

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - THURSDAY, NOVEMBER 21, 1974  
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING  
CHARLES C. DAIL CONCOURSE

Present--Councilmen O'Connor, Hubbard, Williams, Martinet, Ellis, and  
Mayor Wilson.

Absent--Councilmen Johnson, Morrow, and Bates.

Clerk---Edward Nielsen

Mayor Wilson called the Regular Meeting to order at 8:38 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced Pastor Richard Matson, La Jolla Lutheran Church,  
who gave the Invocation.

(Item 3)

Councilwoman O'Connor led the Pledge of Allegiance.

Councilman Morrow entered the Chambers.

(Item 5)

Mayor Wilson welcomed and addressed fifteen visitors from San Diego School  
Home Teaching Service, accompanied by Mrs. Kay Nathan.

(Item 6)

Mayor Wilson welcomed a group of new employees who were present in the  
Chambers.

(Item 7)

Former Councilman Hitch introduced Gayle Dunne who presented a new record  
of a San Diego-promoting song, titled "Hey! I'm On My Way To San Diego Bay."  
Gayle Dunne and Jerry Smith appeared to speak regarding the presentation.

The Council considered Item 33

(Item 33a)

A proposed Resolution, relative to accepting a donation of \$3,013.80 for the Rotary Club of Pacific Beach to assist in providing additional children's play-ground equipment at Crown Point Shores in Mission Bay Park; authorizing the City Manager to do by City Forces all the work necessary to accomplish the above-described improvement; authorizing the expenditure of \$3,000 out of Capital Outlay Fund No. 245 as the City's share of the above-described improvement, and commending the Rotary Club of Pacific Beach for this act of civic generosity and publicly expressing on behalf of the citizens of San Diego a debt of gratitude, was presented.

William J. Elks, President of the Rotary Club of Pacific Beach appeared to speak regarding said donation and presented Councilman Martinet with a check for \$3,013.80.

No action was taken at this time.

(Item 8)

Minutes of the Regular Council Meeting of Thursday, August 1, 1974, were presented by the City Clerk. On motion of Councilman Ellis, said Minutes were adopted without reading, after which they were signed.

Councilman Ellis announced the dedication of the Bike Way on Montezuma Road.

The Council considered requests for continuances: Items 101, 114, 116, and 126.

(Item 101)

NOTICED HEARINGS: (Continued from the Meeting of October 31, 1974.)  
Matter of Rezoning portions of Lots 1-4, Zschockelt's Subdivision (approximately 11 acres), located on the north side of I-8 to east of I-805 south of extension of Camino Del Rio North, from Zone R-1-40 to Zone CO.

On motion of Councilman Martinet, the matter was continued to December 12, 1974, at the owner's request.

(Item 126)

OTHER RESOLUTIONS: Directing the study of the current Water Usage Capacity Charges and Rates in order to (1) establish a maximum capacity charge of \$3,000 per hookup, (2) reduce the capacity charge for each single family living unit from \$300 to \$200, and (3) increase the rates charged to all water customers in order to generate the necessary revenues which would be lost by application of items (1) and (2) above; submitting an Ordinance for consideration which would accomplish these goals.

On motion of Councilman Ellis, the matter was continued to December 12, 1974, at the request of the Chamber of Commerce.

(Item 114)

OTHER RESOLUTIONS: (Continued from the Meetings of October 24 and November 7, 1974.) Declaring Princess Park Estates, Inc., subdivider of Princess Del Cerro Unit 6 Subdivision, to be in default under the terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdivider and to Houston General Insurance Company; authorizing the City Manager to complete or cause to be completed said improvements.

On motion of Councilman Ellis, the matter was continued to December 6, 1974, for further review of new agreement.

(Item 116)

OTHER RESOLUTIONS: (Continued from the Meeting of October 24, 1974.) Declaring Victor J. Schulman, and San Diego Trust and Savings Bank, subdividers of Silver Frontier Resubdivision No. 1, to be in default under the terms and conditions entered into for completion of improvements in said subdivision; authorizing the City Attorney to cause notice of this declaration of default to be given to said subdividers and to San Diego Trust and Savings Bank as Financial Institution; authorizing the City Manager to complete or cause to be completed said improvements.

On motion of Councilman Martinet, the matter was continued to December 6, 1974, at the request of the City Manager.

The Council discussed Item 104, but took no action at this time.

The Council considered Item 10 out of order.

(Item 10)

A proposed Ordinance, establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the south side of Nutmeg Street, between First and Second Avenues, and authorizing the installation of parking meters and necessary signs, was presented.

City Manager Moore answered questions directed by the Council.

On motion of Councilman Martinet, the item was filed at the request of the City Manager.

The Council considered that portion of the Consent Agenda dealing with Ordinances introduced at a previous meeting, ready for dispensing with the reading and adoption, which consisted of Item 9.

The following Ordinance was introduced at the Meeting of November 7, 1974.

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

(Item 9)

ORDINANCE 11435 (New Series), establishing a new Parking Meter Zone, on the east side of Third Avenue, between Cedar and Date Streets.

The Council considered that portion of the Consent Agenda dealing with Ordinances to be Introduced, which consisted of Items 11 and 12.

(Item 11)

A proposed Ordinance, establishing a Parking Meter Zone A and a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the north side of Nutmeg Street, between First and Second Avenues, and authorizing the installation of parking meters and necessary signs, was introduced on motion of Councilman Martinet, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson, and Bates.

