

ADJOURNED REGULAR MEETING OF THE COUNCIL
OF THE CITY OF SAN DIEGO, CALIFORNIA
TUESDAY, DECEMBER 4, 1973, ADJOURNED TO THURSDAY,
DECEMBER 6, 1973 - HELD TUESDAY, DECEMBER 11,
1973, IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION
BUILDING COMMUNITY CONCOURSE


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

Mayor Wilson called the Adjourned Regular Meeting to order at
9:34 a.m.

It was reported that this Meeting had been adjourned from
Tuesday, December 4, 1973, and Thursday, December 6, 1973, to this
time by the City Clerk.

The Clerk reported that copies of the Notice of Adjournment
covering adjournment of this Meeting from Tuesday, December 4, 1973,
to 9:30 a.m., Thursday, December 6, 1973, to 9:30 a.m., Tuesday,
December 11, 1973, 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 9:35 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, DECEMBER 6, 1973 -
HELD TUESDAY, DECEMBER 11, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, Hubbard, Williams, Martinet, Ellis, Bates,
and Mayor Wilson.
Absent--Councilmen O'Connor and Morrow.
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
Thursday, December 6, 1973, to this time by the City Clerk.

The Clerk reported that copies of the Notice of Adjournment
covering adjournment of this Meeting from Thursday, December 6, 1973,
to 9:30 a.m., Tuesday, December 11, 1973, 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.

(Item 1)

The Purchasing Agent reported on all bids opened Wednesday,
December 5, 1973, for paving and otherwise improving Streamview Drive
between Lynn Street and Gayle Street; three bids received.

Finding was made on motion of Councilman Johnson that bids had
been opened and declared as reported. By the same motion, report
was referred to the City Manager and City Attorney for recommendation.

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

Pete 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 11, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, Hubbard, Williams, Martinet, Ellis, Bates,
and Mayor Wilson.

Absent--Councilmen O'Connor and Morrow.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:39 a.m.

(Item 1)

Roll call was taken.

(Item 2)

Mayor Wilson introduced Reverend Jerry White, Pastor of The
First Church of The Nazarene, who gave the Invocation.

(Item 3)

Councilman Ellis led the Pledge of Allegiance.

(Item 4)

Minutes of the Regular Council Meetings of Tuesday, October 9,
Tuesday, October 16, and Tuesday, October 23, 1973, were presented
by the City Clerk. On motion of Councilman Martinet, said Minutes
were approved without reading, after which they were signed.

By common consent, the Council considered Item 118 out of order.

(Item 118)

A proposed Resolution, authorizing the City Attorney to take
whatever legal steps deemed appropriate to protect the rights of the
City in regard to the regulations promulgated by the Environmental
Protection Agency on November 12, 1973, pursuant to the Clean Air Act
of 1970, regarding a Transportation Control Plan for San Diego, was
presented.

(Item 118 - Continued)

Assistant City Manager Graham answered questions directed by the Council.

RESOLUTION 209370, authorizing the City Attorney to take whatever legal steps deemed appropriate to protect the rights of the City in regard to the regulations promulgated by the Environmental Protection Agency on November 12, 1973, pursuant to the Clean Air Act of 1970, regarding a Transportation Control Plan for San Diego, was adopted on motion of Councilman Martinet.

(Item 5)

A communication from Alex Sandie, representing San Diego Highland Dancers Association, requesting permission to address the Council relative to holding San Diego's First Annual Highland Games in Balboa Stadium on Saturday, May 27, 1974, under the co-sponsorship of The City of San Diego, was presented.

Alex Sandie appeared to speak regarding said communication.

On motion of Councilman Bates, the communication was referred to the City Manager for a report back to Council and Mr. Sandie.

(Item 6)

A communication from Marian R. Bear, representing Clairemont Mesa Development Committee, requesting permission to address Council relative to enacting an emergency energy saving ordinance curtailing lighted signs, was presented.

Marian R. Bear appeared to speak regarding said communication.

On motion of Councilman Williams, the communication was referred to the City Manager and City Attorney for a report back to Council and Mrs. Bear.

(Item 7)

A communication from Victor A. Nieto, representing MAAC Project, requesting permission to address the Council relative to requesting \$700 for support of the MAAC Project's Annual Children's Christmas Party to be held at Rohr Park for 1500 needy South Bay area children, was presented.

Victor A. Nieto appeared to speak regarding said communication.

On motion of Councilman Martinet, the communication was referred to the City Manager for a report back to Council and Mr. Nieto by Thursday, December 13, 1973.

