

ADJOURNED REGULAR MEETING OF THE COUNCIL
OF THE CITY OF SAN DIEGO, CALIFORNIA
TUESDAY, NOVEMBER 28, 1972, ADJOURNED TO THURSDAY,
NOVEMBER 30, 1972 - HELD TUESDAY, DECEMBER 5,
1972, IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION
BUILDING COMMUNITY CONCOURSE

Present-Councilmen Johnson, Landt, Williams, Morrow, Martinet,
Hitch, Bates, and Mayor Wilson.
Absent--Councilwoman O'Connor.
Clerk---Edward Nielsen.

Mayor Wilson called the Adjourned Regular Meeting to order
at 9:37 a.m.

It was reported that this Meeting had been adjourned from
Tuesday, November 28, 1972, and Thursday, November 30, 1972, to
this time by the City Clerk.

The Clerk reported that copies of the Notice of Adjournment
covering adjournment of this Meeting from Tuesday, November 28, 1972,
to 9:30 a.m., Thursday, November 30, 1972, to 9:30 a.m., Tuesday,
December 5, 1972, had been posted as required by law, and the
Notices of Adjournment had been mailed as required by law, and
that the proper Certificates of Posting and Mailing are on file.

On motion of Councilman Johnson, the Adjourned Regular Meeting
was adjourned at 9:38 a.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

ADJOURNED REGULAR MEETING OF THE COUNCIL
OF THE CITY OF SAN DIEGO, CALIFORNIA
THURSDAY, NOVEMBER 30, 1972 -
HELD TUESDAY, DECEMBER 5, 1972
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, Landt, Williams, Morrow, Martinet,
Hitch, Bates, and Mayor Wilson.
Absent--Councilwoman O'Connor.
Clerk---Edward Nielsen.

Mayor Wilson called the Adjourned Regular Meeting to order
at 9:38 a.m.

It was reported that this Meeting had been adjourned from
Thursday, November 30, 1972, to this time by the City Clerk.

The Clerk reported that copies of the Notice of Adjournment
covering adjournment of this Meeting from Thursday, November 30, 1972,
to 9:30 a.m., Tuesday, December 5, 1972, had been posted as required
by law, and the Notices of Adjournment had been mailed as required
by law, and that the proper Certificate of Posting and Mailing is on
file.

On motion of Councilman Johnson, the Adjourned Regular Meeting
was adjourned at 9:39 a.m.



Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California

ADJOURNED REGULAR MEETING OF THE COUNCIL OF THE
CITY OF SAN DIEGO, CALIFORNIA
FRIDAY, NOVEMBER 24, 1972, HELD IN LIEU OF THURSDAY, NOVEMBER 23, 1972
THANKSGIVING HOLIDAY - ADJOURNED TO TUESDAY, NOVEMBER 28, 1972 -
ADJOURNED TO THURSDAY, NOVEMBER 30, 1972, HELD TUESDAY, DECEMBER 5, 1972
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present-Councilmen Johnson, Landt, Williams, Morrow, Martinet, Hitch,
Bates, and Mayor Wilson.
Absent--Councilwoman O'Connor.
Clerk---Edward Nielsen.

Mayor Wilson called the Adjourned Regular Meeting to order
at 9:36 a.m.

It was reported that this Meeting had been adjourned from
Friday, November 24, 1972, Tuesday, November 28, 1972 and Thursday,
November 30, 1972, to this time by the Assistant City Clerk.

The Clerk reported that copies of the Notice of Adjournment
covering adjournment of this Meeting from Friday, November 24, 1972,
to 9:30 a.m., Tuesday, November 28, 1972, to 9:30 a.m., Thursday,
November 30, 1972, to 9:30 a.m., Tuesday, December 5, 1972, had
been posted as required by law, and the Notices of Adjournment
had been mailed as required by law, and that the proper Certificates
of Posting and Mailing are on file.

On motion of Councilman Johnson, the Adjourned Regular Meeting
was adjourned at 9:37 a.m.

Rate Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward Nielsen
City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, DECEMBER 5, 1972
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present-Councilmen Johnson, Landt, Williams, Morrow, Martinet, Hitch,
Bates, and Mayor Wilson.
Absent--Councilwoman O'Connor.
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:40 a.m.

(Item 1)

Mayor Wilson introduced Bishop J. David Peterson, 14th Ward of the Church of Jesus Christ of the Latter Day Saints, who gave the Invocation.

(Item 2)

Councilman Martinet led the Pledge of Allegiance.

(Item 3)

Sandi Davis, Miss Mission Bay, invited the Council to attend the 3rd Annual Mission Bay Christmas Boat Parade of Lights to be held on December 9, 1972, at 6:30 p.m.

(Item 4)

Mayor Wilson welcomed thirty-five students from Mac Dowell Elementary School, accompanied by Mrs. Marjorie Cochran. Councilman Morrow addressed the group.

(Item 5)

Mayor Wilson welcomed twelve students from Pt. Loma High School, accompanied by Mr. Kermeen Fristrom and Ms. Pat Jackson. Mayor Wilson addressed the group on behalf of Councilwoman O'Connor.