(Item 12)

A proposed Ordinance, establishing a Parking Meter Zone A and a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the east side of Second Avenue, between Ash and Beech Streets; south side of Beech Street, between Second and Third Avenues; west side of Third Avenue, between Beech and Ash Streets; and north side of Ash Street, between Third and Second Avenues, and authorizing the installation of parking meters and necessary signs, was introduced on motion of Councilman Martinet, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson, and Bates.

Councilman Bates entered the Chambers.

The Council considered the remainder of the Consent Agenda, which consisted of Items 13, 14, 15, 16, 18, 21, 22, 23, 24, 25, 26, 27, 29, 30, 32, 33, 34, 35, 36, 37, 38, and 39.

The Council discussed Items 14, 16c, 18, and 30, but took no action at this time.

(Item 13)

RESOLUTION 212015, rescinding Resolution 117818, adopted April 27, 1954, which established a parking time limit of two hours on Second Avenue, between the north line of Ash Street and the south line of Beech Street, was adopted on motion of Councilman Ellis.

(Item 14)

RESOLUTION 212016, awarding a contract to Bearing Speciality Company for the purchase of miscellaneous parts for the straight line collectors at the Alvarado Filtration Plant for an actual cost including tax and terms of \$32,009.96; subject to escalation not to exceed 20% (\$6,401.99) of bid price at time of delivery, was adopted on motion of Councilman Ellis.

(Item 15)

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

RESOLUTION 212017, San Diego Pipe & Supply Co. for the purchase of 20,000 pounds of caulking lead for an estimated cost of \$5,777.81 including tax and terms;

RESOLUTION 212018, Turf Vac Sales Company for the purchase of two self-propelled turf sweepers for an actual cost including tax and terms of \$9,544.29;

RESOLUTION 212019, Kenton Equipment Company for the purchase of miscellaneous pump parts for an actual estimated cost including tax, estimated freight and escalation cost of \$7,843.36;

RESOLUTION 212020, Mariner Marine for the purchase of five fiberglass sabots for an actual cost of \$1,988.30 including tax and terms;

RESOLUTION 212021, Pacific Telephone and Telegraph Company for the installation of new telephone equipment in the Fire Department Communications Center for an actual estimated cost of \$8,149.50;

RESOLUTION 212022, Atlas Copco, Inc. for the purchase of one portable jack hammer and drill for an actual estimated cost including tax, terms and freight of \$1,312.44; and

RESOLUTION 212023, California Electric Works for the purchase of wearing rings for an estimated cost of \$1,406.80, including tax, terms and estimated freight.

(Item 16)

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

RESOLUTION 212024, Wil-Sar Construction Company, Inc. for remodel of La Jolla Recreation Center for the sum of \$219,595; authorizing the expenditure of \$138,000 out of Park and Recreation Bond Fund No. 725, and \$125,000 out of Capital Outlay Fund No. 245 for said purpose and related costs; and

RESOLUTION 212025, Ballard Williams for Redwood Street Comfort Station for the sum of \$43,092; authorizing the expenditure of \$50,900 out of Park and Recreation Bond Fund No. 725 for said purpose and related costs; and

RESOLUTION 212026, Fritz A. Nachant, Inc. for underground fuel storage for Northern Police Facility for the sum of \$8,849; authorizing the expenditure of \$14,100 out of Capital Outlay Fund No. 245 for said purpose and related costs.

(Item 18)

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

RESOLUTION 212027, furnishing eleven breathing apparatus and cylinders in accordance with Specifications Document No. 749233; and

RESOLUTION 212028, furnishing reflective glass spheres for a period of one year ending March 31, 1976, in accordance with Specifications Document No. 749234.

(Item 21)

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

RESOLUTION 212029, Bernardo Town Center Unit 2;

RESOLUTION 212030, Bernardo Town Center Unit 3;

RESOLUTION 212031, Bernardo Town Center Unit 4;

RESOLUTION 212032, Bernardo Town Center Unit 5;

RESOLUTION 212033, University City Unit 10; and

RESOLUTION 212034, University Village Unit 10.

(Item 22)

RESOLUTION 212035, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate 13th Street between B and C Streets, and fixing a time and place for hearing thereof.

(Item 23)

RESOLUTION 212036, setting aside and dedicating as a public street all that certain 15.00 foot strip of land reserved for Future Street as shown on Map of Ocean View Terrace, and naming the same SAN PASQUAL STREET, was adopted on motion of Councilman Ellis.

(Item 24)

The following Resolutions, relative to the widening of Market Street, were adopted on motion of Councilman Ellis:

RESOLUTION 212037, approving the acceptance by the City Manager of deed of Leonard and Sandra L. Mascarenhas and Michael and Gail Mascarenhas - portion of Lot 431, Sunshine Gardens; and

RESOLUTION 212038, setting aside and dedicating for street purposes a portion of Lot 431, Sunshine Gardens, and naming the same MARKET STREET.

(Item 25)

The following Resolutions, approving the acceptance by the City Manager of deeds, was adopted on motion of Councilman Ellis:

RESOLUTION 212039, Rockpointe Associates (negative easement - open space); and

RESOLUTION 212040, Pardee Construction Company (park and recreation and/or open space).

(Item 26)

RESOLUTION 212041, authorizing a Consent to Sublease Agreement whereby City consents to its Lessee PSA Hotels, Inc., subleasing portions of its lease premises to: (1) Russell Hessler dba Mane Tamer for the purpose of operating a beauty salon for a three-year period wherein City receives 7% of all gross income; (2) Shirley Ellis dba Hair Clipper for the purpose of operating a men's hair salon for a three-year period wherein City receives 7% of all gross income; and (3) Mary Lord and Anna Lee Whittiker for the purpose of operating a gift, sundries and apparel shop for a three-year period wherein City receives 5% of all gross income, was adopted on motion of Councilman Ellis.

