

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, DECEMBER 28, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

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

Absent--Councilman Morrow.

Vacant--District 7.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:11 p.m.

(Item 1)

Roll call was taken.

(Item 2)

City Attorney John Witt gave the Invocation.

(Item 3)

Councilman Hubbard led the Pledge of Allegiance.

(Item 24)

A proposed Resolution appointing Joel M. Strobl to fill the vacancy in the councilmanic seat of the 7th District to complete the term expiring on December 5, 1977; this appointment shall become effective on the date of the adoption of this resolution, (Pursuant to Section 12 of the City Charter and the San Diego Municipal Code.), was presented.

Councilman Morrow entered the Chambers.

Edward Nielsen, City Clerk, administered the Oath of Office to
Councilman Joel M. Strobl.

Councilman Strobl took his place on the Council.

RESOLUTION 217387, appointing Joel M. Strobl to fill the vacancy in the councilmanic seat of the 7th District to complete the term expiring on December 5, 1977; this appointment shall become effective on the date of the adoption of this resolution, (Pursuant to Section 12 of the City Charter and the San Diego Municipal Code.), was adopted on motion of Councilman Gade.

(Item 25)

A communication from Atti Hughes, requesting the City Council to (1) ask the State Coastal Commission to recognize the findings of the Coastal Plan and the State Criteria; and (2) urge the State Coastal Commission to list La Jolla as defined by the boundaries of its Community Plan as a "Sensitive Coastal Area": (a) As a special community and neighborhood and significant visitor destination area which has world fame; (b) As a highly scenic and natural habitat area; (c) To give recognition to the fact this scenic quality is outstanding only because of the unique combination of beautiful shoreline, village and magnificent setting Mount Soledad gives them and that they must be considered as a unit, was presented.

Atti Hughes appeared to speak regarding said communication.

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

(Item 20)

A proposed Resolution, continued from the Meeting of December 15, 1976, due to lack of time, authorizing the City Attorney to commence action in Superior Court to acquire, under Eminent Domain Proceedings portions of Section 35, Township 18 South, Range 2 West, San Bernardino Base and Meridian; portions of Lots A-177, A-178, A-179, A-180, A-181 and A-182, San Ysidro Addition No. 2; portions of Lots A-211, A-217, A-218, A-219, A-220 and A-221, San Ysidro Addition No. 4; portions of Lots A-1, A-2, A-3, A-4, A-5, A-81, A-82, and A-85, San Ysidro; and portions of Lots A-79, A-80 and A-81, Little Landers Subdivision of San Ysidro, according to United States Government Survey for the construction, operation and maintenance of a public street and incidents thereto, together with certain earth excavations, embankments, slope or slopes and a storm drain or drains and appurtenances, was presented.

William Schempers, Jr., Transportation Department, answered questions directed by Council.

City Manager McKinley answered questions directed by Council.

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

Councilwoman O'Connor left the Chambers.

Mr. Hagar further answered questions directed by staff.

City Clerk Nielsen answered questions directed by Council.

Councilwoman O'Connor entered the Chambers.

(Item 20 - Continued)

Deputy City Attorney Coiner answered questions directed by Council.

James A. Duff, Martha Griffith, Arnold Schlitz, Lorretto Amador,

Al Osgood and Teresa Ponesa appeared to speak in opposition to the matter.

Mr. McKinley further answered questions directed by Council.

Mr. Schempers further answered questions directed by Council.

Mr. Hagar further answered questions directed by Council.

A motion by Councilman Haro to continue to January 11, 1977, 3:00 p.m. time certain, and direct the City Manager to come back with a report on a potential assessment district, traffic counts and parallel routes and to direct the City Attorney to report on when proposal for hardship provision will be before Council, received no second at this time.

Mr. Schempers further answered questions directed by Council.

Discussion followed.

Mr. McKinley further answered questions directed by Council.

Mr. Hagar further answered questions directed by Council.