(Item 8)

A communication from San Diego Amateur Hockey Association requesting financial help for expenses to be incurred in sending two tournament

(Item 8 - Continued)

teams to represent The City of San Diego at The International CAN/AM Hockey Tournament to be held December 26-30, 1973, in Guelph, Ontario, Canada.

Mary Thompson appeared to speak regarding said communication.

On motion of Councilman Ellis, the communication was referred to the City Manager for a report back to Council and Miss Thompson by Thursday, December 13, 1973.

(Item 9)

The Purchasing Agent reported on all bids opened Monday, December 10, 1973 for paving and otherwise improving the Alley contiguous to Lots 1, 2 and 3, Block 23, Linda Vista Subdivision Unit 8, two bids received; and construction of sidewalks - Linda Vista CHIRP Sidewalk Porject Phase II - Preece Street, et al, four bids received.

Finding was made on motion of Councilman Johnson, that bids had been opened and declared as reported. By the same motion, the reports were referred to the City Manager and City Attorney for recommendation.

There were no requests for continuances.

The Council considered the Consent Agenda, which consisted of Items 19, 20, 21, 22, 23, 24, 30a, 30c, 31, 32, 33a, 33b, 33c, 100, 101, 102, 103, 104, 105, 106, 110, 111, 112, 113, 114, 115, 116, 117, 119, 120, and 121.

The following Ordinances were introduced at the Meeting of November 20, 1973.

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

(Item 19 - CASE NO. 60-72-5, portion - Drawing B-2633.3)

ORDINANCE 11176 (New Series), incorporating Lot 2, Torrey Pines Beach Subdivision, and Parcels A, B, C and D of Parcel Map 732, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 10143 (New Series), adopted September 25, 1969, of the Ordinances of The City of San Diego insofar as it conflicts herewith.

(Item 20)

ORDINANCE 11177 (New Series), amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0428 relating to the CA-S Zone.

(Item 21)

ORDINANCE 11178 (New Series), amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending Section 101.0430 relating to the C-1S Zone.

(Item 22)

ORDINANCE 11179 (New Series), amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending Section 101.0432 relating to the CS Zone.

(Item 23)

ORDINANCE 11180 (New Series), amending Chapter VIII, Article 6, of the San Diego Municipal Code by amending Section 86.01 relating to nonenforcement days regarding parking time restrictions.

The following Ordinance was introduced at the Meeting of November 27, 1973.

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

(Item 24)

ORDINANCE 11181 (New Series), dedicating Lots 1, 2, 3, 8 and 9, Block 14 of Encanto Heights for a public park and naming said park "Encanto Community Park."

(Item 30a)

RESOLUTION 209371, awarding a contract to GFA Electric for construction of traffic signal and safety lighting systems at Garnet Avenue and Jewell Street, for the sum of \$30,235; authorizing the expenditure of \$36,000 out of Gas Tax Fund (220) for said purpose and related costs, was adopted on motion of Councilman Johnson.

(Item 30c)

RESOLUTION 209372, Hester Granite Pit for the purchase of decomposed granite as may be required for a period of 1 year ending November 30, 1974, with option to renew the contract for an additional 1 year period, for an actual estimated cost of \$67,462.50, including tax and terms, was adopted on motion of Councilman Johnson.

(Item 31)

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

RESOLUTION 209373, Astra Flooring Co. for the installation of magnesium oxychloride cement floor in the City Jail kitchen for an estimated cost of \$2,124.

RESOLUTION 209374, San Diego Pipe & Supply Co. for the purchase of 20,000 pounds of caulking lead for an actual cost, including tax and terms of \$4,371.19.

RESOLUTION 209375, Kettenburg Marine Supply for the purchase of 5 each fiberglass Sabots for an actual cost, including tax and terms of \$1,509.38.

RESOLUTION 209376, B. Hayman Company, Inc. for the purchase of 1 each Seven Gang Fairway Mower for an actual cost, including tax, terms and less trade-in of \$2,792.72.

RESOLUTION 209377, Krasne's, Inc. for the purchase of 50 revolvers for an actual cost, including tax and terms of \$3,085.46.

(Item 32)

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

(Item 32 - Continued)

RESOLUTION 209378, furnishing 1 Fiberglass Patrol Boat in accordance with Specifications Document No. 745647; and
RESOLUTION 209379, furnishing 1 Diesel Engine in accordance with Specifications Document No. 745648.

