

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, DECEMBER 21, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

Present-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Haro, and Mayor
Wilson.

Absent--Councilwoman O'Connor.

Vacant--District 7.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 3:30 p.m.

(Item 1)

Roll call was taken.

Mayor Wilson recessed the Regular Meeting at 3:33 p.m. and announced
that the Council would reconvene

Upon reconvening at 5:10 p.m., the roll call showed all council members
present.

(Item 2)

Reverend Wayne Bryant, Pastor, University Christian Church, did not appear
at this time because it was late. The City Clerk was directed to write a letter
of apology to him for the delay.

(Item 3)

Councilwoman O'Connor led the Pledge of Allegiance.

There were no requests for continuances.

(Item 20)

A proposed Resolution, continued from the Meetings of November 17, and December 15, 1976, withdrawing recognition of the Kearny Vista Community Planning Organization as the planning group representing the Kearny Vista area granted by the Council in Resolution No. 191414, adopted August 24, 1967 and rescinding said resolution; instructing the City Manager to undertake to conduct an informal election in the Kearny Vista area to assist the residents and land and business owners to organize another organization which the Council can recognize as the Community Planning Organization pursuant to Council Policy No. 600-5, was presented.

Rules Committee Consultant Conrad presented the City Manager Report dated December 10, 1976.

Assistant City Manager Graham answered questions directed by the Council.

The motion of Councilman Morrow to recognize the current Kearny Vista (Linda Vista) Community Planning Organization elected on June 28, 1976, and direct them to hold an election between December 21, 1976 and June 28, 1977, was not seconded at this time.

The motion of Councilwoman O'Connor to approve the existing planning group and the informal election procedure, died for lack of a second.

Discussion followed.

Councilman Williams seconded the prior motion of Councilman Morrow to recognize the current Kearny Vista (Linda Vista) Community Planning Organization elected on June 28, 1976, and direct them to hold an election between December 21, 1976 and June 28, 1977, which was not voted on at this time.

Discussion followed.

Rules Committee Consultant Conrad and Chief Deputy City Attorney Conrad answered questions directed by the Council.

The motion of Councilman Johnson to suspend the rules to extend the time of the Council Meeting past 5:30 p.m., passed unanimously.

Lawrence Kapiloff appeared to speak.

Councilwoman O'Connor left the Chambers.

Ed Rasp, Joe Bradley, Donna Erickson, and Maria Costa appeared to speak. Assistant City Manager Graham answered questions directed by the Council.

Councilwoman O'Connor entered the Chambers.

The vote was then taken on the prior motion of Councilman Morrow to recognize the current Kearny Vista (Linda Vista) Community Planning Organization elected on June 28, 1976, and direct them to hold an election between December 21, 1976 and June 28, 1977, which passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, and Haro. Nays-Councilmen O'Connor, Gade, and Mayor Wilson. Absent-None.

(Item 20 - Continued)

RESOLUTION 217302, recognizing as the community planning organization for the Kearny Vista Community the Kearny Vista (Linda Vista) Community Planning Organization elected by a vote taken within the community on June 28, 1976, and recognizing the Planning Board of the Kearny Vista (Linda Vista) Community Planning Organization as established pursuant to Article VI, Section 3, of its charter and bylaws; determining that the Kearny Vista (Linda Vista) Community Planning Organization shall conduct an election for members of the Planning Board no later than June 28, 1977, to serve for the period beginning June 29, 1977.

The motion of Councilman Gade that in the future where there is evidence presented to the Rules Committee that a Community Planning Group has apparently floundered and there is need for an election, the open elector system be employed providing for as equal as possible distribution throughout the Planning District rather than all in one particular area or one group of neighbors or one group of people, providing that the Council will ask the Planning Department to investigate and to report whether they think the election is required; and to then instruct the City Manager to hold such an election, was not voted on.

Discussion followed.

Planning Director Goff answered questions directed by the Council.

The motion of Councilman Hubbard to amend the previous motion of Councilman Gade that in the future where there is evidence presented to the Rules Committee that a Community Planning Group has apparently floundered and there is need for an election, the open elector system be employed providing for as equal as possible distribution throughout the Planning District rather than all in one particular area or one group of neighbors or one group of people; providing that the Council will ask the Planning Department to investigate and to report whether they think the election is required; and to then instruct the City Manager to hold such an election, to add; "equal representation per Census Tract based upon population," was not voted on at this time.

Joe Bradley appeared to speak.

The vote was then taken on the previous motion of Councilman Hubbard to amend the previous motion of Councilman Gade that in the future where there is evidence presented to the Rules Committee that a Community Planning Group has apparently floundered and there is need for an election, the open elector system be employed providing for as equal distribution throughout the Planning District rather than all in one particular area or one group of neighbors or one group of people; providing that the Council will ask the Planning Department to investigate and to report whether they think the election is required; and to then instruct the City Manager to hold such an election, to add, "equal representation per Census Tract based upon population," which passed by the following vote: Yeas-Councilman Johnson, Hubbard, Williams, Morrow, and Haro. Nays-Councilmen O'Connor, Gade, and Mayor Wilson.

(Item 20 - Continued)

The vote was then taken on the previous motion of Councilman Gade, that in the future where there is evidence presented to the Rules Committee that a Community Planning Group has apparently floundered and there is need for an election, the open elector system be employed providing for as equal as possible distribution throughout the Planning District rather than all in one particular area or one group of neighbors or one group of people, providing that the Council will ask the Planning Department to investigate and to report whether they think the election is required; and to then instruct the City Manager to hold such an election, as amended to add; equal representation per Census Tract based upon population, which passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Gade, Haro, and Mayor Wilson. Nays-Councilmen O'Connor and Morrow.

RESOLUTION 217303, where there is evidence presented to the Rules Committee that a community planning group has apparently floundered and there is need for an election to revitalize the community planning effort, the Rules Committee may recommend to the City Council that the open elector system will be employed, which will provide for as equal as possible representation from throughout the planning area; that the City Council may request the Planning Department to investigate and report on the need for an election, after which the City Council may direct the City Manager to conduct an election.

