

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, DECEMBER 29, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M.

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

Absent--Councilmen O'Connor and Haro.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 8:42 a.m.

(Item 100)

Roll call was taken.

(Item 101)

A communication from Karen Verdun, requesting permission to address the Council regarding a proposal for the purchase of 3.5 acres of land in 1977 for a neighborhood facility under the community block grant program, was presented.

Karen Verdun appeared to speak regarding said communication.

On motion of Councilman Johnson, said communication was referred to the City Manager for a report back to Mrs. Verdun and Council.

(Item 102)

A communication from Alvord Paull, representing Point Loma Residents (Organizing Committee), relative to a proposed Resolution to cause the City of San Diego to intervene on behalf of its residents in the application of the Unified Port District for variance from the State regulations on Noise from Airports. The object of intervening is to secure certain terms and conditions as part of the variance that may be granted. The conditions requested are: 1.) That the Port District prepare a plan for reducing noise from Lindbergh Field, in accordance with regulations; and 2.) That the Port District report to the City measurements of noise they are required to make under State regulations, and to report the data promptly after measuring, was presented.

Alvord Paull was unable to appear.

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

There were no requests for continuances.

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 and 121.

The following Ordinance was introduced at the Meeting of December 15, 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 Morrow by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Stroble, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor and Haro.

(Item 120 - CASE NO. 45-74-4/EOT)

ORDINANCE 11974 (New Series), amending Section 1 of Ordinance No. 8766 (New Series), adopted December 13, 1962, amended by Ordinance No. 11411 (New Series), adopted October 17, 1974, incorporating a portion of Rancho San Bernardo, Record of Survey 6081, into CA-S Zone, as defined by Section 101.0428 of the San Diego Municipal Code.

The following Ordinance was introduced at the Meeting of December 8, 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 Morrow by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Stroble, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor and Haro.

(Item 121)

ORDINANCE 11975 (New Series), amending Chapter VIII, Article 6, of the San Diego Municipal Code by amending Section 86.02 and adding Section 86.02.2, relating to parking.

The Council considered the portion of the Consent Agenda dealing with Ordinances to be introduced: Items 122, 123, and 124.

(Item 122 - CASE NO. 28-74-1/EOT)

A proposed Ordinance, amending Section 1 of Ordinance No. 11397 (New Series), adopted September 19, 1974, incorporating a portion of Lot 17, Rancho Mission of San Diego, into M-1P Zone, as defined by Section 101.0435.1 of the San Diego Municipal Code, was introduced on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Strobl, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor and Haro.

(Item 123 - CASE NO. 49-74-1/EOT)

A proposed Ordinance, amending Section 1 of Ordinance No. 11441 (New Series), adopted November 27, 1974, incorporating portions of Lot 67 of Rancho Mission of San Diego, S.C.C. No. 348, and a portion of Lot "F" in Lot 70 of Rancho Mission of San Diego, S.C.C. 15191, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, was introduced on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Strobl, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor and Haro.

(Item 124 - CASE NO. 60-74-3/EOT)

A proposed Ordinance, amending Section 1 of Ordinance No. 11524 (New Series), adopted March 27, 1975, incorporating a portion of the southeast quarter of Section 23, Township 14 south, Range 4 west, SBBM, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, was introduced on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Strobl, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor and Haro.

The Council considered the portion of the Consent Agenda dealing with Resolutions which consisted of items 150, 151, 152, 153, 154, 156, 157, 158, 159, 160, 161, 162, and 200.

(Item 150)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Strobl:

RESOLUTION 217389, Zellerbach Paper Company, for furnishing bond and mimeograph paper as may be required for a six month period ending June 30, 1977, for an estimated cost, including tax, terms, and escalation, of \$42,375.33, with option to renew for one additional six month period with escalation not to exceed 5%; and

RESOLUTION 217390, Hansson Motor Supply Inc., and W. K. Montgomery Co. for the purchase of small tools as may be required for the period of one year ending December 31, 1977, for an estimated cost of \$33,095.88.

ORDINANCE NO. _____
(New Series)

0.77-123

Item 122

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 11397 (NEW SERIES), ADOPTED SEPTEMBER 19, 1974, INCORPORATING A PORTION OF LOT 17, RANCHO MISSION OF SAN DIEGO, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO M-IP ZONE, AS DEFINED BY SECTION 101.0435.1 OF THE SAN DIEGO MUNICIPAL CODE.

WHEREAS, a request has been received to extend the time on Ordinance No. 11397 (New Series), adopted September 19, 1974; and

WHEREAS, Section 1 of Ordinance No. 11397 (New Series) provided that the M-IP Zone would attach if a final subdivision map was recorded on or before October 19, 1976; and

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

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

Section 1. That Section 1 of Ordinance No. 11397 (New Series), adopted September 19, 1974, be, and it is hereby amended to read as follows:

Section 1. That in the event that a portion of Lot 17, Rancho Mission of San Diego, in the City of San Diego, California, within the boundary of the district designated "M-IP" on that certain Zone Map Drawing No. B-2777.1, is subdivided and a final subdivision map thereof duly submitted to the City on or before April 19, 1977, and thereafter recorded and within

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120 *

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READING AND ADOPTION:
[A JV AT A]

