

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, NOVEMBER 24, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M.

Present-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis,
Haro, and Mayor Wilson.
Absent--None.
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 8:44 a.m.

(Item 100)

Roll Call was taken.

(Item 101 - First Time)

A proposed Resolution authorizing a suggestion award and making a presentation to the following employee: Gordon M. Smith, Water Utilities Department, \$400, was presented.

Councilman Ellis presented a check and plaque to the employee for his suggestion.

This item was trailed to consider Item 103 at this time.

(Item 103)

Councilman Williams introduced Professor M. Madhavan, San Diego State University, who introduced L. L. Mehrotra, Indian Consul General of San Francisco, to the Council.

Consul General Mehrotra addressed the Council.

Mayor Wilson accepted a gift book entitled, "The United States and India, 1776 - 1976 and presented Consul General Mehrotra with a pewter plate from The City of San Diego.

Items 101 and 102 were now considered simultaneously.

(Item 102)

A proposed Resolution authorizing suggestion awards and making a presentation to the following employees: Peter A. Rij, Engineering and Development Department, \$20; and Edgar A. Pompey, Park and Recreation Department, \$15, was presented.

Councilman Ellis presented checks and certificates of merit to the employees for their suggestions.

The following Resolutions were adopted on motion of Councilman Morrow.

The following Resolutions were numbered out of order.

RESOLUTION 217165, authorizing a suggestion award and making a presentation to the following employee: Gordon M. Smith, Water Utilities Department, \$400; and

(Item 102 - Continued)

RESOLUTION 217166, authorizing suggestion awards and making a presentation to the following employees: Peter A. Rij, Engineering and Development Department, \$20; and Edgar A. Pompey, Park and Recreation Department, \$15.

(Item 104)

Mayor Wilson and Bob Bouton, Employee Services, welcomed a group of new employees, who were present in the Chambers.

(Item 21d - Unfinished Business from the docket of November 23, 1976)

A motion by Councilman Morrow to reconsider Item 21d, received no second at this time.

City Attorney Witt answered questions directed by the Council.

A motion by Councilman Morrow to suspend the rules to reconsider Item 21d, which requires six votes, received no vote at this time.

The Council discussed the matter.

A vote was then taken on the previous motion by Councilman Morrow to suspend the rules to reconsider Item 21d, which requires six votes, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Ellis, Haro, and Mayor Wilson. Nays-Councilmen Hubbard and Gade. Absent-None.

A previous motion to reconsider Item 21d, received no vote at this time.

The Council discussed the matter.

Ken Klein, Planning Department, and City Attorney Witt answered questions directed by the Council.

A vote was then taken on the previous motion by Councilman Morrow to reconsider Item 21d, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Haro, and Mayor Wilson. Nays-Councilmen Hubbard, Gade, and Ellis.

The City Clerk was directed to renote the matter for Public Hearing.

The Council at this time considered requests for continuances: Items 107 and 251.

(Item 107)

A communication from Thomas Kozden, representing the Ocean Beach Planning Board, requesting permission to address the Council regarding a ~~resolution~~ passed by the Ocean Beach Planning Board requesting the Council to undertake a study and possible action to close Santa Monica Avenue, between Sunset Cliffs Boulevard and Ebers Street, was presented.

On motion of Councilman Gade, the communication was continued to December 8, 1976, a.m., at the request of Thomas Kozden.

(Item 251)

A proposed Resolution, continued from the Meeting of November 17, 1976, declaring John W. Joly, Jr., Blanche A. Joly and David Saphir, to be in default under terms and conditions of Agreement entered into for completion of improvements in Joly-Saphir Subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdividers and to Insurance Company of North America; authorizing the City Manager to complete or cause to be completed, said improvements, was presented.

Mr. Witty appeared to address the Council on the continuance.

On motion of Councilman Ellis, the proposed Resolution was continued two weeks until December 8, 1976, a.m., at the developers' request.

(Item 108)

A communication from Alice Coyne, representing residents of the Bird Rock - Muirlands area, requesting permission to address the Council regarding a petition to rezone approximately 16 acres of property recently proposed as Bird Rock Park from R-1-5 to R-1-10 and from R-1-5 to R-1-40 for the slopes over 35%, was presented.

Alice Coyne appeared to speak regarding said communication.

On motion of Councilman Johnson, the communication was referred to the Planning Department and Planning Commission for a report back to the Council and Mrs. Coyne.