(Item 33)

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

RESOLUTION 209380, furnishing powdered activated carbon in accordance with Specifications Document No. 745649;

RESOLUTION 209381, furnishing 3 each rectangular valves in accordance with Specifications Document No. 745650; and

RESOLUTION 209382, furnishing 57 metal cross bed tool boxes in accordance with Specifications Document No. 745651.

(Item 100)

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

RESOLUTION 209383, authorizing an agreement with Avco Community Developers, Inc. for completion of improvements in Bernardo Greens Unit 25, a 24-lot subdivision located easterly of Highway 395, westerly of Verano Drive, southerly of Pomerado Road;

RESOLUTION 209384, approving the final map of Bernardo Greens Unit 25;

RESOLUTION 209385, approving the final map of G-W Industrial Park Annex, a 6-lot subdivision located southerly of Carroll Road, north of Miramar Road, easterly of Distribution Avenue;

RESOLUTION 209386, authorizing an agreement with Distribution Avenue Limited; Roy P. and Roberta B. Josepho; Intermountain Terminal Company; H. R. Thomas Construction, Inc.; George J. and Penelope Nicholas; Stationers Corporation; L. J. V. Investments, Inc.; Gentry & Watts Industrial Park; Don Koll Company, Inc.; and Argus/Koll for completion of improvements in G-W Industrial Park Resub., a 23-lot subdivision located on the north side of Miramar Road, southerly of Carroll Road;

RESOLUTION 209387, approving the final map of G-W Industrial Park Resub.;

RESOLUTION 209388, authorizing an agreement with Penasquitos, Inc. for completion of improvements in Penasquitos Bluffs Unit 3, a 528-lot subdivision located northerly of Highway 56, westerly of Black Mountain Road in the R-1-5 Zone;

RESOLUTION 209389, authorizing an agreement with Penasquitos, Inc. providing for a surety bond in lieu of cash payment for park fees in Penasquitos Bluffs Unit 3;

(Item 100 - Continued)

RESOLUTION 209390, approving the final map of Penasquitos Bluffs Unit 3;

RESOLUTION 209391, authorizing an agreement with Penasquitos, Inc. for completion of improvements in Penasquitos Bluffs Unit 4, a 528-lot subdivision located northerly of Highway 56, westerly of Black Mountain Road in the R-1-5 Zone;

RESOLUTION 209392, authorizing an agreement with Penasquitos, Inc., providing for a surety bond in lieu of cash payment for park fees in Penasquitos Bluffs Unit 4; and

RESOLUTION 209383, approving the final map of Penasquitos Bluffs Unit 4.

(Item 101)

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

RESOLUTION 209394, authorizing an agreement with Penasquitos, Inc., for completion of improvements in Penasquitos Bluffs Unit 5, a 528-lot subdivision located northerly of Highway 56, westerly of Black Mountain Road;

RESOLUTION 209395, authorizing an agreement with Penasquitos, Inc. providing for a surety bond in lieu of cash payment for park fees in Penasquitos Bluffs Unit 5;

RESOLUTION 209396, approving the final map of Penasquitos Bluffs Unit 5;

RESOLUTION 209397, authorizing an agreement with The Christiana Companies, Inc. for completion of improvements in Villa Trinidad Unit 5, a 906-lot subdivision located on the north side of Tierrasanta Boulevard, southerly of Clairemont Mesa Boulevard, easterly of Santo Road; and

RESOLUTION 209398, approving the final map of Villa Trinidad Unit 5.

(Item 102)

RESOLUTION 209399, accepting the work done and authorizing a Notice of Completion in Ryan Manor subdivision, was adopted on motion of Councilman Johnson.

(Item 103)

The following Resolutions, relative to paving and otherwise improving the Alleys in Block 11, Second Fortuna Park Addition; Block 65, Morena; and Block 12, Bird Rock Addition, also for the construction of sidewalks and other improvements in Turquoise Street, Fanuel Street to Mission Boulevard, and Rosecrans Street, Quimby Street to Dumas Street, were adopted on motion of Councilman Johnson:

(Item 103 - Continued)

RESOLUTION 209400, approving the plans, specifications and Plat No. 3864 of the assessment district; and

RESOLUTION OF INTENTION 209401, setting the time and place of hearing.

(Item 104)

RESOLUTION 209402, setting aside and dedicating for the purpose of a public street Parcel 1 of that certain grant deed of Home Savings and Loan Association dated June 5, 1973, and naming the same GARNET AVENUE, was adopted on motion of Councilman Johnson.

