety lighting systems at the intersection of Route 54 - Reo Drive and Tonawanda Drive/Valley Road in accordance with Specifications Document No. 757155, was adopted on motion of Councilman Gade.

(Item 151)

RESOLUTION 217086, inviting bids for Southcrest Senior Center Restrooms in accordance with Specifications Document No. 757155, was adopted on motion of Councilman Gade.

(Item 152)

RESOLUTION 217087, inviting bids for construction of security barrier, City Administration Building in accordance with Specifications Document No. 757154, was adopted on motion of Councilman Gade.

(Item 153)

The following Resolutions, relative to the Final Subdivision Map of Holly Hills Vista Unit No. 8, were adopted on motion of Councilman Gade:

RESOLUTION 217088, authorizing an agreement with H. D. Reed, Inc., for the completion of improvements in Holly Hills Vista Unit No. 8, a 36-lot subdivision located northerly of Paradise Valley Road and at the terminus of Deep Dell Road;

RESOLUTION 217089, approving the final map and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program; and

RESOLUTION 217090, approving the acceptance by the City Manager of deed of Charles L. and Mary Fisher (water easement purposes).

(Item 154)

The following Resolutions, relative to the Final Subdivision Map of Meadowbrook UNIR Subdivision, were adopted on motion of Councilman Gade:

RESOLUTION 217091, authorizing an agreement with Ray L. Huffman Construction, Inc. and Chilcote, Inc., for completion of improvements in Meadowbrook UNIR Subdivision, a 48-lot subdivision located southerly of Jamacha Road and northerly of Anza Drive; and

RESOLUTION 217092, approving the final map and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program.

(Item 155)

The following Resolutions, relative to the construction of the Soledad Mountain Water Pumping Plant at the existing Soledad Mountain Reservoir and certain appurtenant work in La Jolla Scenic Drive between King Arthur Court and the Soledad Mountain Reservoir, and between Nautilus Street and Soledad Mountain Road, were adopted on motion of Councilman Gade:

RESOLUTION 217093, approving the plans, specifications, and Plat No. 3913 of the assessment district; and

RESOLUTION OF INTENTION 217094, setting the time and place for hearing protests.

(Item 156)

The following Resolutions, relative to Standley Park Assessment District, were adopted on motion of Councilman Gade:

RESOLUTION 217095, authorizing an agreement with Stone & Youngberg successful bidder for the purchase of bonds to be issued for the Park Assessment District, providing for the issuance, sale, and delivery of the bonds; and

RESOLUTION 217096, proposing to change the date of the above bonds; and fixing the time and place for hearing protests and objections to the change and giving notice thereof.

(Item 157)

RESOLUTION 217097, authorizing the execution of a deed conveying to the San Diego Gas & Electric Company an easement for power line poles and anchor purposes across a portion of Pueblo Lots 1106, 1107, 1173 and 1174, was adopted on motion of Councilman Gade.

(Item 159)

RESOLUTION 217098, authorizing a lease agreement with Mission Cable TV, Inc., leasing 625 square feet of land being a portion of Lot 54, Rancho De La Nacion, for a period of five years, at a monthly rental of \$100, for the operation and maintenance of a commercial television and radio receiving antennae system; waiving the requirements of Council Policy 700-10, was adopted on motion of Councilman Gade.

(Item 160)

RESOLUTION 217099, authorizing an agreement with Toups Corporation, for aerial photogrammetric surveying and mapping service; authorizing the expenditure of not to exceed \$50,000 from the Second Year Block Grant Fund 290 to provide for said services, was adopted on motion of Councilman Gade.

(Item 161)

RESOLUTION 217100, authorizing an agreement with Van Dyke/Halsey Design Group, Inc. for professional landscape architectural 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; authorizing the expenditure of \$40,000 out of General Fund 100 (Unallocated Reserve) for above-referenced services, was adopted on motion of Councilman Gade.

(Item 162)

The following Resolutions, relative to First Amendments to Agreements - Public Works Employment Act projects, were adopted on motion of Councilman Gade:

RESOLUTION 217101, J.J.J. Kennedy & Associates, Land Architects, for professional landscape design services at various City parks and recreation facilities by amending the agreement to provide an additional sum of \$48,900 for compensation, and reimbursement expenses; authorizing the Auditor and Comptroller to transfer within the General Fund 100 the sum of \$48,900 from the Unallocated Reserve (53.31) to the Allocated Reserve (53.20) to be used for the above purpose; and

RESOLUTION 217102, Victor Wulff, Architect, AIA & Associates, for professional design services at various City parks and recreation facilities by amending the agreement to provide an additional sum of \$98,300 for compensation, and reimbursement expenses; authorizing the Auditor and Comptroller to transfer within the General Fund 100 the sum of \$98,300 from the Unallocated Reserve (53.31) to the Allocated Reserve (53.20) to be used for the above purpose.