(Item 27)

RESOLUTION 212042, authorizing an agreement with The San Diego Mini-Concert Committee, Inc., for the operation of the mini-concert series in the Convention and Performing Arts Center, was adopted on motion of Councilman Ellis.

(Item 29)

RESOLUTION 212043, authorizing an agreement with the Century Club of San Diego for the production and promotion of the Andy Williams San Diego Open and Pro-Am Golf Tournaments during Fiscal 1975, was adopted on motion of Councilman Ellis.

(Item 30)

RESOLUTION 212044, authorizing an agreement with National Urban Fellows for the purpose of participating in the NUF Program through the assignment of Richard Garcia as a Special Assistant to the City Manager for the period of September 9, 1974, to June 6, 1975, was adopted on motion of Councilman Ellis.

(Item 32)

RESOLUTION 212045, authorizing the expenditure of \$15,000 out of Capital Outlay Fund No. 245 for the purpose of providing funds for incidental costs associated with Gas Tax Projects which are not eligible for financing out of gas tax funds, supplementing Resolution 183994, adopted June 10, 1965, in said amount, was adopted on motion of Councilman Ellis.

(Item 33)

The following Resolutions, relative to accepting donations, were adopted on motion of Councilman Ellis:

RESOLUTION 212046, \$3,013.80 from the Rotary Club of Pacific Beach to assist in providing additional children's playground equipment at Crown Point Shores in Mission Bay Park; authorizing the City Manager to do by City Forces all the work necessary to accomplish the above-described improvement; authorizing the expenditure of \$3,000 out of Capital Outlay Fund No. 245 as the City's share of the above-described improvement, and commending the Rotary Club of Pacific Beach for this act of civic generosity and publicly expressing on behalf of the citizens of San Diego a debt of gratitude; and

Item 33 - Continued)

RESOLUTION 212047, \$700 from the Tecolote Pony League for providing funds to replace the Ball Field fencing at Tecolote Community Park; authorizing the expenditure of \$700 out of Capital Outlay Fund No. 245 as the City's share of the above-described improvement, and commending the Tecolote Pony League for this act of civic generosity and publicly expressing on behalf of the citizens of San Diego a debt of gratitude.

(Item 34)

RESOLUTION 212048, establishing a Parking Time Limit, of two hours, between the hours of 8:00 a.m. and 6:00 p.m. Sundays and certain holidays excepted, east side of 32nd Street, between North Park Way and University Avenue; authorizing the installation of necessary signs, was adopted on motion of Councilman Ellis.

(Item 35)

RESOLUTION 212049, authorizing the City Treasurer to issue three new No. 26 coupons, dated June 1, 1974, at \$20.00 each to replace those lost or destroyed, and to place in his files the affidavits of the Federal Insurance Company, United California Bank, and the bond written by the Federal Insurance Company, was adopted on motion of Councilman Ellis.

(Item 36)

RESOLUTION 212050, continued from the Meeting of November 14, 1974, due to lack of sufficient votes, authorizing an agreement with Casper and Rainville Golf Course Architecture, Inc., for services in connection with improvements at Torrey Pines Golf Courses; authorizing the expenditures of \$35,000 out of Capital Outlay Fund 245 and \$40,000 out of Torrey Pines Golf Course Improvement Fund 248 for said purpose and related costs; and authorizing the use of City forces to do miscellaneous work relating to the construction of improvements to the Torrey Pines Golf Courses, for an estimated cost of \$10,000, was adopted on motion of Councilman Ellis.

(Item 37)

RESOLUTION 212051, authorizing a lease agreement with Penasquitos, Inc., whereby City leases a portion of Rancho Los Penasquitos to be used as a temporary municipal Fire Station until the City constructs a permanent fire station, was adopted on motion of Councilman Ellis.

(Item 38)

RESOLUTION 212052, authorizing a Permit for partial use and occupancy of City of San Diego Swimming Facilities with the San Diego Unified School District of San Diego County, California, to use and occupy those certain municipal facilities known as Swimming Pools and Change and Shower Rooms, located at Memorial Park, Valencia Park, Colina del Sol Park, and Kearny Mesa Park, for athletic, recreational, and instructional activities, for a period of five years beginning October 1, 1974, was adopted on motion of Councilman Ellis.



(Item 39)

RESOLUTION 212053, approving the expenditure of \$39,300 out of Model Cities Fund No. 2550 for the acquisition of a parcel of excess State right-of-way property to be used for public purposes, was adopted on motion of Councilman Ellis.

(Item 17)

Two proposed Resolutions, relative to improvement of Ulric Street between Friars Road and Tait Street, Schedule I, were presented.

Assistant Director of Department of Transportation Campillo, and Ron Lochhead, Engineering and Development Department, answered questions directed by the Council.

The following Resolutions, relative to improvement of Ulric Street between Friars Road and Tait Street, Schedule I, were adopted on motion of Councilman Morrow:

RESOLUTION 212054, awarding a contract to R. E. Hazard Contracting Co. for the sum of \$594,111.15; authorizing the expenditure of \$497,500 out of Gas Tax Fund No. 220, and \$31,000 out of Capital Outlay Fund No. 245 for said purpose and related costs; and

RESOLUTION 212055, authorizing the City Manager to do by City Forces all the work of relocating fire hydrants as required in connection with the above improvement; cost of said work shall not exceed \$2,800.