(Item 6)

Minutes of the Regular Council Meetings of Thursday, August 31, Thursday, November 2, Tuesday, November 7, Thursday, November 9, Tuesday, November 14, Thursday, November 16, Tuesday, November 21, Friday, November 24, Friday November 24 adjourned to Tuesday, November 28, adjourned regular Meeting of Friday, November 24 adjourned to Thursday, November 30, Tuesday, November 28, adjourned regular Meeting of Tuesday, November 28 adjourned to Thursday, November 30, and Thursday, November 30, 1972, were presented by

(Item 6, Continued)

the City Clerk. On motion of Councilman Martinet, said Minutes were approved without reading, after which they were signed.

(Item 7)

A communication from Margaret Castro, representing Padre Hidalgo Center, Filipino Center, and Ad Hoc Model Cities Citizen Committee, requesting permission to address the Council on the Model Cities Program, was presented.

Margaret Castro appeared to speak regarding this communication.

On motion of Councilman Williams, said communication was referred to the City Manager for report to Council prior to Council Conference to be set and referred to Council Conference and Model Cities Liaison Committee.

The Council at this time considered requests for continuances:
Item 16.

(Item 16)

A proposed Ordinance, amending Chapter VI, Article 7, Sections 67.55, 67.56 and 67.57 of the San Diego Municipal Code relating to changing water rates for domestic, commercial, industrial and agricultural use, was continued to Tuesday, December 12, 1972. for further review, by the following vote: Yeas- Councilmen Johnson, Landt, Martinet, Hitch, Bates, and Mayor Wilson. Nays-Councilmen Williams and Morrow. Absent-Councilwoman O'Connor.

Councilman Hitch made a motion to reconsider the previous motion which passed unanimous.

A proposed Ordinance, amending Chapter VI, Article 7, Sections 67.55, 67.56 and 67.57 of the San Diego Municipal Code relating to changing water rates for domestic, commercial, industrial and agricultural use, was continued to Tuesday, December 19, 1972, for further review, on motion of Councilman Hitch.

The Council considered the Consent Agenda, which consisted of Items 13, 14, 15, 17, 18, 19, 100, 105, 106, 107, 108, 109, 110, 111, 112, 113, 116, 120, 121, 122, 123, 124, 125, 129, 130, and 131.

The following Ordinances were introduced at the Meetings of November 16 and 21, 1972.

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

The following Ordinances were adopted on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilwoman O'Connor.

(Item 13 - CASE NO. 42-72-9)

ORDINANCE 10957 (New Series), incorporating Lot 1, Holiday Vista, into CA Zone, as defined by Section 101.0428.1 of the San Diego Municipal Code, and repealing Ordinance No. 8503 (New Series), adopted August 10, 1961, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 14 - CASE NO. 26-72-1)

ORDINANCE 10958 (New Series), incorporating all that C zoned property, bounded by Pacific Beach Drive on the north, the Pacific Ocean on the west, Mission Bay Channel on the south, and Mission Bay Park on the east, Mission Beach, into CS Zone, as defined by Section 101.0432 of the San Diego Municipal Code, and repealing Ordinance No. 119 (New Series), adopted January 3, 1933, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 15)

ORDINANCE 10959 (New Series), amending Chapter II, Article 2, of the San Diego Municipal Code by amending Section 22.1801 relating to City Departments.

(Item 17)

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

RESOLUTION 206956, Perry Electric for the construction of Safety Lighting Systems on Torrey Pines Road from Prospect Street to Hidden Valley Road Underground Conversion District for the sum of \$10,423; authorizing the expenditure of \$14,000 out of Capital Outlay Fund 245 for said purpose and related costs;

RESOLUTION 206957, Sapper Construction Company for the improvement of sidewalks, curbs and gutters on San Ysidro Boulevard between Interstate 5 northerly to Sycamore Road and in the area bounded by San Ysidro Boulevard, East Park Avenue, Hall Avenue and East Olive Avenue (E.D.A. Project No. 07-11-01227, Contract 11) for the sum of \$9,212.50; authorizing the expenditure of \$12,000 out of Special Fund 2714 for said purpose and related costs;

RESOLUTION 206958, O-Rings, Inc. for the purchase of Oritex Wear Shoes and Scum Skimmer Blades for an actual cost of \$3,407.36, including tax and terms;

RESOLUTION 206959, Boothe Management Systems for the purchase of a Disk Operating Relocation Software Package for a total cost of \$2,625, including tax and terms; and

(Item 17, Continued)

RESOLUTION 206960, Burruss Engine & Body Company for the purchase of two 2000 lb. capacity Electric Cranes for an actual cost of \$1,806, including tax and terms.