(Item 164)

RESOLUTION 217103, consenting to a joint public hearing with the Redevelopment Agency of The City of San Diego in accordance with the California Redevelopment Law; designating December 7, 1976, at 2:00 p.m. as the date and time for said hearing to consider the adoption of the Marina Redevelopment Plan, was adopted on motion of Councilman Gade.

(Item 165)

RESOLUTION 217104, authorizing the City Treasurer to pay the sum of \$637.50 to Bank of America National Trust and Savings Association, Los Angeles, in lieu of coupons due November 1, 1976, which were lost, mislaid, destroyed or stolen, from Bonds Nos. 1249, 1250, 1251, 1252 and 1253, City of San Diego Sewer Revenue Bonds 1966, Series B; and directing the City Treasurer to initiate a Stop Payment against these coupons cited hereinabove and place in the City Treasurer's files the letter of indemnity from Bank of America dated August 16, 1976, was adopted on motion of Councilman Gade.

(Item 166)

RESOLUTION 217105, excusing Councilman Lee Hubbard from the Special Council Meeting of Tuesday, October 19, 1976 for the purpose of vacation, was adopted on motion of Councilman Gade.

(Item 167)

RESOLUTION 217106, excusing Councilman Gil Johnson from the morning session of the Council Meeting of Wednesday, November 3, 1976, due to his attendance at the Stadium Authority Board of Governors Special Meeting as the Council Liaison, was adopted on motion of Councilman Gade.

(Item 163)

A proposed Resolution, accepting the generous bequest of \$20,000 and other funds yet to be distributed from San Diego Trust and Savings Bank acting as Executor of the Estate of Anita Wells, deceased; authorizing the Auditor and Comptroller to establish a trust fund entitled "Anita Wells Trust Fund for the Edwin Benjamin Branch Library (Allied Gardens)" to be used exclusively for expenditures solely to benefit the Benjamin Branch Library as stipulated in the will of Anita Wells, was proposed.

The bequest was acknowledged.

RESOLUTION 217107, accepting the generous bequest of \$20,000 and other funds yet to be distributed from San Diego Trust and Savings Bank acting as Executor of the Estate of Anita Wells, deceased; authorizing the Auditor and Comptroller to establish a trust fund entitled "Anita Wells Trust Fund for the Edwin Benjamin Branch Library (Allied Gardens)" to be used exclusively for expenditures solely to benefit the Benjamin Branch Library as stipulated in the will of Anita Wells, was adopted on motion of Councilman Ellis.

(Item 201)

The following Resolutions, relative to revised connection charges for new water and sewer services:

a - Establishing a fee schedule and rules for charging for City connections to public sewers pursuant to San Diego Municipal Code, Section 64.13; rescinding Resolution No. 210050, which previously established sewer connection charges; and

b - Establishing a fee schedule and rules for charging for City installation of backflow prevention devices and City installation of, and the perpetual maintenance of, all water services, meters and appurtenances pursuant to San Diego Municipal Code, Section 67.05; rescinding Resolution No. 210051, which previously established certain water connection charges, were presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 217108, establishing a fee schedule and rules for charging for City connections to public sewers pursuant to San Diego Municipal Code, Section 64.13; rescinding Resolution No. 210050, which previously established sewer connection charges; and

RESOLUTION 217109, establishing a fee schedule and rules for charging for City installation of backflow prevention devices and City installation of, and the perpetual maintenance of, all water services, meters and appurtenances pursuant to San Diego Municipal Code, Section 67.05; rescinding Resolution No. 210051 which previously established certain water connection charges, were adopted on motion of Councilman Williams.

(Item 202)

The following proposed ordinances, relative to Cardroom License Fees:

a - Amending Chapter II, Article 3, Division 16, of the San Diego Municipal Code by amending Section 33.1625.2 relating to Cardroom Application--Contents--License Work Permit; and

b - Amending Chapter III, Article 3, Division 16, of the San Diego Municipal Code by repealing Section 33.1625.9 and amending Sections 33.1625.5(d), 33.1625.6, and 33.1625.13 relating to Cardroom Licenses, were presented.

(Item 202 - Continued)

Public Services and Safety Committee Consultant Carpi answered questions directed by the Council.