(Item 105)

RESOLUTION 209403, authorizing the execution of a quitclaim deed, quitclaiming to the Owner in Fee Simple of Record, a portion of Pueblo Lot 256 of the Pueblo Lands of San Diego effecting the reversion of those abutter's rights of access in and to West Morena Boulevard of said lot, was adopted on motion of Councilman Johnson.

(Item 106)

RESOLUTION 209404, authorizing the divestment of City's easement interest by negotiated sale for the sum of \$55, a portion of Lot 1538, Clairemont Unit 8; authorizing the execution of a quitclaim deed, quitclaiming to the Owners in Fee Simple of Record said easement, was adopted on motion of Councilman Johnson.

(Item 110)

RESOLUTION 209405, authorizing a Consent to Assignment with Clarence E. Wilcken and Virginia E. Long, consenting to the assignment of all right, title and interest in the lease agreement between City and Clarence E. Wilcken and Virginia E. Long dated June 18, 1968, was adopted on motion of Councilman Johnson.

(Item 111)

RESOLUTION 209406, authorizing a Consent to Assignment with Peter Aardema and Art Martini, consenting to the assignment of all right, title and interest in the lease agreement between City and Peter Aardema, was adopted on motion of Councilman Johnson.

(Item 112)

RESOLUTION 209407, authorizing a Lease Agreement with the San Diego Unified School District of San Diego County, leasing a portion of Block A and closed street adjacent, Mission Bay Park Resubdivision, for the purpose of construction, operation and maintenance of a floating observation platform, access ramp and appurtenant facilities for a period of 15 years, was adopted on motion of Councilman Johnson.

(Item 113)

RESOLUTION 209408, authorizing a permit, conveying to the San Diego Gas & Electric Company a permit for underground electrical facilities affecting a portion of City-owned land in Quarter Section 29, Rancho Mission, known as the Gompers Park Underground Utility District was adopted on motion of Councilman Johnson.

(Item 114)

RESOLUTION 209409, authorizing Amendment No. 11 to agreement between the City (through its Urban Observatory) and the National League of Cities, was adopted on motion of Councilman Johnson.

(Item 115)

RESOLUTION 209410, authorizing a Cooperative Agreement with the County of San Diego whereby the County shall contribute the sum of \$15,000 toward the costs of the Joint City-County-Port District Centre City Planning Study, was adopted on motion of Councilman Johnson.

(Item 116)

RESOLUTION 209411, authorizing the City Manager to submit a grant application to the CCCJ in the amount of \$139,365 for the purposes of researching and improving the handling of "hazardous situations"; authorizing the City Manager to execute said grant contract with CCCJ when awarded; authorizing the City Auditor and Comptroller to transfer the sum of \$5,226 from the Unallocated Reserve (53.30) to the Allocated Reserve (53.20) for the purpose of meeting the City's cash-match requirement as set forth in said grant application, was adopted on motion of Councilman Johnson.

(Item 117)

RESOLUTION 209412, approving and providing for the execution of a proposed First Amendatory Contract amending Neighborhood Facilities Grant Contract No. Calif. N-53(G), was adopted on motion of Councilman Johnson.

(Item 119)

RESOLUTION 209413, authorizing the City Auditor and Comptroller to transfer the sum of \$2,500 within the 100 Fund from the Unallocated Reserve (53.30) to the Allocated Reserve (53.20) to supplement Resolution No. 207396 relating to expenses incurred in connection with hearings before the California Public Utilities Commission, in the matter of Pacific Telephone and Telegraph Company's application for rate increase, was adopted on motion of Councilman Johnson.

(Item 120)

RESOLUTION 209414, requesting the San Diego County Assessor, pursuant to the authority of Section 27421 of the California Government Code, to provide an estimate of assessed valuation of property for fiscal year 1975, no later than May 15, 1974, was adopted on motion of Councilman Johnson.

(Item 121)

RESOLUTION 209415, authorizing the City Manager to sell to the Fraternal Order of Eagles Aerie 244, up to 100 Mt. Hope Cemetery Burial Lots within Section 1, Division 8 of the cemetery for the sum of \$165 each within the next 5 year period or less, with a minimum of 20 lots to be purchased per year, was adopted on motion of Councilman Johnson.

(Item 17 - DRAWING NO. C-389)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the proposal to impose a Height Limitation Zone restricting the maximum height of all future buildings and structures in the whole or any part of the San Diego Avenue Area, generally bounded by Interstate 5 on the southwest, Washington Street on the southeast, California Street and a portion of San Diego Avenue on the northeast, and Witherby Street on the northwest, to 30 feet or to any height limit greater than 30 feet. It was reported that no written protests had been received.