Jewell Hooper appeared to speak.

(Item 21 - CASE NO. 42-76-6.)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of Rezoning Parcel 3 of Record of Survey 2654, being a portion of Pueblo Lot 1120, located on the south side of Hotel Circle South between Taylor Street and Hotel Circle Drive, from Zone R-1-40 to Zone CO.

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

Larry Sillman appeared to speak.

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

RESOLUTION 217304, certifying that the information contained in Environmental Negative Declaration No. 76-08-38P 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

A proposed Ordinance, incorporating Parcel 3 of Record Survey 2654, being a portion of Pueblo Lot 1120, into CO Zone as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 1947 (New Series), adopted October 1, 1940, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-None. Absent-None.

Mayor Wilson recessed the Regular Meeting at 5:10 p.m.

ORDINANCE NO.
(New Series)

11978

JAN 5 1977

0.77-120

Item 21 M120
12-217

AN ORDINANCE INCORPORATING PARCEL 3 OF RECORD SURVEY 2654, BEING A PORTION OF PUEBLO LOT 1120, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO CO ZONE AS DEFINED BY SECTION 101.0423 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 1947 (NEW SERIES), ADOPTED OCTOBER 1, 1940, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HEREWITH.

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

Section 1. That in the event that within two years of the effective date of this ordinance Parcel 3 of Record Survey 2654, being a portion of Pueblo Lot 1120, in the City of San Diego, California, designated "CO" on Zone Map Drawing No. B-2942, is subdivided and a final subdivision map or maps thereof duly submitted to the City and thereafter recorded, and within such subdivision or subdivisions provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0423 of the San Diego Municipal Code shall attach and become applicable to the said subdivided land, and the said subdivided land shall be incorporated into CO Zone, as described and defined by Section 101.0423, the boundary of such zone to be as indicated on Zone Map Drawing No. B-2942. Said zoning shall attach only to those areas included in the subdivision map or maps recorded as provided in this section.

Section 2. That in the event the zoning restrictions shall attach to the said land described in Section 1 of this ordinance, Ordinance No. 1947 (New Series), adopted October 1, 1940,

01877

Upon reconvening at 6:45 p.m. following the completion of the Special Meeting of Tuesday, December 21, 1976, a.m., the roll call showed all members present.

(Unanimous Consent No. 1)

By Unanimous Consent granted to Councilman Hubbard, a proposed Resolution, authorizing the City Manager to conduct a joint study with the Chief Administrative Officer of San Diego County on standardization of the environmental impact report process and to submit a joint report to the City-County Task Force on Consolidation of Services and Facilities when the study is completed, was presented.

RESOLUTION 217333, directing the City Manager to conduct a joint study with the Chief Administrative Officer of San Diego County on standardization of the environmental impact report process and to submit a joint report to the City-County Task Force on Consolidation of Services and Facilities when the study is completed, was adopted on motion of Councilman Haro.

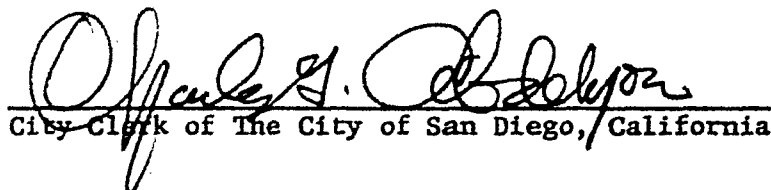
Councilman Morrow left the Chambers.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Johnson at 6:48 p.m. in memory of Jean White, a journalist, who passed away recently.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

SPECIAL MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, DECEMBER 21, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M.

Present-Councilmen Johnson, Hubbard, Gade, Haro, and Deputy Mayor O'Connor.
Absent--Councilmen Williams, Morrow, and Mayor Wilson.
Vacant--District 7.
Clerk---Edward Nielsen.

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

TO Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, and Haro, District 7 vacant, 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 Tuesday, December 21, 1976, at the hour of 8:30 a.m.

Said meeting will be held for the purpose of considering the Unfinished Business from the Council Meetings of December 14 and 15, 1976.

Dated December 17, 1976

PETE WILSON
MAYOR

Deputy Mayor O'Connor called the Special Meeting to order at 8:38 a.m.

(Item 1)

The Roll Call showed Councilmen Williams, Morrow and Mayor Wilson absent.

Deputy Mayor O'Connor recessed the Special Meeting at 8:39 a.m. Upon reconvening at 8:42 a.m., the Roll Call showed Councilmen Williams, Morrow, and Mayor Wilson absent.

There were no requests for continuances.

(Item 3)

A proposed Resolution, Unfinished Business from the Meetings of December 8, 14, and 16, 1976, authorizing the Auditor and Comptroller to transfer within the General Fund (100) the sum of \$1,500 from the Unallocated Reserve (53.31) to the Allocated Reserve (53.20) to supplement Resolution No. 215733 for the purpose of defraying costs of appeal and reporter's transcript fees in the inverse condemnation case of San Diego Gas & Electric Company v. City of San Diego, et al, was presented.

A motion by Councilman Hubbard to adopt the proposed Resolution, received no vote at this time.

Mayor Wilson entered the Chambers and assumed the Chair.

RESOLUTION 217296, authorizing the Auditor and Comptroller to transfer within the General Fund (100) the sum of \$1,500 from the Unallocated Reserve (53.31) to the Allocated Reserve (53.20) to supplement Resolution No. 215733 for the purpose of defraying costs of appeal and reporter's transcript fees in the inverse condemnation case of San Diego Gas & Electric Company v. City of San Diego, et al, was adopted on motion of Councilman Hubbard.

(Item 4)

A proposed Ordinance, Unfinished Business from the Meetings of December 7, 14, and 16, 1976, amending Sections 22.0101, 33.0501, 33.0502, 35.0110, 57.01.7, 62.0413, 72.0216 and 102.0221 of the San Diego Municipal Code relating to appeals from certain administrative decisions, was presented.