0-77-124

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 11441 (NEW SERIES), ADOPTED NOVEMBER 27, 1974, INCORPORATING PORTIONS OF LOT 67 OF RANCHO MISSION OF SAN DIEGO, S.C.C. NO. 348, AND A PORTION OF LOT "F" IN LOT 70 OF RANCHO MISSION OF SAN DIEGO, S.C.C. 15191, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-1-5 ZONE, AS DEFINED BY SECTION 101.0407 OF THE SAN DIEGO MUNICIPAL CODE,

WHEREAS, a request has been received to extend the time on Ordinance 11441 (New Series), adopted November 27, 1974; and

WHEREAS, Section 1 of Ordinance No. 11441 (New Series) provided that the R-1-5 Zone would attach if a final subdivision map or maps were recorded on or before December 27, 1976; and

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

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

Section 1. That Section 1 of Ordinance No. 11441 (New Series), adopted November 27, 1974, be, and it is hereby amended to read as follows:

Section 1. That in the event that portions of Lot 67 of Rancho Mission of San Diego, S.C.C. No. 348, and a portion of Lot "F" in Lot 70 of Rancho Mission of San Diego, S.C.C. 15191, in the City of San Diego, California, within the boundary of the district designated "R-1-5" on that certain Zone Map Drawing No. B-2806.1, is subdivided and a final subdivision

01934

(New Series)

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 11524 (NEW SERIES), ADOPTED MARCH 27, 1975, INCORPORATING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 4 WEST, SBBM, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-2 ZONE, AS DEFINED BY SECTION 101.0409 OF THE SAN DIEGO MUNICIPAL CODE.

WHEREAS, a request has been recieved to extend the time on Ordinance No. 11524 (New Series), adopted March 27, 1975; and

WHEREAS, Section 1 of Ordinance No. 11524 (New Series) provided that the R-2 Zone would attach if a final subdivision map or maps were recorded on or before October 26, 1976; and

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

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

Section 1. That Section 1 of Ordinance No. 11524 (New Series), adopted March 27, 1975, be, and it is hereby amended as follows:

Section 1. That in the event that a portion of the Southeast Quarter of Section 23, Township 14 South, Range 4 West, SBBM, in the City of San Diego, California, within the boundary of the district designated "R-2" on that certain Zone Map Drawing No. B-2779, is subdivided and a final subdivision map or maps thereof duly submitted to the City on or before October 26, 1978, and thereafter

(Item 151)

RESOLUTION 217391, inviting bids for Construction of Pedestrian Ramps for the Handicapped - Contract No. 4, in accordance with Specifications Document No. 757630, was adopted on motion of Councilman Strobl.

(Item 152)

RESOLUTION 217392, inviting bids for Construction of Street Lighting Systems and Pedestrian Ramps for the Handicapped on Garnet Avenue and Grand Avenue from Ingraham Street to Olney Street, in accordance with Specifications Document No. 757629, was adopted on motion of Councilman Strobl.

(Item 153)

The following Resolutions, relative to land acquisitions and improvements in La Jolla Scenic Drive and Via Capri Assessment District, were adopted on motion of Councilman Strobl.

RESOLUTION 217393, declaring Intention to Order certain acquisitions and improvements pursuant to the Municipal Improvement Act of 1913; describing the district to be benefited by said acquisitions and improvements and to be assessed to pay the cost and expense thereof; omitting public property from assessment; determining and declaring that Bonds shall be issued under the Improvement Act of 1911 to represent unpaid assessments; providing for contributions by the City and by the Regents of the University of California; providing for the use of any surplus amount remaining in the improvement fund after completion of the improvement; and referring the proposed improvement to the Superintendent of Streets to make and file a written report;

RESOLUTION 217394, approving a report prepared pursuant to the Municipal Improvement Act of 1913; fixing the time and place for hearing protests and objections to the improvements, diagram and assessment described and contained in said report and whether public convenience and necessity requires such improvements and giving notice thereof; and

RESOLUTION 217395, directing the City Clerk to give Notice Inviting Sealed Bids for purchase of Improvement Bonds and the Construction of Improvements.

(Item 154)

RESOLUTION 217396, accepting the "Offer to Dedicate" by Francis W. Parker School offering to dedicate to public use for street purposes a portion of Pueblo Lot 1175; determining that by this acceptance the City does not dedicate to public use for street purposes, but reserves the right to accept said offer to so dedicate at a future time, was adopted on motion of Councilman Strobl.

(Item 156)

RESOLUTION 217397, awarding a contract to J. C. Fuller Landscape Const. for the Water Main Replacement at De Anza Cove in Mission Bay Park for the sum of \$6,250; authorizing the expenditure of \$5,000 out of the Capital Outlay Fund (Fund 245) and the expenditure of \$4,550 out of the Park and Recreation Bond Fund Reserve (Fund 725) for the purpose of providing funds and related costs, was adopted on motion of Councilman Strobl.

(Item 157)

RESOLUTION 217398, authorizing a First Amendment to Agreement with St. Denis & Associates for professional services in connection with construction of Fire Station No. 3; authorizing the expenditure of \$5,000 out of Capital Outlay Fund 245 for the above purpose, was adopted on motion of Councilman Strobl.

(Item 158)

RESOLUTION 217399, authorizing an Agreement with Ernest and Camille Cantrell pertaining to the improvements required in Vega Street adjacent to Lot 13, Boulevard Gardens, was adopted on motion of Councilman Strobl.