(Item 18)

The following Resolutions, relative to inviting bids, were adopted on motion of Councilman Bates:

RESOLUTION 206961, furnishing Janitorial Supplies as may be required for a period of one year ending December 31, 1973, in accordance with Specifications Document No. 742006;

RESOLUTION 206962, furnishing Lamps as may be required for a period of one year ending December 31, 1973, in accordance with Specifications Document No. 742007;

RESOLUTION 206963, furnishing Turnout Clothing, in accordance with Specifications Document No. 742008;

RESOLUTION 206964, furnishing 100 Aluminum Waste Receptacles, in accordance with Specifications Document No. 742009;

RESOLUTION 206965, construction of Traffic Signal and Safety Lighting Systems at the intersection of 19th Street and Market Street, in accordance with Specifications Document No. 742010;

RESOLUTION 206966, improvement of sidewalks, curbs and gutters in the area bounded by Sicard Street, Harrison Street, 28th Street, Logan Avenue and Kearny Avenue (E.D.A. Contract #16), in accordance with Specifications Document No. 742011; and

RESOLUTION 206967, improvement of sidewalks, curbs and gutters in the area bounded by 27th Street, "A" Street, 32nd Street and Highway 94 (E.D.A. Contract #17), in accordance with Specifications Document No. 742012.

(Item 19)

A proposed Resolution, rejecting all bids received on November 20, 1972, for Automobile Liability Insurance; authorizing the Purchasing Agent to negotiate for bids for Automobile Liability Insurance, was presented.

City Manager Moore presented a revised Resolution.

RESOLUTION 206968, rejecting all bids received on November 20, 1972, for Automobile Liability Insurance; authorizing the Purchasing Agent to negotiate for Automobile Liability Insurance, was adopted on motion of Councilman Bates.

(Item 100)

The following Resolutions, relative to final subdivision maps, were adopted on motion of Councilman Bates:

RESOLUTION 206969, authorizing an Agreement with Southern California First National Bank for completion of improvements in Mira Mesa Village Unit 1, a one-lot subdivision located on both sides of Mira Mesa Boulevard, easterly of State Highway 163;

RESOLUTION 206970, approving the final map of Mira Mesa Village Unit 1; and

RESOLUTION 206971, approving the final map of Mira Mesa Village

(Item 100, Continued)

Unit 2, a one-lot subdivision located on both sides of Mira Mesa Boulevard, easterly of State Highway 163.

(Item 105)

The following Resolutions, accepting the work done and authorizing a Notice of Completion in the following subdivisions, were adopted on motion of Councilman Bates:

RESOLUTION 206972, Mt. Carmel Heights Unit 5;

RESOLUTION 206973, Rancho San Carlos Unit 3; and

RESOLUTION 206974, T. S. D. Subdivision.

(Item 106)

RESOLUTION 206975, granting the petition for paving and otherwise improving 32nd Street on the easterly side, between Cedar Street and Beech Street; directing the City Manager to furnish description and plat of the district, was adopted on motion of Councilman Bates.

(Item 107)

RESOLUTION 206976, granting the petition for paving and otherwise improving the Alley, Block 24, Sunset Cliffs; directing the City Manager to furnish description and plat of the district, was adopted on motion of Councilman Bates.

(Item 108)

RESOLUTION 206977, initiating the formation of San Diego Park District No. 6 (Bird Rock Park) pursuant to the San Diego Park District Procedural Ordinance of 1969; directing the City Manager to prepare the necessary plat, plans, appraisals and estimates, was adopted on motion of Councilman Bates.

(Item 109)

RESOLUTION 206978, calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known and designated as the Linda Vista Road (Colusa Street to Via Las Cumbres) Underground Utility District, was adopted on motion of Councilman Bates.

(Item 110)

RESOLUTION 206979, calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known and designated as the Linda Vista Road (Tait Street to Kramer Street) Underground Utility District, was adopted on motion of Councilman Bates.

(Item 111)

RESOLUTION 206980, calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known and denominated as the Rosecrans Street (Rogers Street to Canon Street) Underground Utility District, was adopted on motion of Councilman Bates.

(Item 112)

RESOLUTION 206981, granting permission to Pacific Telephone Company to maintain, use and operate two Pacific Telephone Company-owned poles and associated overhead facilities within the College Avenue Underground Utility District. Such grant of permission shall be temporary and revocable in nature and shall terminate at such time as the improvements on Lance Street adjacent to Princess Del Cerro--Unit 6 are undertaken; amending Resolution 203998 to reflect said exceptions granted herein, was adopted on motion of Councilman Bates.

(Item 113)

RESOLUTION 206982, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate the Alley in Blocks 1 and 10, Del Mar Heights and fixing a time and place for hearing thereof.

(Item 116)

RESOLUTION 206983, approving the acceptance by the City Manager of a Deed from Sonny E. and Barbara D. Brown (street purposes) - AVERIL ROAD, was adopted on motion of Councilman Bates.

(Item 120)

RESOLUTION 206984, authorizing an Agreement with Herman Kimmel and Associates for the engineering design of a traffic signal; and safety lighting system at Genesee Avenue and Mount Etna; authorizing the expenditure of \$2,300 from Gas Tax Fund 220 for said design and services, was adopted on motion of Councilman Bates.