A motion by Councilwoman O'Connor to introduce the proposed Ordinance, received no vote.

Councilmen Morrow and Williams entered the Chambers.

Assistant City Manager Graham answered questions directed by the Council. The Council discussed the matter.

Committee Consultant Coleman Conrad presented his report and answered questions directed by the Council.

A motion by Councilman Gade, amending Section 22.0101, stating that each applicant shall be advised of the rules of the Council regarding appeals of an administrative decision or lack of it and their finality, passed unanimously.

Mr. Coleman Conrad answered questions directed by the Council.

A motion by Councilman Hubbard to file the proposed Ordinance and return to the normal Council procedure, received no vote.

The Council discussed the matter.

A motion by Councilman Morrow to amend the proposed Ordinance to permit any member of the legislative body, not normally a member of the committee hearing the appeal to join that committee as a voting member for the purpose of these expressly enumerated hearings, received no vote.

City Attorney Witt answered questions directed by the Council.

The Council discussed the matter.

A motion by Councilman Gade to continue the matter until Item 2, regarding the matter of eliminating the Committee System is heard today, received no vote.

The Council discussed the matter further.

A motion by Councilman Gade to continue the matter one week, until December 29, 1976, p.m., and direct the City Attorney to return with a revised Ordinance containing the amendment voted as Motion #2 and the suggested amendment of Councilman Morrow in Motion #4, passed unanimously.

(Item 5)

A proposed Ordinance, Unfinished Business from the Meetings of December 8, 14, and 16, 1976, amending Chapter II, Article 7, Division 20 of the San Diego Municipal Code by adding Section 27.2023 relating to the residency requirements of elective officers, was presented.

A motion by Councilwoman O'Connor to introduce the proposed Ordinance, received no vote.

City Attorney Witt answered questions directed by the Council regarding the immediate Introduce and Adopt effect.

Committee Consultant Coleman Conrad answered questions directed by the Council regarding requirement changes.

The following Ordinance was passed on the day of its introduction, to-wit, on December 21, 1976, said Ordinance being of the kind and character authorized for passage on introduction by Section 16 of the Charter.

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

ORDINANCE 11966 (New Series) , amending Chapter II, Article 7, Divisions 20, 21 and 31 of the San Diego Municipal Code by adding Section 27.2023 and amending Sections 27.2103 and 27.3104 relating to the residency requirements of elective officers, was adopted on motion of Councilwoman O'Connor , by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 6)

A proposed Ordinance, Unfinished Business from the Meetings of December 8, 14, and 16, 1976, amending Chapter III, Article 1, Division 1 of the San Diego Municipal Code by amending Section 31.0140, relating to written statements required at time of application for business license, was presented.

On motion of Councilwoman O'Connor, the proposed Ordinance amending Chapter III, Article 1, Division 1 of the San Diego Municipal Code by amending Section 31.0140, relating to written statements required at time of application for business license, was introduced by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-None. Absent-None.

(Item 7)

A proposed Resolution, Unfinished Business from the Meetings of December 7, 14, and 16, 1976, declaring the Council's desire and intention to place before the voters of the City of San Diego at the September, 1977 Election a ballot proposition to amend Section 131 of the Charter to allow some administrative discretion in dealing with false information on applications for employment, was presented.

Committee Consultant Coleman Conrad presented his report and answered questions directed by the Council.

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

Mr. Conrad answered questions directed by the Council.

The Council discussed the matter.

(Item 7 - Continued)

Mr. Katz answered questions directed by the Council regarding an appeal.

A motion by Councilman Gade to amend the proposed Resolution by adding the words, "shall...not thereafter be eligible for a period up to three years for appointment to any office in the employment of service but shall be entitled to take any Civil Service tests when so advised by the appointing officer", received no vote at this time.

The Council discussed the matter.

Mr. Katz and David Morris, Personnel Department, answered questions directed by the Council.

The Council discussed the matter.

A motion by Councilman Williams to amend the proposed Resolution by including the words, "must be a substantial fact", received no vote at this time.

Mr. Katz answered questions directed by the Council.

The Council discussed the matter of the proposed amendments.

RESOLUTION 217297, declaring that it is the desire and intention of this Council to place before the voters of the City of San Diego at the September, 1977 election a ballot proposition to amend Section 131 of the Charter to allow some administrative discretion in dealing with false information on applications for employment, was adopted as amended, on motion of Councilman Gade.

Mayor Wilson recessed the Special Meeting at 9:46 a.m. Deputy Mayor O'Connor reconvened the Special Meeting at 10:04 a.m. The Roll Call showed Councilman Gade and Mayor Wilson absent.

(Item 8)

A proposed Resolution, Unfinished Business from the Meetings of December 8, 14, and 16, 1976, authorizing an agreement with San Diego Crew Classic, Inc., to sponsor, manage and supervise the 1977 Crew Classic at Mission Bay, was presented.

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

The Council discussed the matter.

Assistant City Manager Graham answered questions directed by the Council.

Mayor Wilson entered the Chambers and assumed the Chair.

Assistant City Manager Graham answered questions directed by the Council.

Councilman Gade entered the Chambers.

(Item 8 - Continued)

RESOLUTION 217298, authorizing an agreement with San Diego Crew Classic, Inc., to sponsor, manage and supervise the 1977 Crew Classic at Mission Bay, was adopted on motion of Councilman Johnson by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Haro, and Mayor Wilson. Nays-Councilman Morrow. Absent-None.

Assistant City Manager Graham answered questions directed by the Council regarding placing any future requests from San Diego Crew Classic, Inc., in the Convention and Visitors Bureau budget.