(Item 159)

RESOLUTION 217400, authorizing a Permit granting to Everingham Bros. Bait Company, permission to operate and maintain live bait barges on the waters of Quivira Basin, Mission Bay Park, for a period of ten years, was adopted on motion of Councilman Strobl.

(Item 160)

RESOLUTION 217401, authorizing two representative of the Police Department to travel to San Francisco, California, during the period January 6 and January 7, 1977, for the purpose of attending the Law Enforcement Assistance Administration (L.E.A.A.) Victimization Survey Seminar; all expenses, excluding salaries, shall be paid by the Law Enforcement Assistance Administration (L.E.A.A.), was adopted on motion of Councilman Strobl.

(Item 161)

RESOLUTION 217402, authorizing Battalion Chief Howard Vrosby to attend the California Fire Service Academy Course "Fire Command I," at Pacific Grove, California, January 9 through 14, 1977, and to incur all necessary expenses incidental thereto, was adopted on motion of Councilman Strobl.

(Item 162)

RESOLUTION 217403, amending Resolution No. 216158 adopted June 9, 1976, by extending the performance period to December 31, 1977, to complete the additional work cited in said resolution for the Model Cities Senior Citizens Building project, all other terms and conditions shall remain the same, was adopted on motion of Councilman Strobl.

(Item 200)

RESOLUTION 217404, authorizing an Agreement with the San Diego Junior Chamber of Commerce, for the purpose of sending a Marching Band representing the City of San Diego to the 1977 Tournament of Roses Parade, was adopted on motion of Councilman Strobl.

(Item 125)

A proposed Ordinance, amending Ordinance No. 11845 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of The City of San Diego for Fiscal Year 1976-1977," by amending Exhibit B thereto to create the classified position of Dispute Resolution Officer and establish a Schedule of compensation therefor, was presented.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

A proposed Ordinance, amending Ordinance No. 11845 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of The City of San Diego for Fiscal Year 1976-1977," by amending Exhibit B thereto to create the classified position of Dispute Resolution Officer and establish a schedule of compensation therefor, was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Gade, Strobl, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor and Haro.

(Item 155)

A proposed Resolution, authorizing a First Amendment to the Lease Agreement with the County of San Diego, for the County's use of a portion of the fifth floor and a portion of the basement in the City Operations Building for a period ending November 8, 1979, with a six month extension option, and providing for an increase in rent of \$2,361.50 per month beginning January 17, 1977, was presented.

Councilman Haro entered the Chambers.

City Manager McKinley answered questions directed by the Council.

Councilwoman O'Connor entered the Chambers.

City Manager McKinley continued answering questions directed by the Council.

The motion of Councilman Hubbard to file the item received no second.

The motion of Councilman Williams 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 Williams to adopt the proposed Resolution.

RESOLUTION 217405, authorizing a First Amendment to the Lease Agreement with the County of San Diego, for the County's use of a portion of the fifth floor and a portion of the basement in the City Operations Building for a period ending November 8, 1979, with a six month extension option, and providing for an increase in rent of \$2,361.50 per month beginning January 17, 1977, was adopted on motion of Councilman Williams.

(Item 201)

A proposed Resolution, creating the Capital Improvement Construction Fund 244, CIP No. 31-020; authorizing the City Auditor and Comptroller to transfer \$85,000 within Capital Outlay Fund Unallocated Reserve, CIP No. 90-245, to Capital Improvement Construction Fund, CIP No. 31-020, for the purpose of providing funds for certain improvements to Building No. 2049 at Brown Field for use by the U. S. Border Patrol; authorizing the Property Department to negotiate a Lease Agreement with the U. S. Immigration and Naturalization Service for certain public accommodations at Brown Field, was presented.

Transportation Director Simpson answered questions directed by the Council.

The motion of Councilman Morrow to amend the proposed Resolution and direct the City Manager to do the work with City Forces, was not voted on.

The motion of Councilman Haro to continue the item to the Meeting of January 5, 1977 and direct the City Attorney to draft a Resolution asking the United States Department of Justice to take, as soon as possible, action to move the Border Patrol Facility from Brown Field, was not voted on at this time.

Transportation Director Simpson answered questions directed by the Council.

Al Gilman, Assistant Chief Patrol Agent, appeared to speak.

The vote was then taken on the previous motion of Councilman Haro to continue the item to the Meeting of January 5, 1977 and direct the City Attorney to draft a Resolution asking the United States Department of Justice to take, as soon as possible, action to move the Border Patrol Facility from Brown Field, which passed unanimously.

(Item 202 - Supplemental No. 3)

A proposed Resolution, continued from the Meeting of December 21, 1976, 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.

Councilman Morrow and Transportation and Land Use Committee Consultant Wilken answered questions directed by the Council.

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

City Manager McKinley and Planning Director Goff answered questions directed by the Council.

The vote was then taken on the previous motion of Councilman Hubbard to adopt the proposed Resolution.

RESOLUTION 217406, 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 adopted on motion of Councilman Hubbard.

(Item 203)

A proposed Resolution, continued from the Meeting of December 22, 1976, authorizing the Mayor to appoint a Task Force on Senior and Low-income Housing that will investigate housing problems and alternatives for alleviating those problems, was presented.