(Item 254)

The following Resolutions relative to Crest Canyon Open Space Park, were adopted on motion of Councilman Johnson:

RESOLUTION 217162, approving the acceptance by the City Manager of deed of National Pacific Development Corporation;

RESOLUTION 217163, approving the acceptance by the City Manager of deed of National Pacific Development Corporation; and

RESOLUTION 217164, authorizing the offer of \$400,000 on behalf of The City of San Diego for the purchase of 60 acres in Crest Canyon and an offer of \$54,750 on behalf of the City of Del Mar for the purchase of 3.5 acres in Crest Canyon, as authorized by Resolution No. 76-60 adopted by the City Council of the City of Del Mar on October 4, 1976, to National Pacific Development Corporation; authorizing the City Auditor and Comptroller to transfer the sum of \$465,000 from the Environmental Growth Fund Reserve to CIP 20.006 and to expend said sum for the sole and exclusive purpose of providing funds for the acquisition of said property.

(106)

A communication from Jirik Perez, requesting permission to address the Council regarding law enforcement practices pertaining to traffic economy; requesting Council action for new guidelines for removal of traffic traps; requesting a shift of emphasis from intentions of the City to raise funds in persecution of underprivileged to policies opening the labor market, was presented.

Jirik Perez appeared to speak regarding said communication.

On motion of Councilman Morrow, the communication was referred to the City Manager.

(Unanimous Consent #1)

By Unanimous Consent granted to Councilman Johnson, a communication from Steve Haskins, representing concerned students and faculty of La Jolla High School, requesting permission to address the Council regarding presentation of a petition addressed to the Governor and Legislature, urging the Council to support a resolution to include canyons and hillsides of La Jolla in the Coastal Planning Zone because they are sensitive habitat areas, so that the City of San Diego be required to develop a satisfactory program for their protection, was presented.

Councilman Ellis left the Chambers.

Steve Haskins appeared to speak regarding said communication.

On motion of Councilman Johnson, the communication was referred to the Planning Department.

(Item 22 - Unfinished Business from the docket of November 23, 1976)

The hour of 8:30 having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of James P. Hackett from the decision of the Planning Commission in denying the application of Del Cerro Heights Homeowners Association, owner/permittee, under Planned Residential Permit No. 15, Amendment No. 1, to permit installation of a 15-foot sliding ingress-egress gate on a private street, Caminito Estrellado, where it leads to Rancho Park Drive, in the R-1-5 (portion in Hillside Review Overlay) Zone. The property is located on the westerly terminus of Rancho Park Drive on entry to Caminito Estrellado and is Lots 1-5, Del Cerro Heights Units 1-4 (formerly a portion of Lot 67, Rancho Mission of San Diego).

Councilman Ellis entered the Chambers.

Ken Klein, Planning Department, presented his report and answered questions directed by the Council at length.

James P. Hackett, Director of the Del Cerro Heights Homeowners Association, appeared to address the Council in favor of the appeal.

Robert Coogan, Del Cerro Homeowners Association, Howard Newman and George Wickson appeared to address the Council in opposition to the appeal.

J. R. Crosby, Engineering and Development Department, and Ken Klein, Planning Department, answered questions directed by the Council.

Mr. Hackett answered questions directed by the Council regarding the type of gate to be installed.

Mr. Klein answered questions directed by the Council.

Mrs. Claire Anderson appeared to address the Council in opposition to the appeal.

Councilwoman O'Connor left the Chambers.

(Item 22 - Unfinished Business from the docket of November 23, 1976 - Continued)
A motion by Councilman Ellis to close the hearing and deny the appeal and the amendment to the Permit, received no vote at this time.
The Council discussed the matter.

Councilwoman O'Connor entered the Chambers.

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

RESOLUTION 217167, making findings that the following facts exist with respect to Planned Residential Development Permit No. 15, Amendment No. 1:

1. Conditions have not changed materially since the original granting of the Permit; therefore, the original access should remain.
2. The opening of the subject street would create more traffic on the neighboring streets.
Upholding the above findings which are supported by the minutes, maps and exhibits; and denying the appeal of James P. Hackett and upholding the decision of the Planning Commission to deny Amendment No. 1 to the Planned Residential Development Permit No. 15.

(Special Order of Business)

Mayor Wilson welcomed twenty-six students from Wilson Jr. High School, accompanied by Mary Whelan.

Councilman Hubbard addressed the group.

Mayor Wilson recessed the Meeting at 10:49 a.m. Upon reconvening at 11:13 a.m., the Roll Call showed all present.

(Item 257)

A proposed Resolution, waiving the criteria set forth in Council Policy 200-8 with respect to the intersection of Caminito Estrellado and Camino Rico and that a four-way stop sign at said location is necessary in the public interest and directing that signs in accordance herewith are to be installed, was presented.

Councilman Ellis, Vice Chairman of the Committee on Transportation and Land Use, presented his report.

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

City attorney Witt addressed the Council regarding waiving the criteria set forth in Council Policy 200-8.

RESOLUTION 217168, waiving the criteria set forth in Council Policy 200-8 with respect to the intersection of Caminito Estrellado and Camino Rico and that a four-way stop sign at said location is necessary in the public interest and directing that signs in accordance herewith are to be installed, was adopted on motion of Councilman Ellis.