(Item 121)

RESOLUTION 206985, authorizing the City Manager to accept the one-year extension grant from the California Council on Criminal Justice to continue the program of Police Legal Advisor to the Police Department to be funded in part from funds made available through the Omnibus Crime Control and Safe Streets Act of 1968; City agrees to provide the required matching funds to said project; grant funds received hereinunder shall not be used to supplant ongoing law enforcement expenditures, was adopted on motion of Councilman Bates.

(Item 122)

RESOLUTION 206986, City Council requesting the scheduled installation date of the coordinated records and communication systems project be extended from December 31, 1972, to December 31, 1973; directing the City Manager to forward a copy of this resolution immediately to the appropriate administrative agency, was adopted on motion of Councilman Bates.

(Item 123)

RESOLUTION 206987, submitting a proposed program together with details and thorough justification based on scientific fact by January 1, 1973, which program if approved by the State Water Resources Control Board and the Environmental Protection Agency will satisfy all valid applicable State and Federal laws, was adopted on motion of Councilman Bates.

(Item 124)

RESOLUTION 206988, approving Change Order No. 2 issued in connection with the contract with V. E. Posey for the construction of the Missouri Street Storm Drain (Phase II); said changes amounting to an increase of \$3,100 and an extension of time of 30 days, extending the completion date to November 22, 1972, was adopted on motion of Councilman Bates.

(Item 125)

RESOLUTION 206989, authorizing the expenditure of \$20,000 out of Gas Tax Fund 219 for the purpose of providing funds for engineering costs and administrative expenses in respect to City Streets, was adopted on motion of Councilman Bates.

(Item 129)

RESOLUTION 206990, renaming a portion of Nottingham Place, lying westerly of La Jolla Scenic Drive North, VIA POSADA, was adopted on motion of Councilman Bates.

(Item 130)

RESOLUTION 206991, confirming the appointment of the following persons by the Mayor to the Affirmative Action Program Citizens Advisory Committee: Ben Cruz (Mexican American), Edgar Hayes, Jr. (Black-American), Elsie M. Tamayo (Filipino-American), Louise L. Tennheimer (American Indian), Rev. J. Minoru Fukuda (Asian/Oriental-American); Members at Large: Helen Schimmenti Hawkins, John S. Lyons, Chairman, Lillian Poltere, Dr. Donald Foster, was adopted on motion of Councilman Bates.

(Item 131)

RESOLUTION 206992, confirming the appointment by the Mayor of Robert M. Gadbois to the Old San Diego Planned District Review Board for a term ending March 1, 1974, to fill the vacancy caused by the resignation of Robert M. Michetti, was adopted on motion of Councilman Bates.

(Item 9 - CASE NO. 11-72-5)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of October 26, 1972, at appellant's request, on the appeal of Painters, Plasterers and Plumbers Labor Hall Association of San Diego County, by Paul A. Peterson, attorney, from the decision of the Planning Commission in denying its application to rezone Lots 23 and 24, Block 193, University Heights, and a portion of Blaine Avenue closed, located on the east side of Centre Street, between University and Lincoln Avenues, from Zone R-4 to Zone C-1. It was reported that no written protests had been received.

Ken Klein, Planning, Department, City Attorney Witt, Chief Deputy City Attorney Conrad, and City Manager Moore answered questions directed by the Council.

Paul Peterson, Slim Henderson, and Bob Moeller appeared to speak in favor of the appeal.

Mayor Wilson recessed the Meeting at 10:32 a.m. Upon reconvening at 10:48 a.m., the roll call showed Councilmen O'Connor and Williams absent.

Councilman Williams entered the Chamber.

(Item 9, Continued)

Francis Bennett appeared to speak in opposition to the appeal.

The hearing was closed and the following Resolution was adopted on motion of Councilman Landt, by the following vote: Yeas-Councilmen Johnson, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-Councilman Hitch. Absent-Councilwoman O'Connor.

RESOLUTION 206993, denying the appeal of Painters, Plasterers and Plumbers Labor Hall Association of San Diego County, by Paul A. Peterson, attorney, from the decision of the Planning Commission in denying its application to rezone Lots 23 and 24, Block 193, University Heights, and a portion of Blaine Avenue closed, located on the east side of Centre Street, between University and Lincoln Avenues, and denying the request for said rezoning.

(Item 10)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing continued from the Meetings of June 22, September 21, and October 5, 1972 at City Attorney's request, on the appeal of Park North-East Association from the decision of the Planning Commission approving the application of C & G Homes,

(Item 10; Continued)

owner/permittee, under Planned Residential Development Permit No. 50, to construct and operate a 54-unit planned residential development on a 9.6 acre site, located north of Cedar Street, between Whaley Avenue and Gregory Street, in portions of Pueblo Lots 1139 and 1140; Lots 1, 2 and 3, Block 8, Lots 1 through 7, Block 9, Lots 1, 2 and 3, Block 10, Lots 1 and 2, Block 11, Ravena Park No. 1, in the R-2 (LC OVERLAY) Zone. It was reported there was one letter in favor of the PRD.

On motion of Councilman Bates, said hearing was continued to Tuesday, December 12, 1972, for notification of appellant.