(Item 19)

A proposed Resolution, inviting bids for installation of Fire Station #28 Security Fence - Specifications Document No. 749235, was presented.

City Manager Moore and Captain Evans, Fire Department, answered questions directed by the Council.

On motion of Councilman Morrow, the item was continued to November 27, 1974, for further review.

(Item 20)

A proposed Resolution, authorizing an agreement with American Housing Guild - San Diego, for the installation and completion of certain public improvements in The Knolls of Del Cerro Unit 3 Subdivision, guaranteed by Bond No. U 76 36 13, issued by United Pacific Insurance Company; terminating the subdivision improvement agreement heretofore executed with San Carlos Associates, and releasing Bond Nos. B-652880 and B-652881, issued by United Pacific Insurance Company, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 212056, authorizing an agreement with American Housing Guild - San Diego, for the installation and completion of certain public improvements in The Knolls of Del Cerro Unit 3 Subdivision, guaranteed by Bond No. U 76 36 13, issued by United Pacific Insurance Company; terminating the subdivision improvement agreement heretofore executed with San Carlos Associates, and releasing Bond Nos. B-652880 and B-652881, issued by United Pacific Insurance Company, was adopted on motion of Councilman Ellis.

(Item 28)

Five proposed Resolutions, authorizing agreements, were presented. City Manager Moore, Captain Evans, Fire Department, and Earl Haden, Engineering and Development Department, answered questions directed by the Council.

The motion of Councilman Williams to adopt the five proposed Resolutions received no vote at this time.

Councilman Bates called for a division of the question in regards to Item b of the motion made by Councilman Williams.

Captain Evans, Fire Department, answered questions directed by the Council.

RESOLUTION 212057, Brian Paul & Associates, A.I.A., Architects, for professional services in connection with the design and construction of Fire Station No. 2 and Fire Station No. 9; authorizing the expenditure of a sum not to exceed \$40,000 out of Capital Outlay Fund No. 245 for the above purpose and related project costs, was adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-Councilman Bates. Absent-Councilman Johnson.

The following Resolutions, authorizing agreements, were adopted on motion of Councilman Williams:

RESOLUTION 212058, St. Denis & Associates, Architects, for professional services in connection with the design and construction of Fire Station No. 3; authorizing the expenditure of a sum not to exceed \$7,500 out of Capital Outlay Fund No. 245 for the above purpose and related project costs;

RESOLUTION 212059, John A. Rule, A.I.A., Architect, for professional services in connection with the design and construction of University Community Library; authorizing the expenditure of a sum not to exceed \$26,000 and \$7,000 out of Community Buildings and Improvement Bond Fund No. 726 and Capital Outlay Fund No. 245, respectively, for the above purpose and related project costs;

RESOLUTION 212060, Simpson & Gerber, Architects, A.I.A., for professional services in connection with the design and construction of the Rancho Bernardo Library and the Mira Mesa Library; authorizing the expenditure of a sum not to exceed \$27,000 out of Community Buildings and Improvement Bond Fund No. 726 and Capital Outlay Fund No. 245, respectively, for the above purpose and related project costs; and

RESOLUTION 212061, Salerno, Livingston & Co. and William H. Howell, A.I.A., Architects, for professional services in connection with the design and construction of the 43rd and Logan Library; authorizing the expenditure of a sum not to exceed \$29,200 out of Capital Outlay Fund No. 245 for the above purpose and related project costs.

(Item 31)

A proposed Resolution, authorizing the City Auditor and Comptroller to transfer \$229,786 from Sewer Revenue Fund No. 506 to Penasquitos Sewer District Debt Service Fund No. 620 for the sole and exclusive purpose of assisting in the Penasquitos debt service requirements for Fiscal 1975, was presented.

City Manager Moore answered questions directed by the Council

RESOLUTION 212062, authorizing the City Auditor and Comptroller to transfer \$229,786 from Sewer Revenue Fund No. 506 to Penasquitos Sewer District Debt Service Fund No. 620 for the sole and exclusive purpose of assisting in the Penasquitos debt service requirements for Fiscal 1975, was adopted on motion of Councilman Morrow.

(Item 4)

Mayor Wilson welcomed a group of forty-five students from Madison Senior High School, accompanied by Mr. Francis Kilcoyne.  
Councilman Morrow addressed the group.

Mayor Wilson recessed the Meeting at 9:50 a.m. Upon reconvening at 10:12 a.m., the roll call showed Councilman Johnson absent.

(Item 100)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of October 3, 10, and 31, 1974, at owner's request, on the matter of rezoning property in the Southeast San Diego Community (approximately 37.7 acres), located on the north and south side of Market Street between 51st Street and Pitta Street, from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, R-1, or any combination thereof. It was reported that no written protests had been received.

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

Councilman Johnson entered the Chambers.

Sherm Platt, Dean Cummings, Merle Martin, Cathrine Lewis Montgomery, D. Edward Wiggfall, George Stevens, and Latraska Graham representing Southeast Development Committee, appeared to speak regarding the proposed matter.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Southeast San Diego Community, located on the north and south side of Market Street, between 51st Street and Pitta Street, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 116 (New Series), adopted January 3, 1933, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced, as amended, on motion of Councilman Morrow, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-Councilman Johnson. Absent-None.

Mayor Wilson recessed the Meeting at 11:08 a.m. Upon reconvening at 11:24 a.m., the roll call showed Councilmen Williams and Bates absent.