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

Ralph DeSola and Bert McLees appeared to speak in favor of the proposal.

The hearing was closed on motion of Councilman Johnson.

(Item 17 - Continued)

A proposed Ordinance, amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending Section 101.0452.15, relating to the Height Limitation Zone - San Diego Avenue, was introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor and Morrow.

RESOLUTION 209416, adopting the Environmental Impact Report No. 73-8-006C, dated October 18, 1973, was adopted on motion of Councilman Johnson.

Mayor Wilson recessed the Meeting at 10:24 a.m. Upon reconvening at 10:38 a.m., the roll call showed Councilmen O'Connor, Williams, Morrow, and Martinet absent.

(Item 26)

A proposed Ordinance, amending Chapter II, Article 4, of the San Diego Municipal Code by repealing Section 24.0509 relating to Disability Retirement, was presented.

Councilman Williams entered the Chamber.

Councilman Martinet entered the Chamber.

Retirement Officer Logan and Chief Deputy City Attorney Conrad answered questions directed by the Council.

A motion by Councilman Ellis to put a time limit on the filing of disability affidavits died for lack of a second.

A motion by Councilman Williams to direct the Retirement Board, Retirement Officer, and the City Manager to come back with a report to look into the possibility of requiring medical examinations after the person has been retired on the basis of which objective decisions can be made as to whether the person should continue on retirement, but as a first step prior to actually retiring a person that an effort be made to determine if an alternate kind of employment can be found within the City and make that a condition of retirement that the person would accept such employment if it were available; and then also consider supplementing employee's income up to the level of his previous income as done in County Law 37, received no vote at this time.

A motion by Councilman Martinet to continue the matter 90 days to gather information and schedule for a Council Conference in February died for lack of a second.

On motion of Councilman Martinet, the matter was continued to Tuesday, January 15, 1974, and the Retirement Office was requested to bring back a report indicating actual cost of enforcement and exploring the possibility of some alternative that is less costly.

The vote was then taken on Councilman Williams' motion, which passed unanimously.

(Item 108)

A proposed Resolution, continued from the Meetings of September 20 and 25, and November 6, 1973, for Council Conference, establishing Council Policy No. 000-16 regarding appointments to the Retirement Board of Administration, was presented.

Assistant City Manager Graham answered questions directed by the Council.

On motion of Councilman Williams, the matter was continued to Thursday, December 27, 1973, for further review.

(Item 16)

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 November 20, 1973, at applicant's request, on the appeal of Harold F. Tebbetts, representing Allen & Allen Insurance, Inc., from the decision of the Planning Commission in failing to approve its request to clarify the definition of "freeway-oriented sign," as contained in Section 101.1101.56 of the San Diego Municipal Code (Ordinance 11000, N.S. - On-Premises Sign Ordinance) as to whether or not Mexican Insurance Companies essential for international travel would fall within the definition. It was reported that no written protests had been received.

Ken Klein, Planning Department, and Assistant City Manager Graham answered questions directed by the Council.

Harold Tebbetts and Gerald Dawson appeared to speak in favor of the appeal.

Marian Bear and Robert Reyburn appeared to speak in opposition to the appeal.

A motion by Councilman Hubbard to close the hearing and grant the appeal in the area south of Highway 94 and to limit what the sign can say to "Mexican Insurance" was deemed denied due to lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson, Hubbard, Ellis, and Mayor Wilson. Nays-Councilmen Williams, Martinet, and Bates. Absent-Councilmen O'Connor and Morrow.

Mayor Wilson recessed the Meeting at 12:25 a.m., to reconvene at 2:00 p.m.

Upon reconvening at 2:05 p.m., the roll call showed Councilmen O'Connor, Williams, Morrow, and Mayor Wilson absent.

(Item 25)

A proposed Ordinance, dedicating certain portions of Lots 7, 19 and 20 of New Riverside for a public park and naming said park "Cabrillo Heights Neighborhood Park", was presented.

Councilman Williams entered the Chamber.

Assistant City Manager Graham answered questions directed by the Council.

A proposed Ordinance, dedicating certain portions of Lots 7, 19 and 20 of New Riverside, for a public park and naming said park "Cabrillo Heights Neighborhood Park" was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Ellis, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Councilmen O'Connor, Morrow, and Mayor Wilson.