(Item 9)

A proposed Resolution, Unfinished Business from the Meetings of December 8, 14, and 16, 1976, authorizing an agreement with the American Justice Institute for developing Police program performance measures; accepting Grant Fund from AJI in an amount not to exceed \$14,000 and appropriating \$53,747 in matching funds required by the grant; Grant Funds received hereunder shall not be used to supplant ongoing law enforcement expenditures; authorizing the City Manager to negotiate and execute necessary agreements for those contractual services specified in the Grant Contract; authorizing the City Auditor and Comptroller to transfer with the General Fund 100 the sum of \$53,747 from the Unallocated Reserve (53.31) to the Police Department, Planning and Research (15.05) for the current fiscal year, said remaining \$26,420 required for Fiscal Year 1978 to be included in the Police Department's Fiscal Year 1978 budget, was presented.

A motion by Councilwoman O'Connor to adopt the proposed Resolution, received no vote at this time.

Councilman Haro, Chairman, Committee on Public Services and Safety, presented his report.

Inspector Fortier, Police Department, presented his report and answered questions directed by the Council.

Assistant City Manager Graham answered questions directed by the Council.

The Council discussed the matter.

Committee Consultant Carpi presented his report.

The Council discussed the matter.

Inspector Fortier answered questions directed by the Council.

A motion by Councilman Williams to direct the City Clerk to produce the minutes of the Police budget hearing, when the City Manager was directed to seek an outside consultant, received no vote.

RESOLUTION 217299, authorizing an agreement with the American Justice Institute for developing Police program performance measures; accepting Grant Fund from AJI in an amount not to exceed \$14,000 and appropriating \$53,747 in matching funds required by the grant; Grant Funds received hereunder shall not be used to supplant ongoing law enforcement expenditures; authorizing the City Manager to negotiate and execute necessary agreements for those contractual services specified in the Grant Contract; authorizing the City Auditor and Comptroller to transfer within the General Fund 100 the sum of \$53,747 from the Unallocated Reserve (53.31) to the Police Department, Planning and Research (15.05) for the current fiscal year, said remaining \$26,420 required for Fiscal Year 1978 to be included in the Police Department's Fiscal Year 1978 budget, was adopted on motion of Councilwoman O'Connor.

(Item 10)

A proposed Resolution, Unfinished Business from the Meetings of December 8, 14, and 16, 1976, establishing a task force consisting of the Mayor, Chairman of the Board of Supervisors, City Attorney, District Attorney, the President of the League of Women Voters of San Diego and the Chairman of Common Cause of San Diego (or their representatives) to review the City's Campaign Contribution and Expenditure Control Ordinance and make recommendations for revisions to the Council, was presented.

A motion by Councilman Hubbard to continue the matter one week until December 28, 1976, 2:00 p.m., Time Certain, for the presence of the District Attorney's representative, passed unanimously.

(Item 11)

A proposed Resolution, Unfinished Business from the Meetings of December 8, 14, and 16, 1976, approving premium overtime status for certain designated positions in the Classified Service, was presented.

Committee Consultant Coleman Conrad presented his report.

Dick Maben, Personnel Department, Chief Deputy City Attorney Katz, and Mr. Conrad answered questions directed by the Council.

A motion by Councilman Williams to adopt the proposed Resolution, received no vote at this time.

The Council discussed the matter.

RESOLUTION 217300, approving the following positions in the Classified Service of The City of San Diego recommended by the Civil Service Commission for premium overtime status, pursuant to the authority set forth in Section 8 of the fiscal year 1976-77 salary ordinance:

Dispatch Clerk II
Heavy Truck Driver II
Senior Evidence Technician
Maintenance Estimator,

was adopted on motion of Councilman Williams.

(Item 12)

A proposed Resolution, Unfinished Business from the Meetings of December 7, 14, and 16, 1976, directing the City Manager to amend the Productivity Improvement Project Schedule to initiate at an early date a productivity improvement study of the Planning Department, was presented.

Committee Consultant Coleman Conrad presented his report.

Councilman Morrow, Chairman, Committee on Transportation and Land Use, presented his report.

The Council discussed the matter.

Director Goff, Planning Department, addressed the Council.

A motion by Councilman Gade to adopt the proposed Resolution received no vote.

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

Mayor Wilson left the Chambers.

(Item 12 - Continued)

Deputy Mayor O'Connor assumed the Chair.

Councilman Johnson left the Chambers.

The Council discussed the matter.

A motion by Councilman Gade to continue the matter for one week until December 29, 1976, a.m., for the full Council, received no vote at this time.

The Council discussed the matter.

A vote was then taken on the previous motion by Councilman Gade to continue the matter for one week until December 29, 1976, a.m., for the full Council, which passed by the following vote: Yeas-Councilmen Hubbard, Williams, Morrow, Gade, and Deputy Mayor O'Connor. Nays-Councilman Haro. Absent-Councilman Johnson and Mayor Wilson.

Councilman Gade left the Chambers.

(Item 13)

A proposed Resolution, Unfinished Business from the Meetings of December 7, 14, and 16, 1976, establishing Council Policy 000-23 regarding guidelines for City Employees and agencies or organizations funded by The City of San Diego as to endorsements of commercial products or services, was presented.

RESOLUTION 217301, establishing Council Policy 000-23 regarding guidelines for City Employees and Agencies or organizations funded by The City of San Diego as to endorsements of commercial products or services, was adopted on motion of Councilman Williams.

At 11:06 a.m., on motion of Councilman Haro, the balance of the items on December 21, 1976 agenda, consisting of: Items 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 were continued to 2:00 p.m., December 21, 1976, and this Special Meeting was recessed until the hour of 2:00 p.m., Tuesday, December 21, 1976, in the Council Chambers, City Administration Building, 202 "C" Street.

OFFICE OF CITY CLERK
SAN DIEGO, CALIFORNIA

MINUTES OF CITY COUNCIL

DATE OF MEETING: Reconvened Special Mtg.
of 12-21-76 a.m. = reconvened
at 6:11 p.m.