(Item 102 - Zoning Administrator Case No. 12278)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of March 26, and June 20, 1974, to allow for proposed Rezoning to come before Council, on the matter of the appeal of Bellevue Estates Concerned Citizens by Thomas O. McJunkins, from the decision of the Board of Zoning Appeals which denied his appeal from the decision of the Zoning Administrator in Case No. 12278, in approving the amended request of Benneth M. and Dorothy Lindholm, to construct a 10-unit, two-story apartment building observing 5' front yard, where 15' is required. Subject property is on portions of Lot 28, Waterville Heights, located at 6000 Hughes Street between Audrey Lane and Jodi Street, in the R-4 Zone.

(Item 102 - Continued)

Ken Klein, Planning Department, answered questions directed by the Council.  
George Mueller, attorney for the appellant, appeared to speak in favor of the appeal.

Councilman Williams entered the Chambers.

Councilman Bates entered the Chambers.

The hearing was closed on motion of Councilman Ellis.

RESOLUTION 212063, denying, by a vote of 9 to 0, the appeal of Belleview Estates Concerned Citizens, and granting to Benneth M. and Dorothy Lindholm zone variance under Zoning Administrator Case No. 12278, to construct a 5-unit, 2-story apartment building, observing a 5' front yard, subject to the following conditions: 1) Trash areas shall be completely enclosed and roofed over to match the building; 2) All parking areas shall be installed and maintained in accordance with Section 101.0800 of the San Diego Municipal Code; 3) A 5' high, solid fence shall be installed a minimum of 2' from the existing retaining wall; landscaping shall be installed and maintained in good growing condition adjacent to the fence; and sprinkler system to be included; and 4) An encroachment permit shall be obtained from The City of San Diego for any grading, paving or construction in the 25' wide easement, was adopted on motion of Councilman Ellis.

(Item 107)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the appeal of Mary T. Kelley and Jill K. Nyce from the decision of the Planning Commission in granting the application of William W. Burt, owner, and Southwestern Cable Company, permittee, under Conditional Use Permit No. 413-PC, to construct and operate a 25-foot microwave antenna with an 8-foot dish, on approximately 6,720 square feet located on the east side of Via Latina between Via Grimaldi and Via Torina. This is Lot 37, Block 11, Del Mar Terrace, in the R-1-5 (LC OVERLAY) Zone. It was reported that no written protests had been received.

Jill Nyce appeared to speak regarding the matter.

Assistant to City Manager Breslauer answered questions directed by the Council.

The item was trailed, and no action was taken at this time.

(Item 111)

A proposed Ordinance, amending Chapter VI, Article 2, of the San Diego Municipal Code by adding Division 10 thereto, relating to Newsracks on Public Rights of Way--Locations, was presented.

Admiral Marshall Dorn, Naval Officer Retired, appeared to speak regarding the matter.

A proposed Ordinance, amending Chapter VI, Article 2, of the San Diego Municipal Code by adding Division 10 thereto, relating to Newsracks On Public Rights of Way--Locations, was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilman Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-None.

On motion of Councilman Morrow, the City Manager was directed to apply the provisions of the Ordinance at the Point Loma Post Office and direct a Resolution transferring \$2,500 from Unallocated Reserve to finance the first increment of the Modular Rack Installation.

(Item 107 - Continued)

Jill Nyce, Kent Williams, Torrey Pines Community Planning Group, Charles Nichols and Michael Krueger, Manager of Southwestern Cable Co., appeared to speak regarding the matter.

The motion of Councilman Johnson to adopt the Environmental Impact Report, grant the appeal and deny the Conditional Use Permit received no vote at this time.

The motion of Councilman Bates to amend the Resolution to allow the antenna to remain at its present location for a period of 6 months from November 21, 1974, died for lack of a second.

Councilman Morrow left the Chambers.

The vote was then taken on the motion of Councilman Johnson to adopt the Environmental Impact Report, grant the appeal and deny the Conditional Use Permit and the following Resolutions were adopted on motion of Councilman Johnson:

RESOLUTION 212064, certifying that the information contained in Environmental Impact Report No. 74-3-019P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council; and

RESOLUTION 212065, granting, by a vote of 8 to 0, the appeal of Mary T. Kelley and Jill K. Nyce, and denying Conditional Use Permit No. 413-PC.

RESOLUTION 212066, directing the City Manager to grant an encroachment permit to Southwestern Cable Company for the construction and maintenance of a CATV antenna within the boundaries of the City's natural park commonly known as "The Bluffs" for a period of six months from the date of passage of this Resolution, was adopted on motion of Councilman Johnson.

Mayor Wilson recessed the Meeting at 12:20 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:09 p.m., the Roll Call showed Councilman Williams absent.

Councilman Williams entered the Chambers.

(Item 112)

Four proposed Resolutions declaring the City's intention to pay out of Municipal funds the amount of taxes for the Metropolitan Water District of Southern California and for the San Diego County Water Authority, were presented.

City Manager Moore, Deputy City Manager Lockwood, and Philip Shafer, Councilmanic Assistant, answered questions directed by the Council.

Mac Strobl, San Diego Tax Payers Association, Nan Valariano, Jim Barthol, Maxine Barnett, and Willard Johnson appeared to speak regarding the matter.

Water Utilities Director King answered questions directed by the Council.

Councilwoman O'Connor left the Chambers.

(Item 112 - Continued)

Councilwoman O'Connor entered the Chambers.

The motion of Councilman Hubbard to adopt the proposed Resolutions intending to pay the whole of the amount of taxes to be derived from that area of the Metropolitan Water District of Southern California and San Diego County Water Authority which are within the City, for the fiscal year beginning July 1, 1975, in an amount to be fixed in August, 1975 received no vote at this time.