Chief Deputy City Attorney Katz presented the following proposed Ordinance for (b): Amending Chapter III, Article 3, Division 16, of the San Diego Municipal by repealing Sections 33.1625.9 and 33.1625.13 and amending Sections 33.1625(d) and 33.1625.6; amending Chapter III, Article 1, Division 1, by adding Section 31.0110(t); and amending Chapter III, Article 1, Division 3, by adding Section 31.0396 relating to Cardroom Table License Tax.

Mr. Carpi and Ken Ahlgren, Financial Management Department, answered questions directed by the Council.

By common consent the Council agree to consider individual changes voted on by the Public Services and Safety Committee on September 9, 1976.

The motion of Councilman Haro to approve Change No. 1 - permit cashing of checks in card rooms, was not voted on at this time.

Ray Henderson appeared to speak.

Captain LaMott, Police Department, and Mr. Katz answered questions directed by the Council.

The vote was then taken on the previous motion of Councilman Haro which passed by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Gade, Haro, and Deputy Mayor O'Connor. Nays-Councilmen Hubbard and Ellis. Absent-Mayor Wilson.

The motion of Councilman Haro to approve Change No. 2 - increase the maximum number of players allowable per table from seven to eight, passed unanimously.

The motion of Councilman Haro to approve Change No. 3 - increase the maximum hourly charge per player from \$2.00 to \$2.50, passed unanimously.

The motion of Councilman Haro to approve Change No. 4 - delete the current provisions relating to United States citizenship and County residency requirements for card room license and work permit applications, passed unanimously.

The motion of Councilman Haro to approve Change No. 5 - License Investigation Fee: a - Decrease fee from \$50 to \$25 for an existing card room location; b - Increase fee from \$50 to \$220 for a new card room location. Work Permit Fee: a - Increase fee from \$10 to \$20 for a new application; b - Increase fee from \$10 to \$15 for a renewal application, passed unanimously.

Mr. Carpi answered questions directed by the Council.

The motion of Councilman Haro to approve Change No. 6 - Increase Card Table License Fee from \$20 per table per month to \$30 per month for each of the first two tables and \$40 for each of the tables in excess of two, was not voted on at this time.

City Manager McKinley answered questions directed by the Council.

The vote was then taken on the previous motion of Councilman Haro which passed by the following vote: Yeas-Councilmen Johnson, Williams, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-Councilmen Hubbard and Morrow. Absent-Mayor Wilson.

The motion of Councilman Haro to approve the concept of placing card table license fees in Sections 31.0110 and 31.0396 rather than 33.1625.13, was not voted on at this time.

Discussion followed.

(Item 202 - Continued)

The motion of Councilman Haro to approve the concept of placing card table license fees in Sections 31.0110 and 31.0396 rather than 33.1625.13 of the San Diego Municipal Code, passed by the following vote: Yeas-Councilmen Johnson, Williams, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-Councilmen Hubbard and Morrow. Absent-Mayor Wilson.

The following proposed Ordinances were introduced on motion of Councilman Haro by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Gade, Ellis, Haro, and Deputy Mayor O'Connor. Nays-Councilman Hubbard. Absent-Mayor Wilson.

a - (as amended) Amending Chapter III, Article 3, Division 16, of the San Diego Municipal Code by amending Section 33.1625.2 relating to Cardroom Application -- Contents--License Work Permit; and

b - (alternate) Amending Chapter III, Article 3, Division 16, of the San Diego Municipal Code by repealing Sections 33.1625.9 and 33.1625.13 and amending Sections 33.1625.5(d) and 33.1625.6; amending Chapter III, Article 1, Division 1, by adding Section 31.0110(t); and amending Chapter III, Article 1, Division 3, by adding Section 31.0396 relating to Cardroom Table License Tax.

(Item 104)

Deputy Mayor O'Connor welcomed forty students from Patrick Henry High School accompanied by Arthur Polk.

Councilman Ellis addressed the group.

(Item 103)

Deputy Mayor O'Connor welcomed and addressed thirty-five students from Loma Portal Elementary School accompanied by Joyce Crosthwait.

Deputy Mayor O'Connor recessed the Regular Meeting at 9:57 a.m. Upon reconvening at 10:19 a.m., the roll call showed Councilmen Williams, Morrow, Haro, and Mayor Wilson absent.

(Item 255 - Supplemental No. 2 - First time.)

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 October 27 and November 3, 1976, on the matter of City Council formulating city-wide goals and objectives, program priorities, and other budget policy guidelines. The Council shall take into consideration the City Manager's "basis for programming," Council staff recommendations, and the results of the public hearings on Annual Council Programming conducted in September. (Council Policy No. 000-20 Annual Council Programming.)

By common consent, the Council trailed the matter.

The Council considered Unfinished Business from Tuesday Meeting: Item 4.