(Item 11)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the paving and otherwise improving Linda Vista Road and Ulric Street; and installation of a Street Lighting System on Comstock Street - on Assessment Roll 3829.

It was reported that two written appeals had been received.

No one appeared to be heard.

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

RESOLUTION 206994, overruling and denying all Appeals filed in the office of the City Clerk from the Street Superintendent's Assessment No. 3829, made to cover the costs and expenses of paving and otherwise improving Linda Vista Road and Ulric Street, and all other appeals, written or verbal; confirming and approving the Street Superintendent's Assessment No. 3829; authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; said warrant, diagram and assessment to be recorded in the office of said Street Superintendent, and in the office of the County Recorder.

(Item 12)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of vacating an Alley in Lots E and H, Block 59, Horton's Addition - Resolution of Intention 206891. It was reported that no written protests had been received.

James McLaughlin, Community Development Department, answered questions directed by the Council.

No one appeared to be heard.

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

RESOLUTION 206995, vacating an Alley in Lots E and H, Block 59, Horton's Addition.

Councilman Morrow left the Chamber.

(Item 101)

A proposed Resolution authorizing an Agreement with R. E. Hazard, Jr., Inc. and George E. Osborn, Lois P. Osborn, and Gould L. Eddy for the installation and completion of improvements in Border Village Subdivision, guaranteed by Bond Nos. YS 606 0180 and YS 606 0181; terminating the subdivision improvement agreement with Phil and Alice N. Creaser and George M. and Ruth A. Warwick and releasing Bond Nos. 1480982 and 1480983, issued by The Travelers Indemnity Company, was presented.

City Manager Moore and James McLaughlin, Community Development Department, answered questions directed by the Council.

RESOLUTION 206996, authorizing an Agreement with R. E. Hazard, Jr., Inc. and George E. Osborn, Lois P. Osborn, and Gould L. Eddy for the installation and completion of improvements in Border Village Subdivision, guaranteed by Bond Nos. YS 606 0180 and YS 606 0181; terminating the subdivision improvement agreement with Phil and Alice N. Creaser and George M. and Ruth A. Warwick and releasing Bond Nos. 1480982 and 1480983, issued by The Travelers Indemnity Company, was adopted on motion of Councilman Landt.

(Item 102)

RESOLUTION 206997, authorizing an Agreement with KNH Enterprises for the installation and completion of improvements in Storybook Inn Subdivision, guaranteed by Bond Nos. 40-0130-1088-72 and 40-0130-1088-72A; terminating the subdivision improvement agreement with Robert M. Brunson, Bernard F. Gira, Harold L. Hansen, and Thomas J. Harris and releasing Bond Nos. 7SM 158 232 and 7SM 158 233, issued by American Motorists Insurance Company, was adopted on motion of Councilman Landt.

(Item 103)

A proposed Resolution, granting a one-year extension of time to Gloria Peart Crowningshield for completion of improvements in Peninsula Ocean View Estates subdivision, commencing upon adoption of this resolution, was adopted on motion of Councilman Landt.

This item was not numbered at this time as it was reconsidered later in the meeting after Item 8, and was numbered at that point.

Philip Shafer appeared to speak regarding the extension of time.

(Item 104)

A proposed Resolution, granting a one-year extension of time to Vernon B. Anderson, Morris A. Anderson, Hazelle M. Anderson, Robert S. Noble and De Lores M. Noble for completion of improvements in Noble Hills subdivision, said time to commence upon adoption of this resolution, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 206998, granting a one-year extension of time to Vernon B. Anderson, Morris A. Anderson, Hazelle M. Anderson, Robert S. Noble and De Lores M. Noble for completion of improvements in Noble Hills subdivision, said time to commence upon adoption of this resolution, was adopted on motion of Councilman Landt.

Mayor Wilson recessed the Meeting at 11:47 a.m. to reconvene at 1:30 p.m.

Upon reconvening at 1:41 p.m., the roll call showed Councilmen O'Connor and Bates absent.

Councilwoman O'Connor entered the Chamber.

(Item 115)

RESOLUTION 206999, approving the acceptance by the City Manager of a Deed from Board of Administration, The San Diego City Employees' Retirement System for portions of Lots C and D in Block 13, and Lots A, B, D and a portion of Lot C in Block 1, all of Horton's Addition, valued at \$500 or more as certified by the Property Director, was adopted on motion of Councilman Landt.

(Item 117)

A proposed Resolution, continued from the Meeting of November 2, 1972, at request of owner, declaring building owned by Rudolph V. and Susan Stephens at 936 South 45th Street to be a public nuisance; directing the City Attorney to take action to abate said nuisance, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 207000, declaring building owned by Rudolph V. and Susan Stephens at 936 South 45th Street to be a public nuisance; directing the City Attorney to take action to abate said nuisance, was adopted on motion of Councilman Landt.

(Item 119)

A proposed Resolution, authorizing a Lease Agreement with Dennis L. Lindshield for approximately 14 acres of City-owned land and appurtenances in San Pasqual Valley for the purpose of Avocado production and other such general agricultural uses for a period of 30 years, was presented.