(Item 255 - First Time)

A proposed Resolution, approving the Agreement entitled "Agreement Relating to the Diversion of Up to 17,000 Acre-Feet of Water Annually from the Palo Verde Outfall Drain (Chargeable to Metropolitan Water District of Southern California Contract Entitlement) for San Diego Gas & Electric Company's Proposed Electric Generating Facilities in the Vicinity of Blythe, California" between the Metropolitan Water District of Southern California, Coachella Valley County Water District, Imperial Irrigation District, Palo Verde Irrigation District, The City of San Diego, San Diego Gas & Electric Company, and The United States of America, and the agreement entitled "Agreement Relating to the Diversion of Up to 33,300 Acre-Feet of Water from the Palo Verde Outfall Drain (Chargeable to PVID Contract Entitlement) for San Diego Gas & Electric Company's Proposed Electric Generating Facilities Outside of Palo Verde Irrigation District's Existing Boundaries" between Palo Verde Irrigation District, The Metropolitan Water District of Southern California, Coachella Valley County Water District, Imperial Irrigation District, The City of San Diego, San Diego Gas & Electric Company, and The United States of America; confirming the approval of such agreements by Resolution No. 212400 of this City Council passed and adopted January 9, 1975; authorizing the City Manager to execute and deliver the agreements in the form of Document Nos. 749923 and 749924 respectively, was presented.

Frank DeVore, San Diego Gas & Electric Company, Bill Davis, Planning Department, Assistant City Manager Graham addressed the Council and answered questions directed by the Council and the City Attorney.

RESOLUTION 217461, approving the Agreement entitled "Agreement Relating to the Diversion of Up to 17,000 Acre-Feet of Water Annually from the Palo Verde Outfall Drain (Chargeable to Metropolitan Water District of Southern California Contract Entitlement) for San Diego Gas & Electric Company's Proposed Electric Generating Facilities in the Vicinity of Blythe, California" between the Metropolitan Water District of Southern California, Coachella Valley County Water District, Imperial Irrigation District, Palo Verde Irrigation District, The City of San Diego, San Diego Gas & Electric Company and The United States of America, and the agreement entitled "Agreement Relating to the Diversion of Up to 33,300 Acre-Feet of Water from the Palo Verde Outfall Drain (Chargeable to PVID Contract Entitlement) for San Diego Gas & Electric Company's Proposed Electric Generating Facilities Outside of Palo Verde Irrigation District's Existing Boundaries" between Palo Verde Irrigation District, The Metropolitan Water District of Southern California, Coachella Valley County Water District, Imperial Irrigation District, The City of San Diego, San Diego Gas & Electric Company, and The United States of America; confirming the approval of such agreements by Resolution No. 212400 of this City Council passed and adopted January 9, 1975; authorizing the City Manager to execute and deliver the agreements in the form of Document Nos. 749923 and 749924 respectively, was adopted on motion of Councilman Gade.

(Item 202)

A proposed Ordinance, amending Chapter III, Article 3, of the San Diego Municipal Code by adding Division 35, Sections 33.3501 through 33.3523; and amending Chapter IV, Article 2, by repealing Section 42.0211 and adding Section 42.0215, all relating to regulation of massage business and massage technicians, was presented.

Councilman Ellis addressed the Council regarding the proposed Ordinance.

City Attorney Witt presented his report on the State Legislature's McAllister Bill.

Deputy City Attorney Gordon presented his report on the proposed Ordinance.

City Manager McKinley presented his report and recommendations regarding fees to be included in the proposed Ordinance.

Captain DeMotte, San Diego Police Department, answered questions directed by the Council.

Deputy City Attorney Gordon answered questions directed by the Council.

Councilwoman O'Connor left the Chambers.

Bruce Murray, San Diego State University student, appeared to address the Council in opposition to the proposed Ordinance.

A motion by Councilman to introduce the proposed Ordinance, received no vote at the time.

The Council discussed the matter.

A motion by Councilman Williams to continue the matter and direct the City Attorney to prepare a zoning ordinance regarding the relocation of massage parlors, received no vote.

The Council discussed the matter.

Councilman Morrow withdrew his second to the previous motion by Councilman Williams to continue the matter and direct the City Attorney to prepare a zoning ordinance regarding the relocation of massage parlors.

City Attorney Witt answered questions directed by the Council.

A proposed Ordinance, amending Chapter III, Article 3, of the San Diego Municipal Code by adding Division 35, Sections 33.3501 through 33.3523; and amending Chapter IV, Article 2, by repealing Section 42.0211 and adding Section 42.0215, all relating to regulation of massage business and massage technicians, was introduced on motion of Councilman Ellis by the following vote: Yeas-Councilmen Johnson, Hubbard, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-Councilman Williams. Absent-Councilwoman O'Connor.