The Council discussed the matter at length.

Councilwoman O'Connor left the Chambers.

Councilwoman O'Connor entered the Chambers.

The vote was then taken on the previous motion of Councilman Hubbard, which carried, and the following Resolutions were adopted, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Martinet, Ellis, and Mayor Wilson. Nays-Councilman Williams, Morrow, and Bates. Absent-None.

RESOLUTION 212067, declaring the intention to pay out of the 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, 1975, in an amount to be fixed in August, 1975, by Resolution of the Board of Directors of the District; and

RESOLUTION 212068, declaring the intention to pay out of the 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 of the fiscal year beginning July 1, 1975, in an amount to be fixed in August, 1975, by Resolution of the Board of Directors of the Authority.

On motion of Councilman Bates, the City Manager was directed to include an annual statement with the water bills indicating what part of the water bill would be attributable to Metropolitan Water District of Southern California, and San Diego County Water Authority Taxes.

Mayor Wilson recessed the Meeting at 3:25 p.m. Upon reconvening at 3:40 p.m., the Roll Call showed Councilman Bates absent.

(Item 106)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of amending the Progress Guide and General Plan for The City of San Diego by amending the General Plan Map to incorporate changes. It was reported that no written protests had been received.

Dr. Norman Mann appeared to speak regarding the matter.

Councilman Bates entered the Chambers.

(Item 106 - Continued)

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

RESOLUTION 212069, adopting the amended General Plan Map entitled, "Progress Guide and General Plan for the City of San Diego."

(Item 105 - P.M. 74-132)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 14, 1974, for full Council, on the appeal of Philip D. Neiswender from the decision of the Planning Commission which granted the appeal of D. D. Peterman and overruled the decision of the Planning Director in denying the Preliminary Parcel Map for a three-parcel division of Lots 50 and 51, Muirlands Crest Unit I, located on the south side of the easterly terminus of Olite Court easterly of the intersection with La Pintura Drive, in the R-1-20 Zone. It was reported that no written protests had been received.

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

Karl ZoBell, representing Philip D. Neiswender, Philip Neiswender, William McGaw, D. D. Peterman, and John Cookson appeared to speak regarding the matter.

The hearing was closed and the following Resolutions were adopted on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, Hubbard, Williams, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-Councilmen O'Connor, and Bates. Absent-None.

RESOLUTION 212070, certifying that the information contained in Environmental Negative Declaration No. 74-2-021P, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 212071, overruling the appeal of Philip D. Neiswender and affirming the decision of the Planning Commission to approve the three-lot parcel map of Lots 50 and 51, Muirlands Crest Unit I, located on the south side of the easterly terminus of Olite Court, easterly of the intersection with La Pintura Drive.

(Item 103)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place for the hearing, continued from the Meeting of November 14, 1974, for full Council, on the matter of paving and otherwise improving the Alleys in Block 11, Second Fortuna Park Addition, Block 65, Morena, and Block 12, Bird Rock Addition; also the construction of sidewalks and other improvements in Turquoise Street from Fanuel Street to Mission Boulevard, and Rosecrans Street, from Quimby Street to Dumas Street - on Assessment Roll No. 3864. It was reported that two written appeals had been received, and no one appeared to be heard..

Jim McLaughlin, Engineering and Development Department, answered questions directed by the Council.

The hearing was closed and the following Resolution adopted on motion of Councilwoman O'Connor.

RESOLUTION 212072, overruling and denying all appeals, written or verbal, from the Street Superintendent's Assessment No. 3864, against the paving and otherwise improving the Alleys in Block 11, Second Fortuna Park Addition, Block 65, Morena, and Block 12, Bird Rock Addition; and confirming and approving the Street Superintendent's Assessment No. 3864, authorizing said Street 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 104 - CASE NO. 29-74-4)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of November 14, 1974, for full Council, on the matter of Rezoning Lot C, Block 10, Las Alturas Unit No. 3, located on the north side of Naranja Street between Euclid Avenue and 54th Street, from Zone R-4 to Zone M-1B. It was reported that no written protests had been received.

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

Lee Walters appeared to speak regarding the matter.

The hearing was closed on motion of Councilman Martinet.

RESOLUTION 212073, certifying that the information contained in Environmental Negative Declaration No. 74-3-068P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and said Declaration has been reviewed and considered by the Council, was adopted on motion of Councilman Martinet.

A proposed Ordinance, incorporating Lot C, Block 10, Las Alturas Unit No. 3, into M-1B Zone, as defined by Section 101.0435.2 of the San Diego Municipal Code, and repealing Ordinance No. 114 (New Series), adopted January 3, 1933, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-None.

Councilman Morrow left the Chambers.

The following Ordinances were introduced at the Meeting of November 7, 1974.

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 Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Martinet, Ellis, Bates, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilman Morrow.

(Item 108)

ORDINANCE 11436 (New Series), amending Chapter X, Article I, Division 4 of the San Diego Municipal Code by amending Section 101.0452.4, relating to the Height Limitation Zone - Mission Hills.

(Item 109)

ORDINANCE 11437 (New Series), amending Chapter X, Article I, Division 4 of the San Diego Municipal Code by amending Section 101.0452.15, relating to the Height Limitation Zone - San Diego Avenue.

(Item 110)

ORDINANCE 11438 (New Series), amending Chapter X, Article I, Division 4 of the San Diego Municipal Code by amending Section 101.0452.16, relating to the Height Limitation Zone - Middletown.