City Manager Moore and Assistant City Attorney Teaze answered questions directed by the Council.

RESOLUTION 207001, authorizing a Lease Agreement with Dennis L. Lindshield for approximately 14 acres of City-owned land and appurtenances in San Pasqual Valley for the purpose of Avocado production and other such general agricultural uses for a period of 30 years, was adopted on motion of Councilman Landt.

(Item 126)

RESOLUTION 207002, authorizing the expenditure of \$1,925,000 from the Capital Outlay Fund 245 for transfer to the Community Concourse Acquisition Fund 259 to provide funds for the 1972-73 lease payments to the San Diego City Employees' Retirement System in the amount of \$1,548,675; \$374,006 toward the purchase of Blocks 1 and

(Item 126, Continued)

13 of Horton's Addition; and to provide \$2,319 as a reserve for future commitments, was adopted on motion of Councilman O'Connor.

(Item 127)

RESOLUTION 207003, authorizing the City Auditor and Comptroller to transfer \$968,749 from Capital Outlay Fund 245 to Stadium Fund 258 for the purpose of providing a portion of the City's contribution to the lease payment for the San Diego Stadium, was adopted on motion of Councilman Landt.

(Item 128)

A proposed Resolution, authorizing and directing the City Manager to waive any permit fees for the East San Diego Chamber of Commerce for hanging Christmas decorations along both sides of University Avenue in East San Diego from Highland Avenue to Van Dyke Avenue, was presented.

On motion of Councilman Landt, the City Attorney was directed to prepare an ordinance waiving fees for permits regarding Holiday decorations beginning in the year 1973.

Councilman Bates entered the Chamber.

RESOLUTION 207004, authorizing and directing the City Manager to waive any permit fees for the East San Diego Chamber of Commerce for hanging Christmas decorations along both sides of University Avenue in East San Diego from Highland Avenue to Van Dyke Avenue, was adopted on motion of Councilman Bates.

(Item 8)

The hour of 2:00 p.m. having arrived, the Mayor announced that in the matter of the proposed improvement of Mission Hills Canyon, to be known as San Diego Park District No. 3, this was the time and place for the continued hearings under resolution of intention, Resolution No. 206497 and pursuant to the San Diego Park District Procedural Ordinance of 1969 on the report of the Superintendent of Streets prepared pursuant to said resolution of intention, and whether public convenience and necessity require the acquisitions and improvements and whether they should be ordered without application of the Special Assessment Investigation, Limitation, and Majority Protest Act of 1931, continued from the meeting of October 31, 1972; and also for the hearing on changes, as proposed by Resolution No. 206918, consisting of the deletion from the proposed acquisitions of lands already owned by the City and the making of those City-owned lands available for district purposes upon payment of compensation to the City.

City Clerk Nielsen reported that the notice of hearing on the proposed changes had been given and the affidavit of publication of Resolution No. 206918 was on file in the Clerk's office.

(Item 8, Continued)

Councilman Hitch and Mayor Wilson indicated that they had read a transcript of the hearings held on October 31, 1972, and had familiarized themselves with the proceedings.

Mr. Franklin T. Hamilton, Special Counsel for this proceeding, gave a brief explanation of the nature, purpose, and procedure for the hearings. He reported that the bond bidder had been contacted and had extended his bid to 5:00 p.m. today. He commented on the protests received and withdrawn and on additional protests received since the last hearings.

James McLaughlin, Community Development Department, gave a brief explanation of the original project, as set forth in the resolution of intention and the Report; the proposed changes, as set forth in the Supplemental Report and resolution proposing changes; the revised assessment, indicating the reduction in the total assessment and the approximate reductions in individual assessments. He stated he was available to answer any questions.

The City Clerk reported that six persons had withdrawn their protests and four additional protests had been filed. He read in full protests from Lewis F. Scarr, Joseph A. Allison, Richard A. Gant, and Carol Netterblad. He also read the withdrawal of protests from Viola E. Strom, Maude E. Rule, Constance Palermo, Mary Jo Ashley, Beverly Mulcade, and S. E. Korski.

The Mayor invited any and all persons having any protests or objections to the proposed acquisitions and improvements, the extent of the assessment district, the proposed assessments, or the changes proposed by Resolution No. 206918, to appear and show cause why the same should not be carried out and ordered.

The Mayor asked if there was anyone in the audience who had filed a written protest, or his representative, who desired to be heard orally in support of such protest, and also asked them to raise their hands.

Mr. John Butler, attorney representing Mr. and Mrs. Harold Carey and other property owners who had entitled their committee "The Mission Hills Committee for the Preservation of the Rights of Private Property", appeared to speak in protest. Mr. Carey also addressed the Council.

Mayor Wilson recessed the meeting at 2:59 p.m. Upon reconvening at 3:12 p.m., the roll call showed Councilman Williams absent.

Councilman Williams entered the Chamber.

Mr. McLaughlin answered questions that had been raised by Mr. Butler and Mr. Carey and also questions of the Council on boundaries, and the method of assessment. He also indicated that a clerical error resulted in the underassessment of Parcel 90 owned by the Henshaws and, in order that all property be assessed on the same basis, recommended that such assessment be increased.