Councilman Williams left the Chambers.

On motion of Councilman Gade, Item 109, Supplemental No. 1, was continued to December 8, 1976, 9:00 a.m. Time Certain, due to the lack of time, which passed unanimously.

Mayor Wilson recessed the Regular Meeting at 12:07 p.m., to reconvene at 2:00 p.m.

Upon reconvening at 2:06 p.m., the roll call showed Councilmen Williams and Morrow absent.

(Item 255 - Second Time)

City Attorney Witt answered questions directed by the Council.
Frank DeVore, San Diego Gas & Electric Company, appeared to speak.
There was an informational discussion on the matter.

(Item 401)

The matter of The Honorable Alan B. Skuba, Mayor of Escondido, requesting permission to address the Council regarding the sale of City-owned land to Escondido Auto Park, Inc., was presented.

Alan B. Skuba, Mayor of Escondido, appeared to speak.

Councilman Morrow entered the Chambers.

A motion by Councilman Morrow to return the matter to the Transportation and Land Use Committee to be heard on December 21, 1976, received no second at this time.

Committee Consultant Wilken answered questions directed by the Council.

Councilman Williams entered the Chambers.

A motion by Councilman Ellis to withdraw the item from Committee, received no vote at this time.

Councilman Ellis offered a second on the previous motion by Councilman Morrow to return the matter to the Transportation and Land Use Committee, which received no vote at this time.

Discussion followed.

A vote was then taken on the previous motion by Councilman Morrow to return the matter to the Transportation and Land Use Committee, which passed unanimously.

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, and 124.

The following Ordinances were introduced at the Meetings of November 9, 1976 (Items 120, 121, 122, and 123) and November 10, 1976 (Item 124).

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 Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 120 - CASE NO. 35-76-6)

ORDINANCE 11953 (New Series), incorporating Parcel 3, Parcel Map No. 2486, being a portion of Stalmer Tract, located on the south side of Stalmer Street and west of Linda Vista Road, in the Clairemont Mesa Community Plan Area, into R-2A Zone as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 9103 (New Series), adopted October 22, 1964, insofar as the same conflicts herewith.

(Item 121 - CASE NO. 38-76-12)

ORDINANCE 11954 (New Series), incorporating a portion of Pueblo Lot 1234, into R-3 Zone as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 13456, approved February 15, 1932 of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 122 - CASE NO. 48-76-11)

ORDINANCE 11955 (New Series), incorporating a portion of Lot 1, Gateway Estates, located on the east side of Del Sur Boulevard between Highway 75 and Athey Avenue, in the San Ysidro Community Plan Area, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 11024 (New Series), adopted March 8, 1973, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 123 - CASE NO. 60-76-3)

ORDINANCE 11956 (New Series), incorporating a portion of the northeast 1/4 of the northwest 1/4, Section 30, Township 14 South, Range 2 West, S.B.B.M., into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 10936 (New Series), adopted October 5, 1972, insofar as the same conflicts herewith.

(Item 124)

ORDINANCE 11957 (New Series), 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.

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

(Item 200)

A proposed Ordinance, amending Chapter III, Article 1, Division 3 of the San Diego Municipal Code by amending Section 31.0302 relating to Business Licenses, was introduced on motion of Councilman Gade, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-None.

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, 160, 161, 162, 163, and 201.

(Item 150)

The following Resolutions relative to Awarding Contracts were adopted on motion of Councilman Gade:

RESOLUTION 217169, Motorola Communications and Electronics Inc. for the purchase and installation of Radio Communication Equipment for the total cost including tax, terms, and less trade allowance of \$179,659.98; and

RESOLUTION 217170, Center City Ford for the purchase of twenty (20) 3/4 ton Window Vans, Ford Econoline E-150, for a total estimated cost, including tax, terms, and trade-ins of \$96,364; authorizing the transfer of \$14,400 from the Motive Equipment Replacement Fund (Fund 5221) to the General Fund (Fund 100) Police Department, Program 15.24.

(Item 151)

RESOLUTION 217171, awarding a contract to Crook Company for the purchase of one (1) Hydrocrane and Carrier for a total cost, including tax, terms, less trade-in-in allowance of \$47,554.80, plus option on one reel and hose assembly installed for a cost of \$1,360, was adopted on motion of Councilman Gade.

(Item 152)

RESOLUTION 217172, inviting bids for slurry seal coating of City streets in accordance with Specifications Document No. 757278, was adopted on motion of Councilman Gade.

(Item 153)

RESOLUTION 217173, authorizing the Purchasing Agent to advertise for sale 49 vehicles; said vehicles are so used, obsolete or depreciated as to be unfit or undesirable for use or retention by the City; all expenses in connection with the sale of said equipment shall be deducted from the proceeds received from the sale thereof, was adopted on motion of Councilman Gade.