(Item 4 - Supplemental No. 3 - Tuesday, November 9, 1976)

The matter, continued from the Meeting of November 9, 1976, of a convention facility within the proposed Columbia Redevelopment Project.

Deputy City Attorney Valderhaug answered questions directed by the Council.

John Fowler, Engineering and Development, answered questions directed by the Council.

Councilmen Williams, Morrow, and Haro entered the Chambers.

Mr. Silberman answered questions directed by the Council.

Mayor Wilson entered the Chambers and assumed the Chair.

Mr. Silberman continued answering questions directed by the Council.

On motion of Councilman Johnson, the Council accepted the verbal report.

Deputy City Attorney Valderhaug answered questions directed by the Council.

Discussion followed regarding the matter of Navy Field on the Redevelopment Agency docket for 2:00 p.m.

Mr. Silberman appeared to speak and answered questions directed by the Council on the matter.

Mr. Valderhaug and Mr. Fowler answered questions directed by the Council.

Councilwoman O'Connor left the Chambers.

Mr. Silberman answered further questions directed by the Council.

City Manager McKinley answered questions directed by the Council.

Councilwoman O'Connor entered the Chambers.

At this time, the Council returned to consideration of the docket.

The Council considered Items 252 and 253 simultaneously.

(Items 252 and 253)

A proposed Resolution, continued from the Meetings of July 28, August 18, September 15, October 13, and November 3, 1976, declaring Colwell-Windsor Development Co., subdividers of Del Cerro Heights Unit 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 subdividers and to Surety Company of the Pacific; authorizing the City Manager to complete or cause to be completed, said improvements; and

The following Resolutions, relative to Del Cerro Heights Unit No. 2 Subdivision:

a - Authorizing an agreement with Colwell-Windsor Development Co., for the improvement of Camino Rico; and

b - Granting Colwell-Windsor Development Co., subdivider of said subdivision, an Extension of Time of one year to complete improvements, were presented.

City Manager McKinley answered questions directed by the Council.

Councilman Williams left the Chambers.

The following Resolutions, relative to Del Cerro Heights Unit No. 2 Subdivision, were adopted on motion of Councilman Ellis:

RESOLUTION 217110, authorizing an agreement with Colwell-Windsor Development Co., for the improvement of CAMINO RICO; and

RESOLUTION 217111, granting Colwell-Windsor Development Co., subdivider of said subdivision, an Extension of Time of one year to complete improvements.

By the same motion, the proposed Resolution, declaring Colwell-Windsor Development Co., subdividers of Del Cerro Heights Unit 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 subdividers and to Surety Company of the Pacific; authorizing the City Manager to complete or cause to be completed, said improvements, was filed.

Councilman Williams entered the Chambers.

(Item 254)

The following proposed Resolutions, relative to acquiring right-of-way for the widening of Palm Avenue between I-5 and Hawaii Avenue:

a - authorizing the City Attorney to commence action in Superior Court to acquire, under Eminent Domain Proceedings property and easements for the construction, operation and maintenance of a public street (PALM AVENUE) together with earth excavations, embankments, slope or slopes, and a storm drain or drains and appurtenances thereto in portions of Section 22, Township 18 South, Range 2 West; and

(Item 254. - continued)

b - authorizing the expenditure of \$175,000 out of Gas Tax Fund 220, for the acquisition of all rights of way for the widening of Palm Avenue, were presented.

The motion of Councilman Haro to continue the matter to the Meeting of November 24, 1976 - a.m. for further review, was not voted on at this time.

A man from the audience appeared to speak on the matter, but as his testimony would not be on the subject of the continuance, his testimony was not heard.

Assistant City Attorney Teaze answered questions directed by the Council.

The vote was then taken on the previous motion of Councilman Haro, which passed unanimously, and the matter was continued to the Meeting of November 24, 1976 - a.m. for further review.

Mayor Wilson recessed the Regular Meeting at 11:39 a.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:11 p.m., the roll call showed Councilmen Williams, Gade, and Mayor Wilson absent.

There were no requests for continuances.

Councilman Gade entered the Chambers.

(Item 401)

The hour of 2:00 p.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meetings of January 29 and February 12, 1976, on the matter of Mira Mesa Boulevard, Phase I Assessment District.

a - Proposed acquisition and improvement of Mira Mesa Boulevard between existing Mira Mesa Boulevard near Parkdale Avenue and I-805 north of Carroll Canyon Road - the improvements consisting of grading and the construction of paving, curbs, getters, ditches, dikes and storm drain facilities - under Resolution of Intention 214894; and

b - Proposed changes to the Mira Mesa Boulevard, Phase I Assessment District consisting of revised plan sheets, additional plan sheets for traffic signals and safety lighting facilities providing a street crossing for equestrians, certain revised and additional pages for the specifications, a revised estimate of costs and expenses, an amended sheet of the diagram, and a revision of the entire proposed assessment - under Resolution 216958.