MINUTE CLERK'S NAME: Ellen Bovard

TO BE READ: 2-14-78 TPN
(initials)

CORRECTIONS MADE: None
(initials)

TO BE REREAD: _____
(initials)

FINAL CORRECTIONS MADE: _____
(initials)

TO BE APPROVED: _____
(date)

TO BE NUMBERED: _____
(initials)

FILED: _____
(initials)

Upon reconvening at 6:11 p.m.

The following Ordinances were introduced at the Meeting of November 11, 1976, and continued as Unfinished Business from the Meetings of December 7, 14, and 16, 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, O'Connor, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-Councilman Hubbard. Absent-None.

(Item 14)

ORDINANCE 11967 (New Series), 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

ORDINANCE 11968 (New Series), 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.

Councilwoman O'Connor left the Chambers.

The following Ordinance was introduced at the Meeting of November 24, 1976, and was continued as Unfinished Business from the Meetings of December 8, 14, and 16, 1976.

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

The following Ordinance was adopted on motion of Councilman Gade by the following vote: Yeas-Councilmen Johnson, Hubbard, Morrow, Gade, Haro, and Mayor Wilson. Nays-Councilman Williams. Absent-Councilwoman O'Connor.

(Item 15)

ORDINANCE 11969 (New Series), 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.

Councilwoman O'Connor entered the Chambers.

(Item 16)

A proposed Resolution, unfinished business from the Meetings of December 8, 14, and 16, 1976, authorizing the City Manager to execute the Amendment and Supplement No. 1 to the Supplemental and Amendatory Contract for the Temporary Emergency Delivery of a Part of the Mexican Treaty Waters of the Colorado River to the International Boundary in the Vicinity of Tijuana, Baja California, Mexico, Construction and Operation of Facilities Therefor, and Utilization of Energy being transferred from Mexico, was presented.

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

The motion of Councilman Hubbard to continue the matter for one week was not voted on.

City Manager McKinley answered questions directed by the Council.

Councilman Gade withdrew his second to the prior motion of Councilman Hubbard to continue the matter for one week.

The vote was then taken on the prior motion of Councilman Haro to adopt the proposed resolution, which passed unanimously.

RESOLUTION 217305, authorizing the City Manager to execute the Amendment and Supplement No. 1 to the Supplemental and Amendatory Contract for the Temporary Emergency Delivery of a Part of the Mexican Treaty Waters of the Colorado River to the International Boundary in the Vicinity of Tijuana, Baja California, Mexico, Construction and Operation of Facilities Therefor, and Utilization of Energy Being Transferred from Mexico, was adopted on motion of Councilman Haro.

(Item 17)

A proposed Resolution, continued as Unfinished Business from the Meetings of December 7, 14 and 16, 1976, approving and adopting, as amended, the By-laws of the Centre City Development Corporation, Inc., was presented.

RESOLUTION 217306, approving and adopting, as amended, the By-Laws of the Centre City Development Corporation, Inc., was adopted on motion of Councilwoman O'Connor.

(Item 18)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 10, 1976, Unfinished Business from the Meetings of December 7, 14 and 16, 1976, on installation of a sewer main, house connection sewers, and appurtenance in Sunrise Drive from Sycamore Road to the terminus - on Resolution of Intention 216912.

(Item 18 - Continued)

No one appeared to be heard.

The motion of Councilman Johnson to close the hearing and adopt the following proposed Resolutions: a - Overruling and denying each and all oral and written protests and objections, if any, made or filed in the matter; determining that the proposed improvement within the limits mentioned in Resolution of Intention No. 216912, to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and that the public convenience and necessity require the proposed improvement, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and b - Ordering work to improve Sunrise Drive from Sycamore Road to the terminus by the installation of a sewer main and appurtenances, was not voted on at this time.

City Manager McKinley answered questions directed by the Council.

The votes was then taken on the previous motion of Councilman Johnson to close the hearing and adopt the following proposed Resolutions: a - Overruling and denying each and all oral and written protests and objections, if any, made or filed in the matter; determining that the proposed improvement within the limits mentioned in Resolution of Intention No. 216912, to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and that the public convenience and necessity require the proposed improvement, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and b - Ordering work to improve Sunrise Drive from Sycamore Road to the terminus by the installation of a sewer main and appurtenances, which passed unanimously.

The hearing was closed and the following Resolutions adopted on motion of Councilman Johnson:

RESOLUTION 217307, overruling and denying each and all oral and written protests and objections, if any, made or filed in the matter; determining that the proposed improvement within the limits mentioned in Resolution of Intention No. 216912, to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and that the public convenience and necessity require the proposed improvement, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and

RESOLUTION 217308, ordering work to improve Sunrise Drive from Sycamore Road to the terminus by the installation of a sewer main and appurtenances.

(Item 19)

A proposed ordinance, continued from the Meetings of December 15 and 16, 1976, amending Chapter II, Article 2 of the San Diego Municipal Code by amending Section 22.0901 relating to Leases of Real Property, was presented.

The motion of Councilwoman O'Connor to introduce the proposed Ordinance, 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 Councilwoman O'Connor to introduce the proposed Ordinance.

A proposed Ordinance, amending Chapter II, Article 2 of the San Diego Municipal Code by amending Section 22.0901 relating to Leases of Real Property, was introduced by Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Haro, and Mayor Wilson. Nays-Councilman Morrow. Absent-None.

(Item 20)

A proposed Resolution, continued from the Meetings of December 15 and 16, 1976, amending Council Policy 700-10 entitled "Leasing of City-owned Real Estate," was presented.

RESOLUTION 217309, amending Council Policy 700-10 entitled "Leasing of City-owned Real Estate," was adopted on motion of Councilwoman O'Connor.