Donald Maxstead, Fred J. Hammett, Alice Perry, and Jess Ison then spoke in protest of the project.

Mayor Wilson asked if there was any person present who desired to be heard at this time in connection with the Report, the Supplemental Report, the acquisitions or improvements, the proposed changes, the assessment, the diagram, the proceedings, or any other matter relating thereto.

(Item 8, Continued)

John M. Barbosa appeared to speak in protest to the district.

Mrs. Arlene Van der Wetering appeared to speak in support of the proposed assessment district, stating that she owned property near to but outside the proposed district and expressed a willingness either to be included in the district or to make a contribution towards the cost of the district project.

Josephine Stevenson spoke in opposition.

Mary Swedelius appeared to speak in support of the district, as well as Edgar A. Luce, Jr., attorney, representing the residents of the area who instituted this proceeding, and Marguerite Schwarzman.

Mayor Wilson again asked if there was anyone else who wished to be heard. No one else appeared to be heard.

Special Counsel Franklin T. Hamilton advised the Council an increase in the assessment on the Henshaw property, as recommended by Mr. McLaughlin, would require either an additional change proceeding, with mailed notice to the Henshaws, or receipt by the City of a written consent and waiver by the Henshaws agreeing to the increase.

Councilwoman O'Connor moved the hearings be closed and further consideration of the matter be deferred to Tuesday, December 19, 1972, at 2:00 p.m., for the purpose of receiving communication from the Henshaws.

There was considerable discussion by the Council on the merits of calling for a straw vote now or deferring the matter for two weeks.

The vote was called on the motion to defer the matter to Tuesday, December 19, 1972, at 2:00 p.m., which passed unanimously, and the following resolution was adopted.

RESOLUTION 207005, closing the continued hearings on the proposed improvement of San Diego Park District No. 3 (Mission Hills Canyon), under the provisions of the San Diego Park District Procedural Ordinance of 1969, under Resolution of Intention 206497, adopted September 12, 1972, and also the hearing on Resolution No. 206918, proposing to make changes in the proposed acquisition of open space lands for park and recreation purposes and to make certain City-owned lands available for such purposes upon payment of compensation to the City, and deferring further consideration of the matter to Tuesday, December 19, 1972, at 2:00 p.m.

Mayor Wilson recessed the Meeting at 4:24 p.m. Upon reconvening at 4:40 p.m., the roll call showed Councilman Hitch absent.

(Item 103, reconsidered after Item 8)

On motion of Councilman Johnson, the Council reconsidered the motion to adopt the resolution granting a one-year extension of time to Gloria Peart Crowningshield for completion of improvements in Peninsula Ocean View Estates subdivision, commencing upon adoption of this resolution.

James McLaughlin, Community Development Department, and City Attorney Witt answered questions directed by the Council.

Tom Kozden and Betty Bish appeared to speak regarding the extension of time.

RESOLUTION 207006, granting a one-year extension of time to Gloria Peart Crowningshield for completion of improvements in Peninsula Ocean View Estates subdivision, commencing upon adoption of this resolution, was adopted on motion of Councilman Landt.

(Item 114)

The following Resolutions relative to relocation of portions of Carroll Canyon Road (Road Survey 466), were adopted on motion of Councilman Bates:

RESOLUTION 207007, approving the acceptance by the City Manager of a Deed from Ruth L. Rubin, Richard C. Levi and Norman G. Levi - Street purposes - CARROLL CANYON ROAD; and

RESOLUTION 207008, vacating portions of Carroll Canyon Road (Road Survey 466) in connection with the dedication of a new alignment for said road.

(Item 118)

A proposed Resolution, continued from the Meetings of November 16 and 21, 1972, authorizing an Agreement with Economic Behavior Analysts, Inc. for providing technical assistance to the Model Cities Department and to instruct, advise and assist in the designing of questionnaires to evaluate project effectiveness; authorizing the expenditure of \$19,905 from Model Cities Second Action Year Fund 2902 for said purpose, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 207009, authorizing an Agreement with Economic Behavior Analysts, Inc. for providing technical assistance to the Model Cities Department and to instruct, advise and assist in the designing of questionnaires to evaluate project effectiveness; authorizing the expenditure of \$19,905 from Model Cities Second Action Year Fund 2902 for said purpose, was adopted on motion of Councilman Williams.

(Item 132)

A proposed Resolution, confirming the appointment of the following persons by the Mayor to the Model Cities Citizen Advisory Board for a term ending December 31, 1972, to fill vacancies caused by resignations: Appointments - Charles E. Reid, Miss Sylvia Smith, Rev. Raymond E. Lynn; Members Replaced - George L. Stevens, Tom Johnson, Judge Earl Gilliam, was continued to December 12, 1972, on motion of Councilman Williams for further review.

(Item 133)

A proposed Resolution, authorizing the City Manager to negotiate an Option Agreement for the lease of City-owned property in Mission Bay Park to the San Diego Rowing and Aquatic Association for the construction, operation and maintenance of an Aquatic and Recreation Center to provide skill and knowledge in swimming, rowing, tennis and related athletic activities, submitting the same to Council for approval, was presented.