City Manager McKinley and Special Bond Counsel Frank Hamilton answered questions directed by the Council.

The motion of Councilman Johnson to continue the matter to the Meeting of November 23, 1976 - 2:00 p.m. Time Certain at the request of Bond Counsel, was not voted on at this time.

Assistant City Attorney Teaze, Mr. Hamilton, and City Clerk Nielsen answered questions directed by the Council.

Councilman Morrow left the Chambers.

Ann Lounsberry and Vernon Engles appeared to speak regarding the continuance.

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

RESOLUTION 217112, continuing the hearings on the proposed acquisition and proposal to pave and otherwise improve Mira Mesa Boulevard between existing Mira Mesa Boulevard near Parkdale Avenue and I-805 north of Carroll Canyon Road, under Resolution of Intention No. 214894, adopted December 17, 1975, last continued from the meeting of February 12, 1976, and the hearing on the changes proposed by Resolution No. 216958, to the hour of 2:00 p.m., Tuesday, November 23, 1976.

(Item 203)

A proposed Resolution, continued from the Meeting of October 27, 1976, authorizing the City Manager to negotiate the sale at fair market value of a strip of City-owned land adjoining Lot 46, La Jolla Farms Subdivision, to Richard K. Livett and James Lambert, subject to the following conditions:

1. That the developers notify any subsequent purchaser of lots within the proposed subdivision that the proposed subdivision is adjacent to the University of California and due to this proximity there are traffic, parking, and student-related problems. This notification is to be included in the White report required by the Commissioner of Real Estate in order to sell the lots within the proposed subdivision and in the deed conveying the property to subsequent purchasers.
2. That the developers be restricted to only one access point from the proposed subdivision to North Torrey Pines Road.
3. That the developers relinquish any existing access rights to North Torrey Pines Road that Lot 5 of the proposed subdivision may hold, was presented.

Councilman Morrow entered the Chambers.

City Manager McKinley answered questions directed by the Council.

Mayor Wilson entered the Chambers and assumed the chair.

Dr. Don Stewart appeared to speak in opposition.

Richard K. Livett appeared to speak in favor.

Assistant Property Department Director Hagar, answered questions directed by the Council.

The motion of Councilman Johnson to adopt the proposed Resolution as amended subject to the recommendation of the Transportation and Land Use Committee and that a subdivision map is filed consolidating this property with the adjoining property owned by Mr. Livett, was not voted on at this time.

Assistant City Attorney Teaze answered questions directed by the Council.

The vote was then taken on the previous motion of Councilman Johnson, which passed unanimously and the following amended Resolution was adopted:

RESOLUTION 217113, authorizing the City Manager to negotiate the sale at fair market value of a strip of City-owned land adjoining Lot 46, La Jolla Farms Subdivision, to Richard K. Livett and James Lambert, with said conveyance subject to the following conditions:

1. That the developers notify any subsequent purchaser of lots within the proposed subdivision that the proposed subdivision is adjacent to the University of California and due to this proximity there are traffic, parking, and student-related problems. This notification is to be included in the White report required by the Commissioner of Real Estate in order to sell the lots within the proposed subdivision and in the deed conveying the property to subsequent purchasers.
2. That the developers be restricted to only one access point from the proposed subdivision to North Torrey Pines Road.

(Item 203 - Continued)

3. That the developers relinquish any existing access rights to North Torrey Pines Road that Lot 5 of the proposed subdivision may hold.

4. That the sale be subject to the filing of a final subdivision map incorporating the City-owned land in the adjacent property.

(Item 204)

A proposed Resolution, setting aside in a special fund \$50,000 from the Facilities Reserve Fund to be combined with \$50,000 to be received from the Committee of One Hundred, to be used for the refurbishing of the Spreckles Organ Pavilion in Balboa Park; approving in concept the setting aside of another \$25,000 from Facilities Reserve 223 Fund to be matched by an additional \$25,000 to be raised by the Committee of One Hundred for the purpose of refurbishing the Organ Pavilion; authorizing and directing the City Manager to work with Committee of One Hundred to establish specific plans for the refurbishing of the Organ Pavilion, was presented.

Councilman Williams entered the Chambers.

The motion of Councilman Haro to amend the proposed Resolution with the amendment that the City add an additional \$100,000 if the Committee of One Hundred can raise matching funds, and adopt as amended, received no vote at this time.