(Item 21)

A proposed Resolution, continued from the Meetings of December 15 and 16, 1976, confirming the following appointments by the Mayor to the Transportation Advisory Board for terms expiring as indicated:

	<u>Nominated by</u>	<u>Term Expires</u>
Paula G. Oquita	Councilman Johnson	January 1, 1979
Ardetta Steiner	Councilwoman O'Connor	January 1, 1978
Alex McDonald	Councilman Hubbard	January 1, 1979
Jewell D. Hooper	Councilman Williams	January 1, 1978
Nan Valerio	Councilman Morrow	January 1, 1979
J. Floyd Andres	Councilman Gade	January 1, 1978
Shaker Razook	Councilman Ellis	January 1, 1979
Wayne Dicket	Councilman Haro	January 1, 1978

	<u>Representing</u>	
Ana A. Ramirez	Senior Citizen	January 1, 1979
Mary P. Thielen	Physically Handicapped	January 1, 1978
John B. Kennedy	Business Served by Public Transportation	January 1, 1979
C.A. Karaberis	Uses Public Transportation	January 1, 1978
Mary E. Seaton	Member-at-large	January 1, 1979

was presented.

The motion of Councilman Morrow to amend the proposed Resolution to add the name of Joyce Beers, representing the Board of Directors of the San Diego Transit Corporation with a term ending January 1, 1978, and adopt the proposed resolution, as amended, passed unanimously.

RESOLUTION 217310, confirming the following appointments by the Mayor to the Transportation Advisory Board for terms expiring as indicated:

	<u>Nominated by</u>	<u>Term expires</u>
Paula G. Oquita	Councilman Johnson	January 1, 1979
Ardetta Steiner	Councilwoman O'Connor	January 1, 1978
Alex McDonald	Councilman Hubbard	January 1, 1979

(Item 21 - continued)

	<u>Nominated by</u> (continued)	<u>Term expires</u> (continued)
Jewell D. Hooper	Councilman Williams	January 1, 1978
Nan Valerio	Councilman Morrow	January 1, 1979
J. Floyd Andrews	Councilman Gade	January 1, 1978
Shaker Razook	Councilman Ellis	January 1, 1979
Wayne Dickety	Councilman Haro	January 1, 1978

Representing

Ana A. Ramirez	Senior Citizen	January 1, 1979
Mary P. Thielen	Physically Handicapped	January 1, 1978
John B. Kennedy	Business Served by Public Transportation	January 1, 1979
C.A. Karaberis	Uses Public Trans- portation	January 1, 1978
Mary E. Seaton	Member-at-large	January 1, 1979
Joyce Beers	Board of Directors of S. D. Transit Corporation	January 1, 1978,

was adopted on motion of Councilman Morrow.

(Item 22)

The following Resolutions, continued from the Meetings of December 15 and 16, 1976, authorizing agreements for conducting studies as a part of the Economic component of the Growth Management Study:

- a - Hammer, Siler, George Associates - Housing and Land Market Study;
- b - Econometric Research Associates, Inc. - Employment and Income Study; and
- c - Copley International Corporation - Natural Resource Study, were presented.

The motion of Councilwoman O'Connor to adopt the proposed Resolutions, 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 Councilwoman O'Connor to adopt the proposed Resolutions, which passed unanimously.

RESOLUTION 217311, authorizing an agreement with Hammer, Siler, George Associates for the purpose of conducting a Housing and Land Market Study as part of the economic component of the Growth Management Study authorized by the City Council;

RESOLUTION 217312, authorizing an agreement with Econometric Research Associates, Inc., for the purpose of conducting an Employment and Income Study as part of the economic component of the Growth Management Study; and

RESOLUTION 217313, authorizing an agreement with Copley International Corporation for the purpose of conducting a Natural Resource Study as part of the economic component of the Growth Management Study authorized by the City Council, were adopted on motion of Councilwoman O'Connor.

(Item 23)

A proposed Resolution, continued from the Meetings of December 15 and 16, 1976, authorizing the Purchasing Agent to advertise for sale 10,749, 1-15/16 inch diameter, silver, 200th Anniversary Medallions, said medallions being no longer utilized and having been determined to be obsolete to the needs of and undesirable for retention by the City; all expenses in connection with the above sale shall be deducted from the proceeds received from said sale, was presented.

The motion of Councilman Johnson to adopt the proposed Resolution, 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 Johnson to adopt the proposed Resolution, which passed unanimously.

RESOLUTION 217314, authorizing the Purchasing Agent to advertise for sale 10,749, 1-15/16 inch diameter, silver, 200th Anniversary Medallions, said medallions being no longer utilized and having been determined to be obsolete to the needs of and undesirable for retention by the City; all expenses in connection with the above sale shall be deducted from the proceeds received from said sale, was adopted on motion of Councilman Johnson.

(Item 24)

The following proposed Resolutions, continued from the Meetings of December 15 and 16, 1976, relative to Tijuana River Flood Control Project:

a - Certifying that the information contained in the Environmental Statement, entitled "Tijuana River Flood Control Project, San Diego County." No. USS, IBWC - EIS-71-1, prepared by the United States Section International Boundary and Water Commission, pursuant to the National Environmental Policy Act of 1969, has been reviewed and considered by this Council;

b - Authorizing a Memorandum of Understanding between the International Boundary and Water Commission; The Department of the Army, Corps of Engineers, and The City of San Diego, relating to the procurement of, and sharing of costs for rights-of-way for said project;

c - Authorizing the City Auditor and Comptroller to expend the sum of \$600,000 from Storm Drain and Flood Control Bond Fund 727 for relocation and acquisition costs;

d - Authorizing a Contract For Hiring Fee Real Estate Appraisers with David D. Westcott, for appraisal services;

e - Authorizing a Contract For Hiring Fee Real Estate Appraisers with Whitson M. Jones and Gerald S. Kibbey, for appraisal services; and

f - Authorizing a Contract For Title Services with Title Insurance and Trust Company, for title service, were presented.

City Manager McKinley answered questions directed by the Council.