Mayor Wilson presented a list of persons and the organizations which they represent for the proposed task force.

Max Sparrer appeared to speak regarding the proposed task force.

Councilman Haro left the Chambers.

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

Tom Kozden appeared to speak.

Discussion followed.

The vote was then taken on the previous motion of Councilman Strobl to adopt the proposed Resolution, which passed unanimously.

RESOLUTION 217407, authorizing the Mayor to appoint a Task Force on Senior and Low-income Housing that will investigate housing problems and alternatives for alleviating those problems, was adopted on motion of Councilman Strobl.

(Item 204 - Supplemental No. 5)

A proposed Resolution, authorizing First Amendments to Agreements with the San Diego Unified School District for the purpose of expanding the Senior Citizens Nutrition Program by implementing additional nutrition sites in the Southeast San Diego Area, and with the San Ysidro Elementary School District for the purpose of increasing the capacity at their La Mirada Elementary School senior nutrition site, was presented.

Housing and Community Services Director Ross answered questions directed by the Council.

Gerry L. Gibbons, Antella Flores, and Mazie Henson appeared to speak.

The motion of Councilwoman O'Connor to adopt the proposed Resolution was not voted on at this time.

Housing and Community Services Director Ross answered questions directed by the Council.

The vote was then taken on the previous motion of Councilwoman O'Connor to adopt the proposed Resolution, which passed unanimously.

RESOLUTION 217408, authorizing First Amendments to Agreements with the San Diego Unified School District for the purpose of expanding the Senior Citizens Nutrition sites in the Southeast San Diego Area, and with the San Ysidro Elementary School District for the purpose of increasing the capacity at their La Mirada Elementary School senior nutrition site, was adopted on motion of Councilwoman O'Connor.

(Item 205 - Supplemental No. 5)

A proposed Resolution, authorizing an Agreement with the Mexican American National Bank to provide for the making and servicing of property rehabilitation loans in the City's Housing Rehabilitation Program, was presented.

Committee Consultant Carpi answered questions directed by the Council.

RESOLUTION 217409, authorizing an Agreement with the Mexican American National Bank to provide for the making and servicing of Property Rehabilitation Loans in the City's Housing Rehabilitation Program, was adopted on motion of Councilman Williams.

(Item 206 - Supplemental No. 5)

A proposed Resolution, authorizing the Auditor and Comptroller to expend the sum of not to exceed \$885,000 in second year Community Development Block Grant Housing Rehabilitation Funds (Fund 290) for Property Rehabilitation Loans, was presented.

RESOLUTION 217410, authorizing the Auditor and Comptroller to expend the sum of not to exceed \$885,000 in second year Community Development Block Grant Housing Rehabilitation Funds (Fund 290) for Property Rehabilitation Loans, was adopted on motion of Councilman Gade.

(Item 254 - First time)

A proposed Resolution, authorizing agreements with the following five community agencies for the purpose of operating the following public service programs during the six-month period from January 1, 1977 through June 30, 1977, with Community Development Block Grant (CDBG) funds:

<u>Agency/Program</u>	<u>Budget</u>
Barrio Station, Inc. - Barrio Station	\$ 68,397
San Diego Urban League, Inc. - Business Outreach	143,450
YWCA of San Diego, Inc. - Cultural Arts	27,300
Model Ex-Offenders of San Diego County Inc. - Rehabilitation of Ex-Offenders	102,300
San Ysidro Elementary School District - San Ysidro Schools	266,180

authorizing through the Human Resources Department to continue to operate the project known as the Center for Community Development for the six-month period from January 1, 1977 through June 30, 1977, according to the Scope of Services and Budget, attached hereto as Exhibit A; authorizing the expenditure of \$83,600 out of CDBG Public Services Fund, for said purpose, was presented.

Housing and Community Services Director Ross and Deputy City Attorney Riess answered questions directed by the Council.

(Item 254 - First time - Continued)

Gregory Knoll appeared to speak for the inclusion of Legal Aid Society.

Deputy City Attorney Riess answered questions directed by the Council.

Gregory Knoll and Howard Machevski appeared to speak.

The motion of Councilman Morrow to make a determination by this Council that these services are not otherwise available.

Deputy City Attorney Riess answered further questions directed by the Council.

The motion of Councilman Gade to adopt the Revenue Sharing Process, died for lack of a second.

Gregory Knoll appeared to speak on the Legal Aid Society services.

Deputy City Attorney Riess answered further questions directed by the Council.

Mr. Machevski appeared to speak further.

Housing and Community Services Director Ross answered further questions directed by the Council.

James Malkus appeared to speak.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

The motion by Councilman Morrow to continue the item for the purpose of allowing the City Attorney to prepare a report on the Legal Aid Society issue - Revenue Sharing vs CDBG funds, received no vote.

The motion by Councilman Gade to adopt the proposed Resolution less Legal Aid Society and trail the Legal Aid Society contract to the afternoon meeting, passed unanimously.