Mrs. Bea Evenson appeared to speak.

City Manager McKinley answered questions directed by the Council.

The vote was then taken on the previous motion of Councilman Haro, which passed unanimously, and the following Resolution was adopted:

RESOLUTION 217114, authorizing \$50,000 from the Facilities Reserve 223 Fund to be set aside in a special fund and combined with \$50,000 to be received from the Committee of One Hundred and used for the refurbishing of the Spreckles Organ Pavilion in Balboa Park; ^{approving in concept} setting aside of another \$125,000 from said Facilities Reserve 223 Fund to be matched by an additional \$125,000 to be raised by the Committee of One Hundred for the purpose of refurbishing the Organ Pavilion; authorizing and directing the City Manager to work with the Committee of One Hundred to establish specific plans for the refurbishing of the Organ Pavilion which refurbishing will be done through the City by City Contract and/or City forces.

The following Ordinances were introduced at the Meeting of October 26, 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 written or printed copies of each Ordinance.

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

(Item 250 - CASE NO. 7-76-1)

ORDINANCE 11946 (New Series), incorporating portions of Lots 8 and 9, Trojan Heights, and portions of 54th Place, 54th Street, and Trojan Avenue to be vacated, located on the south side of Trojan Avenue between 54th Street and 54th Place, into CO Zone as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 13559, approved July 11, 1932, of the ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 251 - CASE NO. 7-76-2)

ORDINANCE 11947, incorporating Lot 1, Lemon Villa Resubdivision No. 2, located on the east side of 54th Street between Trojan Avenue and Orange Avenue, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 11698 (New Series), adopted October 8, 1975, of the ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 403)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on vacating a portion of Friars Road between State Highway 163 and Frazee Road - on Resolution of Intention 216913.

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

(Item 403 - Continued)

Assistant Director Hagar, Property Department, answered questions directed by the Council.

The hearing was closed and the following Resolutions adopted on motion by Councilman Morrow.

RESOLUTION 217115, certifying that the information contained in Environmental Negative Declaration No. 73-5-1035.1P (Amended) has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration as amended has been reviewed and considered by the Council;

RESOLUTION 217116, vacating a portion of Friars Road between State Highway 163 and Frazee Road in accordance with Resolution of Intention No. 216913; and

RESOLUTION 217117, authorizing the sale by negotiation to R. E. Hazard Contracting Company, the adjacent property owner, the City's fee title to portions of Pueblo Lots 1106, 1107, 1173 and 1174 for the sum of \$76,300; authorizing the execution of a grant deed conveying said property, which is surplus to City needs, to R. E. Hazard Contracting Company; waiving the requirements of Council Policy 700-30 as to advertising and public notice.

(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 vacating a portion of Via de la Valle adjacent to Parcel 1, Parcel Map No. 3594, being also a portion of Lot 4, San Diego Center Unit 3 - on Resolution of Intention 216914.

Superintendent J. R. Crosby, Engineering and Development Department, presented his report.

Assistant Director Hagar, Property Department, answered questions directed by the Council regarding the appraisal price.

The hearing was closed and the following Resolutions adopted on motion by Councilman Johnson.

RESOLUTION 217118, certifying that the information contained in First Amendment to Environmental Impact Report No. 73-7-1019P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Amendment to the Report has been reviewed and considered by the Council;

RESOLUTION 217119, vacating 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 in accordance with Resolution of Intention No. 216914; and

RESOLUTION 217120, authorizing the sale by negotiation to John C. Mabee, the adjacent property owner, the City's fee-title to a portion of Section 1, Township 14 South, Range 4 West, S.B.B.M., for the sum of \$1,500; authorizing the execution of a grant deed conveying said property, which is surplus to City needs, to John C. Mabee; waiving the requirements of Council Policy 700-30 as to advertising and public notice.

(Item 405 - CUP 455-PC)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the application of Yves and Heddy Duval, owners, and Coronado View Estates, permittee, for permission, under Conditional Use Permit No. 455-PC, to construct and operate a 152-space mobile home park with accessory facilities, parking, and landscaping, located south of State Highway 94 between Kelton Road and 60th Street, more particularly described as a portion of Lot 18, Rancho Mission of San Diego, C.C. 348, in the R-1-5 (portion in Hillside Review Overlay) Zone.

Mrs. Hooper appeared to address the Council in opposition to the application.

A motion by Councilman Williams to suspend the rules to allow 20 minutes per side for public testimony, passed unanimously.

Mayor Wilson recessed the Meeting at 3:18 p.m. Upon reconvening at 3:39 p.m., the Roll Call showed Councilmen O'Connor and Haro absent.