(Item 27)

A proposed Ordinance, amending Chapter X, Article 1 of the San Diego Municipal Code, by amending Section 101.0504 and repealing Section 101.0505, relating to appeals to the Board of Zoning Appeals and the City Council, was presented.

Mayor Wilson entered the Chamber.

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

Ruth Peyton and Marian Bear appeared to speak in opposition to the proposed Ordinance.

A motion by Councilman Johnson to introduce the Ordinance received no vote at this time.

A motion by Councilman Martinet to amend the proposed Ordinance to exclude Conditional Use Permits failed by the following vote: Yeas-Councilmen Williams and Martinet. Nays-Councilmen Johnson, Hubbard, Ellis, Bates, and Mayor Wilson. Absent-Councilmen O'Connor and Morrow.

The vote was then taken on Councilman Johnson's original motion and the following proposed Ordinance, amending Chapter X, Article 1, Division 5 of the San Diego Municipal Code by repealing Section 101.0505 and amending Section 101.0504 relating to appeals to the City Council and Board of Zoning Appeals, was introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Martinet, Bates, and Mayor Wilson. Nays-Councilman Ellis. Absent-Councilmen O'Connor and Morrow.

(Item 18 - ZONING ADMINISTRATOR CASE NO. 12135)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of M. Bert and Muriel D. Hebner from the decision of the Board of Zoning Appeals which partially denied their appeal from the Zoning Administrator in Case No. 12135, which approved the request of La Playa Properties to (a) construct an 18-unit apartment complex with two stairways observing 15-foot street widening setback plus 5-foot front yard on Rosecrans Street for a total of 20 feet, where total of 30 feet from present property line is required; (b) erect 15 feet of masonry wall 5 feet high observing 0-foot front yard on Lawrence Street where a maximum 3-foot high wall is permitted in a 15-foot front yard. Subject property is on portions of Lots 1 and 2, Block 134, La Playa, located on Rosecrans Street between Lawrence and McCall Streets, in the R-4 Zone. It was reported that written protests had been received.

Voyd Beights, Zoning Administration, Chief Deputy City Attorney Conrad, and Building Inspection Director Curtis answered questions directed by the Council.

M. Bert Hebner appeared to speak in favor of the appeal.

John Henderson appeared to speak in opposition to the appeal.

Mayor Wilson stated the Council could only consider Item (a).

A motion by Councilman Hubbard to close the hearing and deny the appeal on Item (a) was deemed denied due to lack of five affirmative votes, by the following vote: Yeas-Councilmen Hubbard, Williams, Martinet and Mayor Wilson. Nays-Councilmen Johnson, Ellis, and Bates. Absent-Councilmen O'Connor and Morrow.

Mayor Wilson recessed the Meeting at 3:36 p.m. Upon reconvening at 3:47 p.m., the roll call showed Councilmen O'Connor, Williams, Morrow, and Bates absent.

Councilman Williams entered the Chamber.

(Item 122)

RESOLUTION 209417, setting December 27, 1973 at 2:00 p.m. as the date and time certain for public hearings to establish just and reasonable rates for hire of taxicabs within the City, was adopted on motion of Councilman Martinet.

(Item 107)

A proposed Resolution, approving the acceptance by the City Manager of deed of United States International University (park and open space purposes), was presented.

(Item 107. - Continued)

Councilman Bates entered the Chamber.

Assistant City Manager Graham answered questions directed by the Council.

Mr. Dick Ridenour appeared to speak in favor of the proposed Resolution.

RESOLUTION 209418, approving the acceptance by the City Manager of deed of United States International University (park and open space purposes), was adopted on motion of Councilman Martinet.

(Item 109)

A proposed Resolution, continued from the Meetings of October 9, 30, November 6, 13, and 20, 1973, for further study, declaring Parker Place, between Fanuel Street and Everts Street to be a one-way street, authorizing the installation of the necessary signs and markings, was presented.

Assistant City Manager Graham answered questions directed by the Council.

Michael Morris appeared to speak in favor of the proposed Resolution.

RESOLUTION 209419, declaring Parker Place, between Fanuel Street and Everts Street to be a one-way street, authorizing the installation of the necessary signs and markings, was adopted on motion of Councilman Martinet.

(Item 123)

A proposed Resolution, excusing Councilman Gil Johnson from Council Meetings of December 11 and December 27, 1973, was presented.

On motion of Councilman Martinet, the Resolution was amended to exclude December 11, and the following Resolution adopted, as amended:

RESOLUTION 209420, excusing Councilman Gil Johnson from the Council Meeting of December 27, 1973.