Councilman Williams offered a second to the motion of Councilman Haro to continue to January 11, 1977, 3:00 p.m. time certain, and direct the City Manager to come back with a report on a potential assessment district, traffic counts and parallel routes and to direct the City Attorney to report on when proposal for hardship provision will be before Council, and a vote was then taken on the previous motion of Councilman Haro to continue to January 11, 1977, 3:00 p.m. time certain, and direct the City Manager to come back with a report on a potential assessment district, traffic counts and parallel routes and to direct the City Attorney to report on report on when proposal for hardship provision will be before Council which passed unanimously.

Mayor Wilson recessed the Meeting at 3:50 p.m. Upon reconvening at 4:05 p.m., the roll call showed Councilmen Williams, Morrow and Haro absent.

(Item 22)

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 the intention of the City Council, pursuant to Section 99 of the City Charter, to authorize the City Manager to execute an Owner Participation Agreement between the Redevelopment Agency of The City of San Diego, The City of San Diego, and the San Diego Unified Port District, covering property owned by the Port District known as Navy Field, creating obligations extending over a period of more than five years, was presented.

(Item 22 - Continued)

Deputy City Attorney Valderhaug spoke on the continuance.

A motion by Councilwoman O'Connor to continue the item to January 4, 1977, 2:00 p.m. time certain, received no vote.

Councilman Williams entered the Chambers.

Mr. Valderhaug further answered questions directed by Council.
City Manager McKinley answered questions directed by Council.

Councilman Morrow entered the Chambers.

A motion by Councilwoman O'Connor to direct the City Attorney to prepare documents regarding negotiations with the Port District for a police station site at Market Street and Harbor Drive, received no vote at this time.

Mr. McKinley further answered questions directed by Council.

James Spotts, Engineering and Development Department, answered questions directed by Council.

Mr. Valderhaug further answered questions directed by Council.

A vote was then taken on the previous motion of Councilwoman O'Connor to direct the City Attorney to prepare documents regarding negotiations with the Port District for a police station site at Market Street and Harbor Drive, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Strobl and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilman Haro.

A motion by Councilwoman O'Connor to continue the item to January 4, 1977, 2:00 p.m. time certain at the City Attorney's requests, passed unanimously.

Councilman Haro entered the Chambers.

(Item 21)

The following proposed Ordinances were presented:

A proposed Ordinance amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0435.2 relating to M-1B Zone, and

A proposed Ordinance amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0436 relating to M-1A Zone.

Mr. Clark appeared to speak.

On motion of Councilwoman O'Connor, the following proposed Ordinances were referred to the Transportation and Land Use Committee:

(Item 21 - Continued)

A proposed Ordinance amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0435.2 relating to M-1B Zone, and

A proposed Ordinance amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0436 relating to M-1A Zone.

Chief Deputy City Attorney Conrad and Deputy City Attorney Riess advised the Council of the new laws on processing Environmental Impact Reports, effecting January 1, 1977.

(Item 23)

A proposed Resolution continued from the Meeting of December 21, 1976 for the presence of the District Attorney's representative, and carried over as 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.

Deputy District Attorney Hamilton answered questions directed by Council.

Discussion followed.

A motion by Councilman Hubbard to request the District Attorney's office to provide Council with a complete written report on the monitoring of the City's Election Campaign Ordinance and violations within 30 days, received no vote at this time.

Mr. Hamilton further answered questions directed by Council.

A vote was then taken on the previous motion of Councilman Hubbard to request the District Attorney's office to provide Council with a complete written report on the monitoring of the City's Election Campaign Ordinance and violations within 30 days, which passed unanimously.

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

Discussion followed.

Mr. Hamilton further answered questions directed by Council.

RESOLUTION 217388, establishing a Task Force consisting of the Mayor, Chairman of the Board of Supervisors, City Attorney, County Counsel, 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 adopted on motion of Councilwoman O'Connor.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 4:59 p.m. on motion of Councilman Williams.

James D. Naro
Deputy Mayor of The City of San Diego, California

ATTEST:

A. M. Osborne
Deputy City Clerk of The City of San Diego, California