RESOLUTION 217411, authorizing agreements with the following five community agencies for the purpose of operating the following public service programs during the six-month period from January 1, 1977 through June 30, 1977, with Community Development Block Grant (CDBG) funds:

<u>Agency/Program</u>	<u>Budget</u>
Barrio Station, Inc. - Barrio Station	\$ 68,397
San Diego Urban League, Inc. - Business Outreach	143,450
YWCA of San Diego, Inc. - Cultural Arts	27,300
Model Ex-Offenders of San Diego County inc. - Rehabilitation of Ex-Offenders	102,300
San Ysidro Elementary School District - San Ysidro Schools	266,180

authorizing through the Human Resources Department to continue to operate the project known as the Center for Community Development for the six-month period from January 1, 1977 through June 30, 1977, according to the Scope of Services and Budget, attached hereto as Exhibit A; authorizing the expenditure of \$83,600 out of CDBG Public Services Fund, for said purpose, was adopted on motion of Councilman Gade.

(Item 253)

A proposed Resolution, authorizing an Agreement with the San Diego Chamber of Commerce to provide a comprehensive expanded update of their Economic Research Bureau's 1969 Study Program; authorizing the City Manager to reduce the Program Development & Administration Budget Fund 290, Program Element 87.02, by \$50,000 of EDA 302 Planning Grant Federal Funds and making these funds available in Fund 280 for administration of the remaining grant by the Engineering and Development Department, was presented.

Councilman Morrow left the Chambers.

Engineering and Development Director Fowler answered questions directed by the Council.

Lee Grissom appeared to speak.

RESOLUTION 217412, authorizing an agreement with the San Diego Chamber of Commerce to provide a comprehensive expanded update of their Economic Research Bureau's 1969 Study program; authorizing the City Manager to reduce the Program Development & Administration Budget Fund 290, Program Element 87.02, by \$50,000 of EDA 302 Planning Grant Federal Funds and making these funds available in Fund 280 for administration of the remaining grant by the Engineering and Development Department, was adopted on motion of Councilman Strobl.

Mayor Wilson recessed the Regular Meeting at 11:25 a.m. Upon reconvening at 11:34 a.m., the roll call showed Councilmen O'Connor and Haro absent.

The Council considered Items 250 and 251 simultaneously.

The following Ordinances were introduced at the Meeting of December 10, 1977.

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 Hubbard by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Gade, Strobl, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilmen O'Connor and Haro.

(Item 250)

ORDINANCE 11976 (New Series), approving the Redevelopment Plan for the Columbia Redevelopment Project.

(Item 251)

ORDINANCE 11977 (New Series), approving the Redevelopment Plan for the Marina Redevelopment Project.

(Item 252 - First time)

A proposed Ordinance, continued from the Meeting of December 21, 1976 and as 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.

Councilwoman O'Connor entered the Chambers.

Senior Chief Deputy City Attorney Fitzpatrick, Rules Committee Consultant Conrad, and City Clerk Nielsen answered questions directed by the Council.

The motion of Councilwoman O'Connor to introduce an additional proposed Ordinance, amending Chapter II, Article 2, Division 1 of the San Diego Municipal Code by adding rule 17.1 to Section 22.0101 relating to appeals to committees, received no second.

By common consent the item was trailed to the afternoon meeting.

(Item 255 - Supplemental No. 1)

The following Resolutions, relative to the final subdivision map of Mira Mesa Commercial Park Subdivision, a 3-lot subdivision located southwesterly of Mira Mesa Boulevard and Black Mountain Road: a - Authorizing an agreement with Pacific Scene, Inc., for completion of improvements; b - Approving the final map; and c - Authorizing an agreement with Pacific Scene, Inc. for the collection of charges by City and reimbursement for cost in excess of its pro rata share of the water mains required to serve said subdivision, were presented.

The following Resolution, relative to the final subdivision map of Mira Mesa Commercial Park Subdivision, were adopted on motion of Councilman Johnson.

RESOLUTION 217413, authorizing an agreement with Pacific Scene, Inc., for the completion of improvements in Mira Mesa Commercial Park Subdivision, a 3-lot subdivision located southwesterly of Mira Mesa Boulevard and Black Mountain Road;

RESOLUTION 217414, approving the final map of Mira Mesa Commercial Park Subdivision; and

RESOLUTION 217415, authorizing an agreement with Pacific Scene, Inc. for the collection of charges by City and reimbursement for cost in excess of its pro rata share of the water mains required to serve said subdivision.

(Item 256 - Supplemental No. 1)

The following Resolutions, relative to the final subdivision map of Westwood Unit No. 12 Subdivision, a 37-lot subdivision located northwesterly of West Bernardo Drive and Duenda Road: a - Authorizing an agreement with Avco Community Developers, Inc., for completion of improvements; b - Approving the final map and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program; and c - Approving the acceptance by the City Manager of Deed of Avco Community Developers, Inc., (street purposes) Parcel 1 - DUENDA ROAD; Parcel 2 - AGUAMIEL ROAD; Parcel 3 - PAJARO WAY.

(Item 256 - Supplemental No. 1 - Continued.)

The following Resolutions, relative to the final subdivision map of Westwood Unit No. 12 Subdivision, were adopted on motion of Councilman Johnson: RESOLUTION 217416, authorizing an agreement with Avco Community Developers, Inc., for completion of improvements in Westwood Unit No. 12 Subdivision, a 37-lot subdivision located northwesterly of West Bernardo Drive and Duenda Road;

RESOLUTION 217417, approving the final map and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program; and

RESOLUTION 217418, approving the acceptance by the City Manager of deed of Avco Community Developers, Inc., (street purposes) Parcel 1 - DUENDA ROAD; Parcel 2 0 AGUAMIEL ROAD; Parcel 3 - PAJARO WAY.