(Item 124)

RESOLUTION 209421, authorizing the Auditor and Comptroller to transfer within the General Fund (100) the sum of \$7,500 from the Unallocated Reserve (53.30) to the Allocated Reserve (53.20) for the purpose of supplementing Resolution No. 208814, was adopted on motion of Councilman Martinet.

Mayor Wilson recessed the Meeting at 4:03 p.m. Upon reconvening at 4:37 p.m., the roll call showed Councilmen O'Connor and Morrow absent.

(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 October 9 and November 6, 1973, at subdivider's request, on vacating Reservoir Drive in Lot 30 and Lot A, La Mesa Colony; and a portion of Mohawk Street adjacent to Lot 1, College Vista - Resolution of Intention 208781. It was reported that no written protests had been received.

Councilman Martinet left the Chamber.

Floyd Moore, Community Development Department, answered questions directed by the Council.

Councilman Martinet entered the Chamber.

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

RESOLUTION 209422, vacating Reservoir Drive in Lot 30 and Lot A, La Mesa Colony; and a portion of Mohawk Street adjacent to Lot 1, College Vista - Resolution of Intention 208781.

(Item 11)

The following proposed Resolutions, relative to the final subdivision map of Montezuma Townhouse, an 11-lot subdivision located westerly of 67th Street and easterly of Alumni Place (a) authorizing an agreement with Reservoir Properties, Kenneth Leo Flor and Betty Ailene Flor, C. H. Watt and Isabel Bedford for completion of improvements; and (b) approving the final map, were presented.

Floyd Moore, Community Development Department, answered questions directed by the Council.

The following Resolutions, relative to the final subdivision map of Montezuma Townhouse, were adopted on motion of Councilman Ellis:

RESOLUTION 209423, authorizing an agreement with Reservoir Properties, Kenneth Leo Flor and Betty Ailene Flor, C. H. Watt and Isabel Bedford for completion of improvements in Montezuma Townhouse, an 11-lot subdivision located westerly of 67th Street and easterly of Alumni Place; and

(Item 11 - Continued)

RESOLUTION 209424, approving the final map of Montezuma Townhouse.

(Item 12)

A proposed Resolution, authorizing an agreement with Reservoir Properties, Kenneth Leo Flor and Betty Ailene Flor, C. H. Watt and Isabel Bedford, for construction of improvements on Reservoir Drive, within the limits of Montezuma Townhouse Subdivision; providing for reimbursement by the City out of Gas Tax Fund 220, in an amount not to exceed \$14,803, was presented.

Floyd Moore, Community Development Department, answered questions directed by the Council.

RESOLUTION 209425, authorizing an agreement with Reservoir Properties Kenneth Leo Flor and Betty Ailene Flor, C. H. Watt and Isabel Bedford, for construction of improvements on Reservoir Drive, within the limits of Montezuma Townhouse Subdivision; providing for reimbursement by the City out of Gas Tax Fund 220, in an amount not to exceed \$14,803, was adopted on motion of Councilman Ellis.

(Item 13)

The following proposed Resolutions, relative to Reservoir Drive, (a) approving the acceptance by the City Manager of a deed from College Lutheran Church (street purposes) - RESERVOIR DRIVE; (b) approving the acceptance by the City Manager of a deed from Reservoir Properties (street purposes) - RESERVOIR DRIVE; and (c) setting aside and dedicating for the purpose of a public street portions of Lots 82 through 87 inclusive of Catoctin Tract Unit 5, and naming the same RESERVOIR DRIVE, were presented.

Floyd Moore, Community Development Department, answered questions directed by the Council.

The following Resolutions, relative to Reservoir Drive, were adopted on motion of Councilman Ellis:

RESOLUTION 209426, approving the acceptance by the City Manager of a deed from College Lutheran Church (street purposes) - RESERVOIR DRIVE;

RESOLUTION 209427, approving the acceptance by the City Manager of a deed from Reservoir Properties (street purposes) - RESERVOIR DRIVE; and

RESOLUTION 209428, setting aside and dedicating for the purpose of a public street portions of Lots 82 through 87 inclusive of Catoctin Tract Unit 5, and naming the same RESERVOIR DRIVE.

(Item 14)

A proposed Resolution, approving the acceptance by the City Manager of deed of College Lutheran Church (street purposes) - MOHAWK STREET, was presented.

(Item 14 - Continued)

Floyd Moore, Community Development Department, answered questions directed by the Council.