(Item 115)

A proposed Resolution, continued from the Meeting of November 7, 1974, at the request of Councilman Ellis, determining that it is the intention of the City Council not to enter into a new three-year agreement commencing January 1, 1975, with the Federal Bureau of Prisons for the continued operation of the City Jail for male federal prisoners; and determining the City will consider a request for an additional extension of the present agreement past December 31, 1974, if such extension, prior to deactivation of the City Jail is necessary to maintain such detention facility until the opening of the New Metropolitan Correction Center, was presented.

City Manager Moore answered questions directed by the Council.

Councilman Morrow entered the Chambers.

RESOLUTION 212074, determining that it is the intention of the City Council not to enter into a new three-year agreement commencing January 1, 1975, with the Federal Bureau of Prisons for the continued operation of the City Jail for male federal prisoners; and determining the City will consider a request for an additional extension of the present agreement past December 31, 1974, if such extension, prior to deactivation of the City Jail is necessary to maintain such detention facility until the opening of the New Metropolitan Correction Center, was adopted on motion of Councilman Ellis.

(Item 117)

RESOLUTION 212075, authorizing an agreement with Stanford Research Institute, to provide definitive information for the City of San Diego regarding the need for new convention facilities; authorizing the expenditure of not to exceed \$30,000.00 from Transient Occupancy Tax Fund 224 for said services and related costs, was adopted on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Bates, and Mayor Wilson. Nays-Councilman Morrow. Absent-None.

(Item 118)

RESOLUTION 212076, authorizing a Joint Agreement with the County of San Diego and United Way of San Diego County for the purpose of participating in the Revenue Sharing Human Care Services Program during fiscal year 1975, was adopted on motion of Councilwoman O'Connor.

(Item 119)

RESOLUTION 212077, authorizing a Memorandum of Understanding with the San Diego Regional Employment and Training Consortium as required to accept funds allocated to the City by the United States Department of Labor under Title II of the Comprehensive Employment and Training Act of 1973, which will allow City, as Program Agent, to implement public service employment programs, was adopted on motion of Councilman Morrow.

(Item 120)

A proposed Resolution, authorizing the Planning Director to assign a mid-range professional planner to the Joint Air Quality Planning Team for purposes of assisting in development of a clean air plan for this region; the term of said mid-range planner's assignment to be a period of one year, was presented.

The motion of Councilman Morrow to adopt the proposed Resolution received no vote at this time.

Assistant Planning Director Van Cleave answered questions directed by the Council.

RESOLUTION 212078, authorizing the Planning Director to assign a mid-range professional planner to the Joint Air Quality Planning Team for purposes of assisting in development of a clean air plan for this region; the term of said mid-range planner's assignment to be a period of one year, was adopted on motion of Councilman Morrow.

(Item 121)

A proposed Resolution, authorizing the City Auditor and Comptroller to transfer \$955,000.00 from the Federal Revenue Sharing Fund No. 2384 to the Linda Vista Redevelopment Project Fund No. 985 for the purpose of furthering and implementing the Linda Vista Redevelopment Project, was presented.

The motion of Councilman Morrow to adopt died for lack of a second.

On motion of Councilman Bates, the matter was continued to November 27, 1974, for further review.

(Item 122)

RESOLUTION 212079, inviting bids for Restoration of California Building - Balboa Park in accordance with Specifications Document No. 749241, was adopted on motion of Councilman Martinet.

(Item 123)

The following Resolutions, relative to construction of a neighborhood park for District 222 (Westonhill Drive) in Mira Mesa, were adopted on motion of Councilman Johnson:

RESOLUTION 212080, certifying that the information contained in Environmental Negative Declaration No. 73-5-012C has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 212081, authorizing an agreement with Pardee Construction Company for the construction of neighborhood park for District 222 (Westonhill Drive) in Mira Mesa.

(Item 124)

A proposed Resolution, appointing Franklin T. Hamilton as Special Counsel to assist the City Attorney in the preparation of a procedural ordinance to allow formation of Special Assessment Districts for financing school facilities; authorizing the City Auditor and Comptroller to transfer a sum of not to exceed \$5,000 from the unallocated reserve to the allocated reserve, for above stated services and related costs, was presented.

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

(Item 124 - Continued)

RESOLUTION 212082, appointing Franklin T. Hamilton as Special Counsel to assist the City Attorney in the preparation of a procedural ordinance to allow formation of Special Assessment Districts for financing school facilities; authorizing the City Auditor and Comptroller to transfer a sum of not to exceed \$5,000 from the unallocated reserve to the allocated reserve, for above stated services and related costs, was adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-Councilman Bates. Absent-None.

(Item 125)

RESOLUTION 212083, authorizing an agreement with the San Diego Regional Employment and Training Consortium to carry out the San Diego Regional Youth Program from December 1, 1974, through June 30, 1975, was adopted on motion of Councilwoman O'Connor.

(Item 127)

A proposed Resolution, authorizing the City Manager to accept a six-month grant, including any extensions or amendments thereof, from the Police Foundation to the San Diego Police Department in the amount of \$50,580, to plan an experimental project which will test the effectiveness of one and two-officer patrol cars; and execute agreements for contractual and consulting services to provide the project with specialized analyst expertise, was presented.

The motion of Councilwoman O'Connor to adopt received no vote at this time.

City Manager Moore answered questions directed by the Council.