Ken Klein, Planning Department, presented his report.

Councilwoman O'Connor entered the Chambers.

Attorney Norman Seltzer appeared to address the Council in favor of the application.

Councilman Haro entered the Chambers.

John Baldwin appeared to address the Council in favor of the application.

Vernon Sakuma, Black Federation, Joe Perry, President, Emerald Hills Town Council, Reverend Mac Phatter, Mrs. Hazel M. Higgins, Southeast Development Committee, Mrs. Jewell Hooper, Edward C. Jackson and Esther Welles, San Diego Urban League, appeared to address the Council in opposition to the application.

Mr. Baldwin answered questions directed by the Council.

Mr. Klein, City Manager McKinley and Assistant City Attorney Teaze answered questions directed by the Council.

A motion by Councilman Williams to close the hearing, adopt the Environmental Negative Declaration No. 76-05-08P, and deny the Conditional Use Permit No. 455-PC, received no vote at this time.

Mrs. Hooper answered questions directed by the Council regarding low and moderate priced housing in this area.

Councilman Ellis left the Chambers.

Attorney Seltzer spoke in rebuttal to the opposition.

Councilman Ellis entered the Chambers.

(Item 405 - CUP 455-PC - Continued)

The Council discussed the matter.

Mrs. Hooper and Mr. Baldwin answered questions directed by the Council.

The Council discussed the matter.

The hearing was closed on motion of Councilman Williams and the following findings made:

1. The proposed facility will not contribute to the general well being of the neighborhood or community in that the best interests of the neighborhood would be served by construction of conventional housing.

2. The proposed use would be detrimental to the public health, safety and general welfare of personnel working or residing in the area in that the mobile home park will materially alter the pattern and stability of existing development.

3. The proposed use would comply with applicable regulations.

4. The proposed use would adversely affect the General Plan and Community Plan in that the mobile home park would not provide for a general benefit to the community because development would not relate to the surrounding community and become a part thereof.

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

RESOLUTION 217121, certifying that the information contained in Environmental Negative Declaration No. 76-05-08P 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 217122, denying the application of Yves and Heddy Duval, owners, and Coronado View Estates, permittee, for permission under Conditional Use Permit No. 455-PC, to construct and operate a 152-space mobile home park with accessory facilities, parking and landscaping, located south of State Highway 94, between Kelton Road and 60th Street, more particularly described as a portion of Lot 18, Rancho Mission of San Diego, C.C. 348, in the R-1-5 (portion in Hillside Review Overlay) Zone.

(Item 402)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the installation of a sewer main, house connection sewers, and appurtenances in Sunrise Drive from Sycamore Road to the terminus - on Resolution of Intention 216912.

No testimony was taken.

RESOLUTION 217123, continuing the hearings on the proposed installation of sewer main, house connection sewers, and appurtenances in Sunrise Drive from Sycamore Road to the terminus, under Resolution of Intention No. 216912, was adopted on motion of Councilman Gade.

Mayor Wilson recessed the Meeting at 5:23 p.m. Upon reconvening at 5:45 p.m., the Roll Call showed Councilmen O'Connor, Morrow and Ellis absent.

(Item 255 - Supplemental #2 - Second Time)

A motion by Councilman Gade to continue the matter one week until November 17, 1976, 2:00 p.m. Time Certain, due to the lack of time, passed unanimously.

(Unanimous Consent No. 1)

By Unanimous Consent granted to Mayor Wilson, a Resolution instructing the City's delegate to the Comprehensive Planning Organization (CPO)" to register the City's concerns over development of the Outer Continental Shelf and requesting that the City be involved in and informed of progress in that program, was presented.

RESOLUTION 217125, instructing the City's Delegate to the Comprehensive Planning Organization ("CPO") to register the City's concerns over development of the Outer Continental Shelf and requesting that the City be involved in and informed of progress in that program, was adopted on motion of Councilman Gade.

(Unanimous Consent No. 2)

By Unanimous Consent granted to Councilman Williams, a Resolution excusing Councilman Leon Williams from the morning and afternoon sessions of the City Council meeting of November 17, 1976, for the purpose of attending the League of California Cities meeting in Sacramento, was presented.

RESOLUTION 217126, excusing Councilman Leon Williams from the morning and afternoon sessions of the City Council meeting of November 17, 1976, for the purpose of attending the League of California Cities meeting in Sacramento, was adopted on motion of Councilman Gade.

Councilwoman O'Connor entered the Chambers.

(Unanimous Consent No. 3)

By Unanimous Consent granted to Councilman Gade, a Resolution excusing Councilman Tom Gade from the Public Facilities and Recreation Committee meeting on Monday, November 15, 1976, to attend the CPO Board of Directors meeting, was presented.