RESOLUTION 209429, approving the acceptance by the City Manager of deed of College Lutheran Church (street purposes) - MOHAWK STREET, was adopted on motion of Councilman Ellis.

(Item 15)

The following proposed Resolutions, relative to authorizing the divestment of City's easement interest by negotiated sale for the sum of \$82.50 each; authorizing the execution of quitclaim deeds quitclaiming to the Owner in Fee Simple of Record the following (a) a portion of Lot 30, La Mesa Colony, and a portion of Reservoir Drive; and (b) a portion of Lot 31, La Mesa Colony; and a portion of Reservoir Drive, were presented.

Floyd Moore, Community Development Department, answered questions directed by the Council.

The following Resolutions, relative to authorizing the divestment of City's easement interest by negotiated sale for the sum of \$82.50 each; authorizing the execution of quitclaim deeds quitclaiming to the Owner in Fee Simple of Record the following, were adopted on motion of Councilman Ellis:

RESOLUTION 209430, a portion of Lot 30, La Mesa Colony and a portion of Reservoir Drive; and

RESOLUTION 209431, a portion of Lot 31, La Mesa Colony; and a portion of Reservoir Drive.

(Item 28)

A proposed Resolution, continued from the Meeting of November 27, 1973, at City Manager's request, awarding a contract to Crown Coach Corporation for the purchase of one 1,250-gallon triple combination pumper for a cost of \$59,606.83; one 75-foot elevating platform fire truck for a cost of \$109,714.71, and one motorized tractor-drawn 100-foot aerial ladder truck for a cost of \$107,004.18; for a total estimated cost of \$290,142.01, including sales tax, authorizing the expenditure of \$110,000 from Community Building and Improvements Bond Fund (726) and \$180,142.01 from Capital Outlay Fund (245) for said purpose and related costs, was presented.

Assistant City Manager Graham presented a revised Resolution deleting the purchase of one 1,250-gallon triple combination pumper for a cost of \$59,606.83.

On motion of Councilman Bates, the following revised Resolution was adopted:

RESOLUTION 209432, awarding a contract to Crown Coach Corporation for the purchase of one 75-foot elevating platform fire truck for a cost of \$109,714.71, and one motorized tractor-drawn 100-foot aerial

(Item 28 - Continued)

ladder truck for a cost of \$107,004.18, terms net 30 days, plus sales tax; authorizing the expenditure of \$110,000 from Community Building and Improvements Bond Fund (726) and \$117,554.83 from Capital Outlay Fund (245) for said purpose and related costs.

(Item 29)

The following proposed Resolutions, relative to awarding a contract as follows (a) GFA Electric, for the modification of the Hillcrest Traffic Signal System for the sum of \$74,467; authorizing the expenditure of \$90,000 out of Gas Tax Fund (220) for said purpose and related costs; and (b) authorizing the use of City Forces to do all the work of modifying controllers and disconnecting the interconnect cable as required in connection with above project; cost of said work not to exceed \$1,000, were presented.

Assistant City Manager Graham answered questions directed by the Council.

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

RESOLUTION 209433, GFA Electric, for the modification of the Hillcrest Traffic Signal System for the sum of \$74,467; authorizing the expenditure of \$90,000 out of Gas Tax Fund (220) for said purpose and related costs; and

RESOLUTION 209434, authorizing the use of City Forces to do all the work of modifying controllers and disconnecting the interconnect cable as required in connection with above project; cost of said work not to exceed \$1,000.

(Item 30b)

RESOLUTION 209435, awarding a contract to T. B. Penick & Sons, Inc. for the construction of Oak Park, for the sum of \$78,850; authorizing the expenditure of \$69,400 out of Park Bond Fund (725), \$5,700 out of Capital Outlay Fund (245), and \$19,300 out of Park Service District Fund (11622) for said purpose and related costs; adopting the Environmental Impact Report No. 73-3-005C, dated May 23, 1973, was adopted on motion of Councilman Hubbard.

(Item 33d)

RESOLUTION 209436, inviting bids for construction of Water Main Replacement Group 190 (North Park Area) in accordance with Specifications Document No. 745652, was adopted on motion of Councilman Bates.

(Item 33e)

RESOLUTION 209437, adopting the Environmental Impact Report No. 73-1-023C, dated June 8, 1973, was adopted on motion of Councilman Martinet.

Mayor Wilson appointed Councilman Ellis to serve on the Ad Hoc Taxi Committee and appointed Councilman Bates to serve as Chairman of said Committee.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Hubbard at 4:58 p.m.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward Wilson

City Clerk of The City of San Diego, California