The following Resolutions, relative to Tijuana River Flood Control Project, were adopted on motion of Councilman Johnson by the following vote: Yeas-Councilman Johnson, O'Connor, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-Councilman Hubbard. Absent-None;

RESOLUTION 217315, certifying that the information contained in the Environmental Statement, entitled "Tijuana River Flood Control Project, San Diego County," No. USS, IBWC - EIS-71-1, prepared by the United States Section International Boundary and Water Commission, pursuant to the National Environmental Policy Act of 1969, has been reviewed and considered by this Council;

(Item 24 - Continued)

RESOLUTION 217316, authorizing a Memorandum of Understanding between the International Boundary and Water Commission; The Department of the Army, Corps of Engineers; and The City of San Diego, relating to the procurement of, and sharing of costs for rights-of-way for said project;

RESOLUTION 217317, authorizing the City Auditor and Comptroller to expend the sum of \$600,000 from Storm Drain and Flood Control Bond Fund 727 for relocation and acquisition costs;

RESOLUTION 217318, authorizing a Contract For Hiring Fee Real Estate Appraisers with David D. Westcott, for appraisal services;

RESOLUTION 217319, authorizing a Contract For Hiring Fee Real Estate Appraisers with Whitson M. Jones and Gerald S. Kibbey, for appraisal services; and

RESOLUTION 217320, authorizing a Contract For Title Services with Title Insurance and Trust Company, for title service.

(Item 25)

A proposed Resolution, continued from the Meetings of December 15 and 16, 1976, authorizing a First Amendment to Agreement with Marcou O'Leary and Associates, for the purpose of extending the time of performance from November 15, 1976 to February 1, 1977, (Growth Management Impact Study.) was presented.

RESOLUTION 217321, authorizing a First Amendment to Agreement with Marcou O'Leary and Associates, for the purpose of extending the time of performance from November 15, 1976 to February 1, 1977, was adopted on motion of Councilwoman O'Connor.

(Item 26)

A proposed Resolution, continued from the Meetings of December 15 and 16, 1976, setting the date and time for hearings to establish just and reasonable rates for hire of taxicabs within the City of San Diego pursuant to Section 72.0102(a) of the Municipal Code, was presented.

Discussion followed.

The motion of Councilman Morrow to adopt the Resolution, setting February 23, 1977, 2:00 p.m. Meeting for hearings and refer to Transportation and Land Use Committee for fact finding before the Council holds the Hearings, 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 Morrow to adopt the Resolution, setting February 23, 1977, 2:00 p.m. Meeting for hearings and refer to Transportation and Land Use Committee for fact finding before the Council holds the Hearings, which passed unanimously.

RESOLUTION 217322, setting February 23, 1977, 2:00 p.m. as the date and time certain for public hearings to establish just and reasonable rates for hire of taxicabs within the City of San Diego pursuant to Section 72.0102(2) of the San Diego Municipal Code.

(Item 27)

The following proposed Resolutions, continued from the Meetings of December 15 and 16, 1976, relative to authorizing First Amendments to Agreements for professional services for design of improvements:

a - Fred Rodrick Blecksmith, Jr., A.I.A., Architect, Inc., - architectural services - Highland-Landis Park and Recreation Center and Casa Del Prado; authorizing the expenditure of an additional \$5,000 for compensation;

b - Boyle Engineering Corporation, engineering services - North Park Park and Recreation Center and Presidio Park; authorizing the expenditure of an additional \$10,000 for compensation;

c - Neptune & Thomas Associates - architectural services - Encanto Park and Recreation Center and Highland-Landis Park and Recreation Center; authorizing the expenditure of an additional \$23,000 for compensation;

d - Brown and Zammit Engineering, Inc. - engineering services - City Parks; authorizing the expenditure of an additional \$30,000 for compensation;

e - Raymond F. Hall Corporation - engineering services - City Parks; authorizing the expenditure of an additional \$20,000 for compensation;

f - R. E. Randall, Electrical Engineer - engineering services - City Parks; authorizing an additional \$20,000 for compensation; and

g - Kawasaki, Theilacker & Associates - landscape architectural services - Mira Mesa Park and Recreation Center; authorizing the expenditure of an additional \$5,000 for compensation, were presented.

The motion of Councilman Morrow to adopt the proposed Resolutions, 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 Morrow to adopt the proposed Resolutions, which passed unanimously.

The following Resolutions, relative to authorizing First Amendments to Agreements for professional services for design of improvements, were adopted on motion of Councilman Morrow:

RESOLUTION 217323, Fred Rodrick Blecksmith, Jr., A.I.A., Architect, Inc., - architectural services - Highland-Landis Park and Recreation Center and Casa Del Prado; authorizing the expenditure of an additional \$5,000 for compensation;

RESOLUTION 217324, Boyle Engineering Corporation, engineering services - North Park Park and Recreation Center and Presidio Park; authorizing the expenditure of an additional \$10,000 for compensation;

RESOLUTION 217325, Neptune & Thomas Associates - architectural services - Encanto Park and Recreation Center and Highland-Landis Park and Recreation Center; authorizing the expenditure of an additional \$23,000 for compensation;

RESOLUTION 217326, Brown and Zammit Engineering, Inc. - engineering services - City Parks; authorizing the expenditure of an additional \$30,000 for compensation;

RESOLUTION 217327, Raymond F. Hall Corporation - engineering services - City Parks; authorizing the expenditure of an additional \$20,000 for compensation;

(Item 27 - Continued)

RESOLUTION 217328, R. E. Randall, Electrical Engineer - engineering services - City Parks; authorizing an additional \$20,000 for compensation; and

RESOLUTION 217329, Kawasaki, Theilacker & Associates - landscape architectural services - Mira Mesa Park and Recreation Center; authorizing the expenditure of an additional \$5,000 for compensation.

(Item 28)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of December 15 and 16, 1976, on 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 - Resolution of Intention 217094.

No one appeared to be heard, and it was reported no protests had been received.