(Item 154)

The following Resolutions relative to the Final Subdivision Map of Crossroads Re-Sub Mission Valley, were adopted on motion of Councilman Gade:

RESOLUTION 217174, authorizing an agreement with Crossroads Associates, a California corporation, for completion of improvements in Crossroads Re-Sub Mission Valley, a subdivision of Parcels 1 and 2 of Parcel Map No. 3545, in the City of San Diego, County of San Diego, State of California, on file in the office of the County Recorder of said County;

RESOLUTION 217175, approving the final map of Crossroads Re-Sub Mission Valley;

RESOLUTION 217176, approving the City Manager's acceptance of a deed for a slope easement in Lot 4, Crossroads/Mission Valley executed by Crossroads Associates;

RESOLUTION 217177, authorizing the City Manager's acceptance of a street easement deed for portions of Lot 4, Crossroads/Mission Valley executed by Crossroads Associates, and dedicating and naming the same Camino Del Rio South; and

RESOLUTION 217178, dedicating a portion of an existing street reservation in Lot 4, Crossroads/Mission Valley, and naming the same Camino Del Rio South.

(Item 155)

RESOLUTION 217179, granting an extension of time to October 1, 1977, to Gentry & Watts Industrial Park for completion of improvements in G.W. Industrial Park Unit No. 1 Subdivision, was adopted on motion of Councilman Gade.

(Item 156)

RESOLUTION 217180, granting an extension of time to September 30, 1977 to Southern California First National Bank for completion of improvements in Mira Mesa Village Unit No. 1 Subdivision, was adopted on motion of Councilman Gade.

(Item 157)

The following Resolutions relative to Tennis La Jolla Subdivision, were adopted on motion of Councilman Gade:

RESOLUTION 217181, authorizing the City Manager to accept the work on behalf of The City of San Diego in said subdivision and to execute and record a Notice of Completion; and

RESOLUTION 217182, authorizing an agreement with Peter W. Bethea and Rita B. Bethea, for construction of a sewer main and appurtenances in La Jolla Scenic Drive in connection with said subdivision.

(Item 158)

RESOLUTION 217183, designating February 28, 1977, as the date upon which all the property in the College Avenue (University Avenue to Meridian Avenue) Underground Utility District must be ready to receive underground service and May 22, 1977 as the date for the removal of all overhead utility facilities, was adopted on motion of Councilman Gade.

(Item 160)

RESOLUTION 217184, awarding a contract to G. Spikes Masonry and Cement Contractors, for improving the Alley in Block 68, Morena, was adopted on motion of Councilman Gade.

(Item 161)

RESOLUTION 217185, declaring the Funds remaining in Trust Fund 374 for Calle Del Cielo Assessment District under the Improvement Act of 1913 to be surplus; directing the City Treasurer to refund said surplus to the various property owners in accordance with Resolution of Intention No. 205602, adopted May 16, 1972, was adopted on motion of Councilman Gade.

(Item 162)

RESOLUTION 217186, authorizing an agreement with Copley International Corporation, a consultant selected according to the guidelines of Council Policy 300-7, for conducting a Comprehensive Social Service Needs Assessment Survey on a City-Wide Basis; authorizing the expenditure of \$55,000 out of Community Development Block Grant Fund 2910, for payment of said consultant services, was adopted on motion of Councilman Gade.

(Item 163)

RESOLUTION 217187, authorizing an amendment to permit for partial use and occupancy of City of San Diego swimming facilities, which permits the San Diego Unified School District of San Diego County, California, to use Swanson Pool located at Standley Park for instructional and competitive swimming purposes, was adopted on motion of Councilman Gade.

(Item 201)

RESOLUTION 217188, authorizing Kenneth Carpi, Consultant to the Public Services and Safety Committee, to travel to Minneapolis, Minnesota from November 29, 1976 through December 3, 1976 for the purpose of participating in a Housing Orientation of Low and Moderate Income Housing and Senior Citizen Housing, was adopted on motion of Councilman Gade.

(Item 402 - CUP NO. 449-PC - First Time)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of October 27 and November 17, 1976, at applicant's request, on the appeal of Thomas M. Kelly, owner, and La Jolla Financial, Inc., permittee, by Luce, Forward, Hamilton & Scripps, attorneys, from the decision of the Planning Commission in failing to approve their application under Conditional Use Permit No. 449-PC, to convert an existing building and operate an athletic club, including handball courts, sauna rooms, jacuzzi, clubrooms, and dining area, with approximately 5,900 square feet of floor area on a 6,640 square foot lot in the R-3 Zone. The property is located north of Prospect Street between Coast Boulevard and Ivanhoe Street, and is portions of Lots 3 and 4, Block 59, La Jolla Park. It was reported that no written protests had been received.

Ken Klein, Planning Department, R. L. Christopherson, Building Inspection Department, and Chief Deputy City Attorney Conrad answered questions directed by the Council.