City Manager Moore answered questions directed by the Council.

Councilman Williams left the Chamber.

Councilman Williams entered the Chamber.

William McKenzie, Melvin Kendall, Bruce Russell, Richard La Rue, Dr. Robert Bregman, and Chuck Slide appeared to speak in favor of the proposed Option Agreement.

Barbara Shafer and Mary Christian Heising appeared to speak in opposition to the proposed Option Agreement.

Mayor Wilson recessed the Meeting at 5:52 p.m. Upon reconvening at 6:09 p.m., the roll call showed Councilmen Williams and Hitch absent.

Ruth G. Peyton appeared to speak in opposition to the proposed Option Agreement.

Councilman Williams entered the Chamber.

James Milch and Roger Richardson appeared to speak in opposition to the proposed Option Agreement.

A motion made by Councilman Martinet to adopt the proposed Resolution, authorizing the City Manager to negotiate an Option Agreement for the lease of City-owned property in Mission Bay Park to the San Diego Rowing and Aquatic Association for the construction, operation and maintenance of an Aquatic and Recreation Center to provide skill and knowledge in swimming, rowing, tennis and related athletic activities, submitting the same to Council for approval,

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(Item 133, Continued)

was deemed to have failed, due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen Morrow, Martinet, and Mayor Wilson. Nays-Councilmen Johnson, O'Connor, Landt, Williams, and Bates. Absent-Councilman Hitch.

(Item 134)

A proposed Resolution, amending Council Policy No. 300-1 regarding Salary Setting Policy, was presented.

Jim Grogan appeared to speak regarding said Salary Setting Policy.

Councilman Morrow made a motion to continue the proposed Resolution for two weeks. No vote was taken.

Councilman Johnson made a motion to file the proposed Resolution. No vote was taken.

On motion of Councilman Bates, the proposed Resolution amending Council Policy No. 300-1 regarding Salary Setting Policy, was continued to December 19, 1972, for further review.

(Item 135 and 136 were considered simultaneously.)

Two proposed Resolutions of the City Council declaring its intention to pay out of its Municipal Funds the whole of the amount of taxes to be derived from that area of the Metropolitan Water District of Southern California and of the San Diego County Water Authority which is within the City for the fiscal year beginning July 1, 1973, in an amount to be fixed in August, 1973, by Resolution of The Board of Directors of the District and The Authority, were presented

Philip Shafer appeared to speak in favor of the proposed Resolutions.

Max Stroble appeared to speak in opposition to the proposed Resolutions.

RESOLUTION 207010, City Council declaring its intention to pay out of its Municipal Funds the whole of the amount of taxes to be derived from that area of the Metropolitan Water District of Southern California which is within the City, for the fiscal year beginning July 1, 1973, in an amount to be fixed in August, 1973, by Resolution of The Board of Directors of the District, was adopted on motion of Councilman Martinet by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Martinet, and Mayor Wilson. Nays-Councilmen Williams, Morrow, and Bates. Absent-Councilman Hitch.

RESOLUTION 207011, City Council declaring its intention to pay out of its Municipal Funds the whole of the amount of taxes to be derived from that area of the San Diego County Water Authority which is within the City for the fiscal year beginning July 1, 1973, in an amount to be fixed in August, 1973, by Resolution of The Board of Directors of The Authority, was adopted on motion of Councilman Martinet by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Martinet, and Mayor Wilson. Nays-Councilmen Williams, Morrow, and Bates. Absent-Councilman Hitch.

Councilmen Landt and Williams left the Chamber.

(Item 137)

A proposed Resolution, directing the City Attorney and the Planning Director to review and prepare possible alternate legislation which would protect the intent of the voters of San Diego in their approval of Proposition D, the Coastal Height Limitation Initiative, on the November 7 General Election Ballot, was presented.

Ruth Cigledy and Ruth Peyton appeared to speak in opposition to the proposed Resolution.

City Attorney Witt and Planning Director Goff appeared to answer questions directed by the Council.

RESOLUTION 207012, directing the City Attorney and the Planning Director to review and prepare possible alternate legislation which would protect the intent of the voters of San Diego in their approval of Proposition D, the Coastal Height Limitation Initiative, on the November 7 General Election Ballot, was adopted on motion of Councilman Bates.

(Item 138)

RESOLUTION 207013, authorizing Deputy Mayor Floyd L. Morrow to attend a course on Local Government Problems, sponsored by the Southwestern Legal Foundation, December 11-14, 1972, at Dallas, Texas, and to incur all necessary expenses, was adopted on motion of Councilman Bates.

Councilwoman O'Connor left the Chamber.

(Item 139)


The Model Cities Staff Report was continued December 12, 1972, due to the lack of time.

There being no further business to come before the Council at this time, by Unanimous Consent, granted to Councilman Martinet, the Regular Meeting was adjourned in memory of James Don Keller, former District Attorney, on motion of Councilman Martinet, at 7:35 p.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California