(Item 257 - Supplemental No. 1)

A proposed Ordinance, continued from the Meeting of December 22, 1976, repealing Ordinance No. 6059 (New Series), adopted April 13, 1954 establishing a temporary interim setback along University Avenue, was presented.

A proposed Ordinance, repealing Ordinance No. 6059 (New Series), adopted April 13, 1954 establishing a temporary interim setback along University Avenue, was introduced by Councilman Strobl by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Strobl, and Mayor Wilson. Nays-None. Absent-Councilman Haro.

(Item 258 - Supplemental No. 5)

A proposed Resolution, awarding a contract to Metro-Young Construction Co., for the sum of \$286,386.87 for the Torrey Pines Science Park Unit No. 2 - Grading; authorizing the expenditure of \$344,480 out of Land Development Trust Fund (Fund 314) for said purpose and related costs, was presented.

City Manager McKinley answered questions directed by the Council.

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

City Manager McKinley answered further questions directed by the Council.

The vote was then taken on the previous motion by Councilman Johnson to adopt the proposed Resolution, which passed unanimously.

RESOLUTION 217419, awarding a contract to Metro-Young Construction Co., for the sum of \$286,386.87 for the Torrey Pines Science Park Unit No. 2 - Grading; authorizing the expenditure of \$344,480 out of Land Development Trust Fund (Fund 314) for said purpose and related costs, was adopted on motion of Councilman Johnson.

Mayor Wilson recess the Regular Meeting at 11:58 a.m. to reconvene at 2:00 p.m.

Mayor Wilson reconvened the Regular Meeting at 2:09 p.m. The Roll Call showed Councilmen O'Connor, Morrow and Haro absent.

(Item 259 - Supplemental #6)

A proposed Resolution, authorizing the City Manager to negotiate a Second Amendment to the Sewage Disposal Agreement of 1974 between The City of San Diego and the Santee County Water District to allow the District to increase its sewage capacity by .5 million gallons per day, provided that the County of San Diego strictly adheres to the proposed structure and schedule for a regional growth management study as outlined in a letter dated December 13, 1976 to the Mayor and City Council from the Chairman of the Board of Supervisors of the County of San Diego and an interdepartmental correspondence to the Board of Supervisors from Neil Dunham, Assistant Chief Administrative Officer - Integrated Planning, dated December 15, 1976, both of which have heretofore been approved by the Board of Supervisors, and further provided that the County staff provide this City Council and the Board of Supervisors with periodic reports concerning the study and the results of increased sewage capacity in the Lakeside-Santee area, was presented.

Supervisor Dick Brown appeared to address the Council.

Councilmen O'Connor and Morrow entered the Chambers.

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

Supervisor Brown, Director King, Water Utilities Department, and Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

The Council discussed the matter.

Supervisor Brown and Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

The Council discussed the matter.

A motion by Councilman Gade to divide the question into two Resolutions, received no vote at this time.

Supervisor Brown answered questions directed by the Council.

The Council discussed the matter.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council regarding Councilman Gade's motion to divide the question into two Resolutions.

The Council discussed the matter.

A vote was then taken on Councilman Gade's motion to divide the question into two Resolutions, which was defeated by the following vote: Yeas-Councilmen Johnson, Hubbard, and Gade. Nays-Councilmen O'Connor, Williams, Morrow, Strobl, and Mayor Wilson. Absent-Councilman Haro.

A motion by Councilman Gade to amend the proposed Resolution to direct the City Attorney to prepare a document that would be signed by the County as indicating their agreement to the conditions proposed in the letter of December 12, 1976, received no vote at this time.

Supervisor Brown answered questions directed by the Council.

(Item 259 - Supplemental #6 - Continued)

The following Resolution was adopted as amended on motion of Councilman Gade.

RESOLUTION 217422, -authorizing the City Manager to negotiate a Second Amendment to the Sewage Disposal Agreement of 1974 between The City of San Diego and the Santee County Water District to allow the District to increase its sewage capacity by .5 million gallons per day, provided that the County of San Diego strictly adheres to the proposed structure and schedule for a regional growth management study as outlined in a letter dated December 13, 1976 to the Mayor and City Council from the Chairman of the Board of Supervisors of the County of San Diego and an interdepartmental correspondence to the Board of Supervisors from Neil Dunham, Assistant Chief Administrative Officer-Integrated Planning, dated December 15, 1976, both of which have heretofore been approved by the Board of Supervisors, and further provided that the County staff provide this City Council and the Board of Supervisors with periodic reports concerning the study and the results of increased sewage capacity in the Lakeside-Santee area.

Supervisor Brown answered questions directed by the Council.

Mayor Wilson offered congratulations to Supervisor Brown upon his retirement.

City Manager McKinley and Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council and stated they would return within 30 days with an agreement.

Mayor Wilson recessed the Regular Meeting at 2:50 p.m. Upon reconvening at 3:09 p.m., the Roll Call showed Councilman Haro absent.