Councilman Haro left the Chambers

Mr. Christopherson further answered questions directed by the Council.

Councilman Haro entered the Chambers.

Mr. Conrad further answered questions directed by the Council.

Mayor Wilson recessed the Meeting at 3:10 p.m. Upon reconvening at 3:31 p.m., the roll call showed Councilmen O'Connor and Williams absent.

(Item 252)

The following proposed Resolutions, continued from the Meeting of November 10, 1976, for further review, 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 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.

A motion by Councilman Haro to continue the proposed Resolutions to Wednesday, December 15, 1976 at 2:00 p.m., Time Certain, at Councilman Haro's request, received no vote at this time.

Councilman Williams entered the Chambers.

A vote was then taken on the previous motion by Councilman Haro to continue the proposed Resolutions to Wednesday, December 15, 1976 at 2:00 p.m., Time Certain, at Councilman Haro's request, which passed unanimously.

(Item 402 - CUP NO. 449-PC - Second Time)

Lou Goble appeared to speak in favor of the appeal.

Councilwoman O'Connor entered the Chambers.

Chuck Nichols and Thomas Kelley appeared to speak in favor of the appeal. Edwin Balmer and Karen Clark appeared to speak in opposition.

Mr. Conrad and Mr. Klein further answered questions directed by the Council.

A motion by Councilman Johnson to refer the CUP back to the Planning Commission for consideration of proposed amendment, received no vote at this time.

Councilman Gade left the Chambers.

A vote was then taken on the previous motion by Councilman Gade to refer the CUP back to the Planning Commission for consideration of proposed amendment, which passed unanimously.

Councilman Gade entered the Chambers.

(Item 403)

The hour of 2:30 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of October 27, November 3, 10, and 17, 1976, to allow Council to submit written priorities, 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. It was reported that no written protests had been received.

No one appeared to be heard.

A motion by Councilman Williams to continue the matter to December 15, 1976, 9:00 a.m. Time Certain, due to lack of time, received no vote at this time.

City Manager McKinley answered questions directed by the Council.

A vote was then taken on the previous motion by Councilman Williams to continue the matter to December 15, 1976, 9:00 a.m. Time Certain, due to lack of time, which passed unanimously.

(Item 206)

A proposed Resolution, directing the City Manager to remove from the City Marketing Catalogue that parcel of undeveloped City-owned land on La Jolla Mesa Drive totaling 4.5 acres (Code PKC) and not offer said parcel of land for sale, was presented.

Councilman Morrow presented the Committee Report.

A motion by Councilman Morrow to refer back to Public Facilities and Recreation Committee, received no vote at this time.

Mark Drohan and Wayne Moffit appeared to speak.

City Manager McKinley answered questions directed by the Council.

P.G. Skill appeared to speak.

Ben Hagar, Property Department, answered questions directed by the Council.

Councilwoman O'Connor left the Chambers.

Chief Deputy City Attorney Conrad answered questions directed by Council.

A vote was then taken on the previous motion by Councilman Morrow to refer back to Public Facilities and Recreation Committee, which passed unanimously.

(Item 404)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of June 16 and 23, September 8 and 22, and October 27, 1976, for full Council and at City Manager's request, on paving and otherwise improving Imperial Avenue from 400 feet east of Euclid Avenue to 61st Street - on Resolution of Intention 215934. It was reported that no written protests had been received.

J. F. McLaughlin, Engineering and Development Department, answered questions directed by the Council.

Lee Estep appeared to be heard.

The hearing was closed on motion of Councilman Williams and the following resolutions were adopted, with instructions to the City Manager to review the assessment and make corrections amenable to Council and property owners:

RESOLUTION 217189, ordering changes and approving the specifications showing the changes and modifications in the work described in Resolution of Intention No. 215934 and determining feasibility for the improvement of Imperial Avenue from 400 feet east of Euclid Avenue to 61st Street; and

RESOLUTION 217190, ordering work to improve Imperial Avenue from 400 feet east of Euclid Avenue to 61st Street.

Councilman Williams left the Chambers.

(Item 159)

RESOLUTION 217191, directing the City Clerk to give notices inviting sealed bids for the purchase of Bonds - San Diego Park District No. 12F - Tecolote Canyon, and amending Resolution of Intention No. 210795, and any and all other resolutions adopted and proceedings taken in this matter, to provide that the date of the bonds shall be January 2, 1977, in lieu of the 31st day following recordation of the assessment, was adopted on motion of Councilman Morrow.

(Unanimous Consent No. 2)

By Unanimous Consent granted to City Manager McKinley, a proposed Resolution, directing the City Manager to install a traffic signal and safety lighting system at and in conjunction with the intersection of Ardath Road and La Jolla Scenic Drive North, was presented.

David Millikin appeared to speak.