The motion of Councilman Johnson to close the hearing and adopt the following proposed Resolutions:

a - Overruling and denying all oral and written protests and objections, if any, filed in the Office of the City Clerk, determining that the proposed improvement within the limits mentioned in Resolution of Intention No. 217094 is feasible, and the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and that the public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply;

b - Ordering work to construct the Soledad Mountain Water Pumping Plant; and

c - Amending the Capital Improvements Program by amending Document No. 754397, as amended, to add to the Fiscal Year 1977 Program a new Project Number 73-202, Construction of Soledad Mountain Water Pump Plan, and providing necessary funds for said Project, 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 Johnson to close the hearing and adopt the proposed Resolutions, which passed unanimously.

RESOLUTION 217330, overruling and denying all oral and written protests and objections, if any, filed in the Office of the City Clerk, determining that the proposed improvement within the limits mentioned in Resolution of Intention No. 217094 is feasible, and the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and that the public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply;

RESOLUTION 217331, ordering work to construct the Soledad Mountain Water Pumping Plant; and

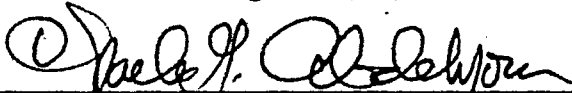
RESOLUTION 217332, amending the Capital Improvements Program by amending Document No. 754397, as amended, to add to the Fiscal Year 1977 Program a new Project Number 73-202, Construction of Soledad Mountain Water Pump Plant, and providing necessary funds for said Project.

There being no further business to come before the Council at this time, the Special Meeting was adjourned at 6:44 p.m. on motion of Councilman Johnson, and the Mayor announced the Council would convene into the Regular Meeting of that date for the purpose of considering Unanimous Consent items.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

OFFICE OF CITY CLERK
SAN DIEGO, CALIFORNIA

MINUTES OF CITY COUNCIL

DATE OF MEETING: Special Meeting
12-21-76 p.m.

MINUTE CLERK'S NAME: Ellen Bovard

TO BE READ: 2-17-78 TDN
(initials)

CORRECTIONS MADE: _____
(initials)

TO BE REREAD: _____
(initials)

FINAL CORRECTIONS MADE: _____
(initials)

TO BE APPROVED: _____
(date)

TO BE NUMBERED: _____
(initials)

FILED: _____
(initials)

SPECIAL MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, DECEMBER 21, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Absent--None.

Vacant--District 7.

Clerk---Edward Nielsen.

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

TO Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Haro, District 7 vacant,
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 Tuesday, December 21, 1976, at the hour of 2:00 p.m.

Said meeting will be held for the purpose of conducting the hearing continued
from the Special Council Meeting of December 16, 1976 on the matter of considering
the applications of the six finalists for appointment to fill the vacancy in
Council District 7.

Dated December 17, 1976

PETE WILSON
MAYOR

Mayor Wilson called the Special Meeting to order at 3:34 p.m.

(Item 1)

Roll call was taken.

(Item 2)

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 December 14 and 16,
1976, on the matter of considering the applications of the six finalists for
appointment to fill the vacancy which exists in Council District No. 7. This
is the continuation of the second of two public hearings to be held pursuant to
San Diego Municipal Code Sections 27.3105 and 27.3107.

(Item 2 - Continued)

Larry Stirling and Mac Strobl appeared to speak.

City Attorney Witt answered questions directed by the Council.

Mr. Strobl and Mr. Stirling answered questions directed by the Council.

The motion of Councilman Hubbard to continue balloting, which was calling for the seventh ballot, a ballot on the two finalists in order to come up with one candidate, was not voted on at this time.

Mr. Strobl and Mr. Stirling answered questions directed by the Council.

The motion of Councilman Morrow to consider an interim appointee, which would be to abandon the process adopted for appointment and consider an interim appointee to serve out the unexpired term upon the agreement that the applicant will not seek election to that position in September and November, 1977, was not voted on due to a later ruling by the City Attorney.

Councilman Johnson withdrew his second to the motion of Councilman Hubbard.

Councilman Gade seconded the previous motion of Councilman Hubbard, which was not voted on at this time.

Discussion followed.

City Attorney Witt ruled that the previous motion of Councilman Hubbard to continue balloting was the only motion on the floor.

Discussion followed.

By common consent, in accordance with the previous motion of Councilman Hubbard to continue the balloting, the Council members cast their seventh ballot which was on the two finalists in order to come up with one candidate. The vote was as follows: (Note: Councilmembers included other names in this ballot.)

Johnson - Mac Strobl;

O'Connor - None;

Hubbard - Mac Strobl;

Williams - Evonne Schultz;

Morrow - Evonne Schultz;

Gade - Mac Strobl;

Haro - Evonne Schultz; and

Mayor Wilson - Mac Strobl.

(No candidate received five affirmative votes at this time.)

The motion of Councilman Morrow to move to interim appointment, which would be to abandon the Rules for continuing the appointment process and proceed to appoint an interim appointee from one of the two finalists who will agree not to seek election in September and November, 1977, was not voted on at this time.

Discussion followed at length.

The vote was then taken on the previous motion of Councilman Morrow, which was defeated by the following vote: Yeas-Councilmen Williams, Morrow, and Haro. Nays-Councilmen Johnson, O'Connor, Hubbard, Gade, and Mayor Wilson. District 7 vacant.

Mayor Wilson recessed the Special Meeting at 4:40 p.m. Upon reconvening at 5:04 p.m., the roll call showed all Councilmembers present.

(Item 2 - Continued)

The motion of Councilman Johnson to approve the interim appointment of Mac Strobl and direct the City Attorney to prepare a Resolution including an agreement that he would not seek election in September and November, 1977, passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Haro, and Mayor Wilson. Nays-Councilwoman O'Connor. Absent-None. District 7 vacant.

There being no further business to come before the Council at this time, the Special Meeting was adjourned at 5:09 p.m. on motion of Councilman Williams, and the Council then convened to resume the recessed Regular Meeting of Tuesday, December 21, 1976.

Acting Maurice O'Connor
Mayor of The City of San Diego, California

ATTEST:

Charles E. O'Connell
City Clerk of The City of San Diego, California