(Item 401 - First Time)

The hour 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, November 3, 10, 17, 24, and December 15, 1976, on the matter of City Council formulating city-wide goals and objectives, program priorities, and other budget policy guidelines. The Council shall take into consideration the City Manager's "basis for programming" Council staff recommendations, and the results of the public hearing on Annual Council Programming conducted in September.

The Council discussed public and Council program priorities.

Dr. Myers and Diane Newman requested permission to address the Council regarding the nutritional needs of this area and appeared to address the Council.

The Council discussed the matter.

A motion by Councilman Gade to open the hearing for ten minutes of public testimony and a presentation, received no vote.

Diane Newman addressed the Council.

A motion by Councilman Gade to amend his previous motion to allow fifteen minutes for public testimony and a presentation, received no vote at this time.

Councilman Williams left the Chambers.

(Item 401 - Continued)

The Council discussed the matter.

A vote was then taken on the previous motion by Councilman Gade to open the hearing to allow fifteen minutes for public testimony and a presentation, which passed unanimously.

Mayor Wilson recessed the Regular Meeting at 3:25 p.m. Upon reconvening at 3:41 p.m., the Roll Call showed Councilmen O'Connor, Williams, and Haro absent.

Councilmen O'Connor and Williams entered the Chambers.

Dr. John Dodgen, M.D. appeared to address the Council.

A motion by Councilman Williams requesting a meeting with the full Council with this nutritional group, died for lack of a second.

The Council discussed the matter.

Diane Newman addressed the Council.

The Council discussed the matter.

A motion by Councilman Williams to refer the communication to the Public Services and Safety Committee, passed unanimously.

Mayor Wilson recessed the Regular Meeting at 3:53 p.m. Upon reconvening at 5:02 p.m., the Roll Call showed all present.

(Item 254 - Second Time)

Senior Chief Deputy City Attorney Fitzpatrick presented his report.

A motion by Councilwoman O'Connor to recommend approval of the Legal Aid Society Resolution, received no vote at this time.

Mr. Noel appeared to address the Council.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

RESOLUTION 217423, authorizing an agreement with the Legal Aid Society of San Diego, Inc., for the purpose of operating the Legal Services Project during the six-month period from January 1, 1977 through June 30, 1977, with Community Development Block Grant (CDBG) funds, was adopted on motion of Councilwoman O'Connor.

(Item 402)

A proposed Resolution, authorizing the City Manager to execute a Sixth Amendment to Agreement, amending agreement dated May 9, 1968 between City and The Fed-Mart Corporation, covering an option to purchase certain parcels of City-owned land lying between Midway Drive and Sports Arena Boulevard, by extending the construction period to December 31, 1978 and voiding the reversionary provision of the sales agreement pertaining to the developed phase, was presented.

(Item 402 - Continued)

The Council discussed the matter.

City Manager McKinley presented his report.

Councilman Morrow, Chairman, Public Facilities and Recreation Committee, presented his report.

A motion by Councilman Morrow to extend the time of the construction period to January 30, 1977, received no second at this time.

The Council discussed the matter.

Stanley Rosen, representative of the Fed-Mart Corporation, appeared to speak and answered questions directed by the Council.

City Manager McKinley answered questions directed by the Council.

Mr. Rosen appeared to speak.

Committee Consultant Weatherford answered questions directed by the Council, relating to his report of November 8, 1976.

Mr. Rosen answered questions directed by the Council.

The Council discussed the matter.

A motion by Councilman Morrow to extend the time of the construction period 45 days to February 16, 1977, received no vote at this time.

Mr. Rosen answered questions directed by the Council.

The Council discussed the matter.

Mr. Rosen addressed the Council.

City Manager McKinley addressed the Council and answered questions directed by the Council.

RESOLUTION 217424, authorizing the City Manager to execute a document related to an agreement dated May 9, 1968 between The City of San Diego and Fed Mart Corporation, which document will extend the construction period to February 14, 1977, was adopted on motion of Councilman Morrow.

A motion by Councilman Gade to suspend the Rules to extend the time of the Meeting past 5:30 p.m., passed unanimously.

By common consent, Councilman Williams introduced Dr. Robert Livingston, University of San Diego.

Dr. Livingston addressed the Council on the nutritional needs of this area.

(Item 401 - Second Time)

A motion by Councilman Gade to refer the Communication from the Nutrition Group to the Quality of Life Board also, died for lack of a second.

(Item 401 - Second Time - Continued)

The motion by Councilman Gade to continue Items 252 and 401, due to lack of time, passed unanimously.

(Item 252)

ORDINANCES TO BE INTRODUCED: (Continued from the Meeting of December 21, 1976.) (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; and

Amending Chapter II, Article 2, Division 1 of the San Diego Municipal Code by adding Rule 17.1 to Section 22.0101 relating to Appeals to Committees.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Morrow, the Regular Meeting was adjourned at 5:46 p.m. in memory of John W. Anderson, who passed away on December 26, 1976.

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

ATTEST:

Charles H. Abelson
City Clerk of The City of San Diego, California

SPECIAL MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, DECEMBER 29, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

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

A SPECIAL MEETING of the City Council is hereby called to be held in
the Council Chambers, City Administration Building, 202 "C" Street, San Diego
California, on Wednesday, December 29, 1976, at the hour of 2:00 p.m.