RESOLUTION 217192, directing the City Manager to install a traffic signal and safety lighting system at and in conjunction with the intersection of Ardath Road and La Jolla Scenic Drive North; directing the City Manager to install traffic signs prohibiting right turns from northbound Torrey Pines Road to eastbound on Glenbrook Way during appropriate hours as to be determined by the Transportation Design Division, said signing to be in place until the completion of the traffic signal installation at Ardath Road and La Jolla Scenic Drive North; allocating the sum of Fifty-five Thousand Dollars (\$55,000) from the Gas Tax Reserve Funds, and authorizing Ten Thousand Dollars (\$10,000.00) from the Capital Outlay Reserve Fund for the purpose of installing the traffic signals at Ardath Road and La Jolla Scenic Drive North, said project to be added to the Capital Improvement Program and be entitled Installation of Traffic Signals at Ardath Road and La Jolla Scenic Drive North, said project to be added to the Capital Improvement Program and be entitled Installation of Traffic Signals at Ardath Road and La Jolla Scenic Drive North, and be designated CIP No. 62-130; waiving Council Policy No. 300-7 in order to allow the City Manager to immediately hire a consultant without the necessity of advertising for said services; authorizing the City Manager to enter into an agreement with Herman Kimmel & Associates for the design of the traffic signal and safety lighting system for Ardath Road and La Jolla Scenic Drive North in an amount not to exceed the sum of Five Thousand Dollars (\$5,000.00); authorizing the expenditure of Five Thousand Dollars (\$5,000.00) for the purpose of contracting for design services with Herman Kimmel & Associates, said sum to be expended from the Capital Outlay Fund pursuant to CIP 62-130; authorizing the Purchasing Agent to advertise for bids for the installation of the traffic signal and safety lighting system in connection with the intersection of Ardath Road and La Jolla Scenic Drive North, was adopted on motion of Councilman Johnson.

Councilman Ellis left the Chambers.

(Item 406 - Supplemental No. 2)

A proposed Resolution, continued from the Special Meeting of November 10, and Regular Meeting of November 17, 1976, on the matter of considering the procedures to be followed by the Council at the time of the public hearings to be held on December 7 and 14, 1976, to consider the applications for appointment to fill the vacancy which will exist in Council District 7 after December 3, 1976, was presented.

Mayor Wilson read into the record a summarization of Council decisions made relative to procedures to be followed at the time of the public hearings to be held on December 7, 1976 and December 14, 1976 to consider applications for appointment to fill vacancy which will exist in Council District 7 after December 3, 1976.

A motion by Councilman Gade to have written questions submitted by Councilmembers with written responses by applicants and the question by Councilmembers must be submitted to the City Clerk by December 7, 1976, received no vote at this time.

A motion by Councilman Gade to have written questions submitted by Councilmembers with written responses by applicants, passed unanimously.

Ruth Schneider appeared to speak.

A motion by Councilman Gade for the preface is: "Please give us your views and philosophy as to the City of San Diego's role on the following subjects:", received no vote at this time.

Discussion followed.

A vote was then taken on the previous motion by Councilman Gade for the preface to state "Please give us your views and philosophy as to the City of San Diego's role on the following subjects:", passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Morrow, Gade, and Haro. Nays-Mayor Wilson. Absent-Councilmen O'Connor, Williams, and Ellis.

Councilman Morrow left the Chambers.

Discussion followed.

A motion by Councilman Haro that one of the topics be Managed Growth, received no second at this time.

A motion by Mayor Wilson that topics be those on the list handed out except Managed Growth that should be Managed Residential Growth, received no vote at this time.

Discussion followed.

A motion by Councilman Hubbard to amend by deleting Item No. 9 - Legislative Analyst, received no second at this time.

Discussion followed.

A motion by Councilman Haro to eliminate either Item No. 3 or Item #11 because they are the same, received no second at this time.

(Item 406 - Supplemental No. 2 - Continued)

Discussion followed.

Councilman Gade offered a second to the previous motion by Councilman Hubbard to amend by deleting Item No. 9 - Legislative Analyst, with an amendment to replace Item No. 9 - Legislative Analyst to Airport, which received no vote at this time.

Discussion followed.

Councilman Gade moved to suspend rules to continue the meeting to 6:30 p.m., which received no second at this time.

A motion by Councilman Haro to adopt the 11 topics and amend to include Affirmative Action, received no second at this time.

Discussion followed.

Councilman Morrow entered the Chambers.

A motion by Councilman Johnson to include "What is your feeling on a major Convention Center?", received no second at this time.

Discussion followed.

Councilman Morrow left the Chambers.

A motion by Councilman Gade to suspend rules to extend time of the meeting to 6:30 p.m., passed unanimously.

At this time, the Mayor read the items added to questions for prospective Council candidates: Affirmative Action, Convention Center, Airport, Tia Juana River Flood Control, Police Department, Taxes, and Paramedics.