RESOLUTION 217127, excusing Councilman Tom Gade from the Public Facilities and Recreation Committee meeting on Monday, November 15, 1976, to attend the CPO Board of Directors meeting, was adopted on motion of Councilman Williams.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Johnson and Mayor Wilson, the Regular Meeting was adjourned at 5:52 p.m. on motion of Councilman Johnson, in memory of Thomas W. Keelin who died on November 2, 1976, and David A. Peterson, who died on October 31, 1976.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Paul A. Johnson

City Clerk of The City of San Diego, California

SPECIAL MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, NOVEMBER 10, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
11:30 A.M.

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

Absent--None.

Clerk---Edward Nielsen.

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

TO Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis,
and Haro, members of the City Council of The City of San Diego, California.

A SPECIAL MEETING of the City Council is hereby called to be held in the
Council Chambers, City Administration Building, 202 "C" Street, San Diego,
California, on Wednesday, November 10, 1976, at the hour of 11:30 a.m. Time
Certain.

Said meeting will be held for the purpose of considering the question of
whether the vacancy which will exist in Council District 7 after December 3,
1976, shall be filled by an appointment or an election. Said meeting is called
pursuant to the provisions of Section 27.3102 of the San Diego Municipal Code.

Dated November 5, 1976

PETE WILSON
MAYOR

Mayor Wilson called the Special Meeting to order at 11:40 a.m.

(Item 1)

Roll call was taken.

(Item 2)

The matter of considering the question of whether the vacancy which will
exist in Council District 7 after December 3, 1976, shall be filled by an appoint-
ment or an election (San Diego Municipal Code Section 27.3102.), was presented.
City Clerk Nielsen answered questions directed by the Council.

(Item 2 - Continued)

The motion of Councilman Gade to use an appointment procedure to fill the vacancy which will exist in Council District 7 after December 3, 1976, was not voted on at this time.

City Clerk Nielsen and Assistant City Attorney Teaze answered questions directed by the Council.

The vote was then taken on the previous motion of Councilman Gade, which passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Gade, Haro, and Mayor Wilson. Nays-Councilmen O'Connor and Morrow. Councilman Ellis was excused from voting. The following Resolution was adopted:

RESOLUTION 217124, choosing the appointment process set forth in Division 31, Art. 7, Chapter II of the San Diego Municipal Code (Section 27.3101 et seq.) as the method by which the vacancy in 7th District, shall be filled.

The motion of Councilman Morrow to have the City Attorney prepare a statement whereby applicant will agree not to run for election to this office in 1977, received no second.

By common consent the matter was trailed.

Mayor Wilson recessed the Special Meeting at 12:16 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 5:28 p.m., the roll call showed all Council members present.

(Item 2 - Second Time)

The motion by Councilman Gade to direct the City Clerk to publish Notice that a vacancy exists in Council District 7 and will be filled by the appointment process, and set the dates for Special Meetings for Tuesday, December 7, 1976 p.m. and Tuesday, December 14, 1976 p.m., and include in the requirements that applicants must have been a resident of District 7 for 30 days prior to filing their application (deadline for returning applications is 5:00 p.m., December 2, 1976 and public notice must be published by November 18, 1976), was not voted on at this time.

Mr. Teaze answered questions directed by the Council.

Discussion followed.

The vote was then taken on the previous motion of Councilman Gade, which passed unanimously - Councilman Ellis was excused from voting - and the following Resolution was adopted:

RESOLUTION 217128, declaring that the first public hearing to consider applications for appointment is set for 2:00 p.m., December 7, 1976 and the second public hearing for 2:00 p.m., December 14, 1976; an application shall be accepted only from a person who has been a resident and elector in the 7th District for thirty days prior to submitting the application for appointment. Such residency requirement shall be made a part of the notice to be published by the City Clerk pursuant to Section 27.3103 of the San Diego Municipal Code.

Discussion followed.

Councilman Ellis left the Chambers.

City Clerk Nielsen answered questions directed by the Council.

Discussion followed.

The motion of Councilman Hubbard to suspend the rules to extend the meeting time to 6:00 p.m., passed unanimously.

Discussion followed.

Councilman Morrow left the Chambers.

The motion of Councilman Gade to continue the matter to the Meeting of November 17, 1976, 4:00 p.m. Time Certain for submission of ideas regarding an appointment procedure, passed unanimously.

There being no further business to come before the Council at this time,
the Special Meeting was adjourned at 5:44 p.m., on motion of Councilman Gads.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Charles L. Chapman

City Clerk of The City of San Diego, California