Said meeting will be held for the purpose of considering the matters of
a.) Transfer of 16 Certificates of Public Convenience and Necessity for
Taxicabs from Pleasureline Products, Inc. to Mr. C. Guy Selleck; b.) Granting
transfer of 280 Certificates of Public Convenience and Necessity for Taxicabs
from San Diego Yellow Cab to Western States Transportation; and c.) Approving
issuance of one limited Certificate of Public Convenience and Necessity for
Taxicabs for 30 days to Michael Lawrence Marguet. All above items subject to
compliance with all provisions of the San Diego Municipal Code.

Dated December 28, 1976

PETE WILSON
MAYOR

Mayor Wilson called the Meeting to order at 2:51 p.m.

Roll Call was taken.

(Item 501)

The matters of:

- a - Granting the transfer of sixteen (16) Certificates of
Public Convenience and Necessity for taxicabs
from Pleasureline Products, Inc., dba San Diego Cab Co., to
Mr. C. Guy Selleck, Owner and President of Checker Cab Company,
subject to compliance with all provisions of the San Diego
Municipal Code;
- b - Granting the transfer of two hundred eighty (280) Certificates
of Public Convenience and Necessity for Taxicabs from San Diego
Yellow Cab Company, to Western States Transportation, Inc., dba
San Diego Yellow Cab, subject to compliance with all provisions

(Item 501 - Continued)

of the San Diego Municipal Code; and

- c - Approving the issuance of one (1) Limited Certificate of Public Convenience and Necessity for Taxicabs for thirty (30) days to Michael Lawrence Marguet, subject to compliance with all provisions of the San Diego Municipal Code, was presented.

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

Director Simpson, Transportation Department, answered questions directed by the Council regarding Mr. Sellick.

Attorney Robert B. James, representing Mr. Sellick, appeared to address the Council regarding a request for the reconsideration of his application and answered questions directed by the Council.

Councilman Johnson seconded the motion by Councilman Williams to adopt the proposed resolutions, which received no vote.

A motion by Councilman Morrow requesting a division of the question, died for lack of a second.

The Council discussed the matter.

Cesar Michael Johnson appeared to address the Council in opposition to Item (a) and answered questions directed by the Council.

The Council discussed the matter.

Mr. Ferguson appeared to address the Council.

A motion by Councilman Hubbard to adopt Items (b) and (c) and trail Item (a), received no vote at this time.

An unidentified person appeared to address the Council.

The following Resolutions were adopted on motion by Councilman Hubbard.

The following Resolutions were numbered out of order.

RESOLUTION 217420, granting the transfer of two hundred eighty (280) Certificates of Public Convenience and Necessity for Taxicabs from San Diego Yellow Cab Company, to Western States Transportation, Inc., dba San Diego Yellow Cab Company, subject to compliance with all provisions of the San Diego Municipal Code; and

RESOLUTION 217421, approving the issuance of one (1) Limited Certificate Of Public Convenience and Necessity for Taxicabs for thirty (30) days to Michael Lawrence Marguet, subject to compliance with all provisions of the San Diego Municipal Code.

Michael Marguet appeared to address the Council.

Mayor Wilson recessed the Special Meeting at 3:08 p.m. Upon reconvening at 3:54 p.m., the Roll Call showed Councilman Haro absent.

Bob Lavec, Mrs. Wyche, and Edward L. Pratt appeared to address the Council in opposition to Item (a) and answered questions directed by the Council.

Director Simpson, Transportation Department, answered questions directed by the Council.

Councilman Haro entered the Chambers.

(Item 501 - Continued)

The Council discussed the matter.

City Manager McKinley and Director Simpson answered questions directed by the Council.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

Director Simpson answered questions directed by the Council regarding Mr. Selleck's application and other applications for certificates.

Attorney James addressed the Council.

Steve Ferguson appeared to address the Council.

Director Simpson answered questions directed by the Council.

Mr. Harper appeared to address the Council regarding certificates for use in the southeast San Diego area.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

A motion by Councilman Williams to adopt Item 501a, received no vote at this time.

A motion by Councilman Morrow to amend the proposed Resolution to provide that the transfer of the sixteen certificates be limited to the southeast San Diego geographical area, died for lack of a second.

Director Simpson addressed the Council in opposition to issuance of limited certificates.

The Council discussed the matter.

Director Simpson, Senior Chief Deputy City Attorney Fitzpatrick, and City Manager McKinley answered questions directed by the Council regarding the concept of limited certificates for the southeast San Diego geographical area under the present Ordinance.

The Council discussed the matter.

A vote was then taken on the previous motion of Councilman Williams to adopt Item 501a, which was defeated by the following vote: Yeas-Councilmen Hubbard, Gade, and Strobl. Nays-Councilmen Johnson, O'Connor, Williams, Morrow, Haro, and Mayor Wilson.

A motion by Councilman Haro to direct the City Attorney to prepare a Resolution revoking the sixteen taxicab certificates issued to Pleasureline, (Item 501a), received no vote at this time.

Director Simpson and Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

A vote was then taken on the previous motion by Councilman Haro to direct the City Attorney to prepare a Resolution revoking the sixteen taxicab certificates issued to Pleasureline, which passed unanimously.

There being no further business to come before the Council at this time,
the Special Meeting was adjourned at 5:01 p.m., on motion of Councilman Haro.

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

ATTEST:

Michael S. Delaplan
City Clerk of The City of San Diego, California