Discussion followed.

A motion by Councilman Gade to have list of topics and have this list with specific questions following it, failed due to lack of five affirmative votes by the following vote: Yeas-Councilmen Johnson, Gade, and Mayor Wilson. Nays-Councilmen Hubbard and Haro. Absent-Councilmen O'Connor, Williams, Morrow, and Ellis.

At this time, Councilman Johnson read into the record the questions regarding appointment - District #7.

A motion by Councilman Haro to take Councilman Johnson's questions if they are not a duplication of topical questions (on Mayor's list) and include them in the list of questions to be submitted to applicants for their written response, received no vote at this time.

A motion by Councilman Haro to include "describe the City of San Diego (boundaries) and its form of government", received no second at this time.

A motion by Councilman Gade to take Councilmen Gade's, Johnson's, and Haro's questions and have the City Clerk and the Rules Committee Consultant Coleman Conrad work these out and eliminate duplications, and prepare a set of questions, passed unanimously.

Marian Bear appeared to speak.

Discussion followed.

(Item 406 - Supplemental No. 2 - Continued)

A motion by Councilman Gade that the list of questions be made available to applicants during the working day of Wednesday, December 1, 1976 and the answers be returned to the City Clerk's Office by 10:00 a.m., December 6, 1976, which passed unanimously.

(Unanimous Consent No. 3)

By Unanimous Consent granted to Councilman Haro, a proposed Resolution authorizing Councilman Haro to travel to Tucson, Arizona on December 2 and December 3, 1976 - U.S.-Mexico Relations Conference, was presented.

RESOLUTION 217193, authorizing Councilman Jess Haro to travel to Tucson, Arizona, for the purpose of participating in the United States-Mexico Relations Conference sponsored by the Department of State's Bureau of Inter-American Affairs and the University of Arizona's Latin American Studies Center, said conference to be held on December 2 and 3, 1976; authorizing the sum of \$175 to be expended from Dept. 02.08 for the above purpose, was adopted on motion of Councilman Haro.

(Unanimous Consent No. 4)

By Unanimous Consent granted to City Manager McKinley, a proposed Resolution determining that the Cultural Arts Program is an activity necessary or appropriate to support the concentrated physical development activities being conducted within the former Model Cities neighborhood; ditto - San Ysidro Schools Project, Rehabilitation of Ex-Offenders Project, Senior Citizens Meals Program; and City of San Diego's Center for Community Development, was presented.

RESOLUTION 217194, determining that the Cultural Arts Program of The City of San Diego is deemed to be an activity that is necessary or appropriate to support the concentrated physical development activities being conducted within the former Model Cities neighborhood; determining that the San Ysidro Schools Project that is operated by the San Ysidro School District and has been funded by The City of San Diego pursuant to the Demonstration Cities and Metropolitan Development Act of 1966 is deemed to be an activity that is necessary or appropriate to support the concentrated physical development activities being conducted within the San Ysidro area of the City; determining that the Rehabilitation of Ex-Offenders Project is appropriate for inclusion in The City of San Diego Community Development Block Grant Program as a service that is necessary or appropriate to support the physical development activities being conducted within the concentrated area of the former Model Cities neighborhood; determining that the Senior Citizens Meals Program of The City of San Diego is deemed to be an activity that is necessary or appropriate to support the concentrated physical development activities being conducted within the former Model Cities neighborhood; determining that the City of San Diego's Center for Community Development is deemed to be an activity that is necessary or appropriate to support the concentrated physical development activities being conducted within the former Model Cities neighborhood, was adopted on motion of Councilman Haro.

(Unanimous Consent No. 5)

By Unanimous Consent granted to the Mayor, a proposed Resolution excusing and authorizing Mayor Wilson and Councilman Haro to attend ceremonies in Mexico City on November 28 - December 2, 1976 for the inauguration of President-elect Lopez Portillo, was presented.

RESOLUTION 217195, excusing Mayor Pete Wilson and Councilman Jess Haro from Council meetings and Council Committee meetings from November 28, 1976 through December 2, 1976, in order to attend as official representatives of the City the inauguration ceremonies for President Lopez-Portillo in Mexico City, was adopted on motion of Councilman Gade.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Gade, the Regular Meeting was adjourned in memory of Very Rev. Msgr. Donald F. Doxie, who passed away on November 16, 1976, at 6:43 P.M., on motion of Councilman Hubbard. Mayor Wilson announced the Council would go into Executive Session immediately in the Council Conference Room, 12th Floor, to discuss pending litigation and that the balance of the items on November 24, 1976 agenda, consisting of: Items 105, 203, 204, 205, 207, 208, 250, 253, 256, 258, and 405 would be carried as Unfinished Business of December 7, 1976 - p.m. meeting.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Charles J. Hubbard

City Clerk of The City of San Diego, California