RESOLUTION 212084, authorizing the City Manager to accept a six-month grant, including any extensions or amendments thereof, from the Police Foundation to the San Diego Police Department in the amount of \$50,580, to plan an experimental project which will test the effectiveness of one and two-officer patrol cars; and execute agreements for contractual and consulting services to provide the project with specialized analyst expertise, was adopted on motion of Councilwoman O'Connor.

Under Unanimous Consent granted to Councilman Ellis, the following Resolution was adopted on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-Councilman Johnson. Absent-None.

RESOLUTION 212085, authorizing Councilmen Jim Ellis, Bob Martinet, and Councilwoman O'Connor to travel to Washington, D. C., during the period between December 17, 1974, and December 20, 1974, for the purpose of conferring with various members of the California delegation to Congress regarding a possible site for a future regional airport to serve the San Diego area; authorizing the Auditor and Comptroller to transfer within the 100 Fund the sum of \$1,499.06 from Unallocated Reserve Fund No. 53.30 to the following councilmanic departments to be used solely and exclusively for the authorized travel: District 2 (02.02) \$493.73; District 6 (02.06) \$489.49; and District 7 (02.07) \$515.84.

Councilman Bates left the Chambers.

Under Unanimous Consent granted to City Manager Moore, the following Resolution was adopted on motion of Councilwoman O'Connor.

RESOLUTION 212086, awarding a contract to Arnhart Electric, Inc., for the repair of one 250 horsepower 480 watt, 3 phase Westinghouse Electric Motor for a cost not to exceed \$3,500, including tax and terms.

Under Unanimous Consent granted to City Manager Moore, a proposed Resolution authorizing the costs for the planning and preparation of a grant application to be submitted to the United States Department of Housing and Urban Development pursuant to the provisions of Title I of the Housing and Community Development Act of 1974 and Title 24, Chapter V, Part 570 of the Code of Federal Regulations pursuant to the provisions of Section 570.302 of said Regulations; providing that reimbursement of such costs will be dependent upon the availability of funds to implement the Act and Regulations and submission of a timely application in accordance with Section 570.303 of said Regulations, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 212087, authorizing the costs for the planning and preparation of a grant application to be submitted to the United States Department of Housing and Urban Development pursuant to the provisions of Title I of the Housing and Community Development Act of 1974 and Title 24, Chapter V, Part 570 of the Code of Federal Regulations pursuant to the provisions of Section 570.302 of said Regulations; providing that reimbursement of such costs will be dependent upon the availability of funds to implement the Act and Regulations and submission of a timely application in accordance with Section 570.303 of said Regulations, was adopted on motion of Councilman Hubbard.

Under Unanimous Consent granted to City Attorney John Witt, a proposed Resolution, authorizing the City Manager to pay the sum of \$75,000 in the settlement of each and every claim resulting from the wrongful death of Mr. Ausencio Garcia; authorizing the City Auditor to transfer the sum of \$75,000 from Unallocated Reserve 507/6891/3495 to 506/6825/3434/8250 for payment of the claim, was presented.

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

RESOLUTION 212088, authorizing the City Manager to pay the sum of \$75,000 in the settlement of each and every claim resulting from the wrongful death of Mr. Ausencio Garcia; authorizing the City Auditor to transfer the sum of \$75,000 from Unallocated Reserve 506/6891/3495 to 506/6825/3434/8250 for payment of the claim, was adopted on motion of Councilman Ellis.

Mayor Wilson recessed the Meeting into Executive Session for the purpose of discussing pending litigation and personnel matters.

Upon reconvening at 6:00 p.m., the Roll Call showed Councilmen Morrow and Bates absent.

(Item 113)

A proposed Resolution, continued from the Meeting of November 14, 1974, for further review, appointing the following persons to the "Dells Industrial Park Project Area Committee," pursuant to Section 33385 et seq. of the Health and Safety Code: Mr. Theodore R. Dean, Sr., Resident Owner; Mr. Ciriaco Garcia, Resident Owner; Ms. Edward (Sandy) Tullis, Resident Tenant; Ms. Maria Ortiz, Resident Tenant; Mr. Carl Hodson, Businessman; Mr. Joseph McWay, Businessman; Mr. Larry Miles, Businessman; Ms. Lorene Wright, At Large; Mr. William Thompson, At Large; members shall serve for a period of three-years or until one year after adoption of the Dells Industrial Park Redevelopment Plan, whichever date

(Item 113 - Continued)

first occurs, unless they resign or are replaced by a majority vote of the City Council; duties and meetings of the Committee are set out in the Health and Safety Code, was presented.

Councilman Hubbard moved to amend the proposed Resolution by substituting Model Cities Citizen Advisory Committee for the Dells Industrial Park Project Area Committee, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Martinet, Ellis, and Mayor Wilson. Nays-Councilman Williams, Absent-Councilmen Morrow and Bates.

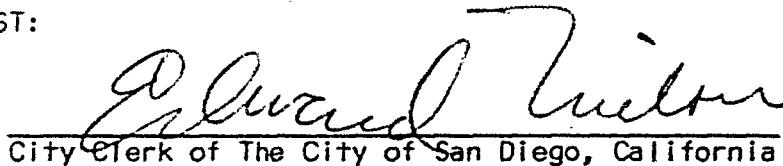
RESOLUTION 212089, designating the Model Cities Citizen Advisory Committee to serve as the Dells Industrial Park Project Area Committee, and that the duties of the committee shall be as set forth in Section 33385 et seq. of the Health and Safety Code of the State of California, was adopted, as amended, on motion of Councilman Hubbard.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Johnson, at 6:04 p.m.



Mayor of The City of San Diego, California

ATTEST:

  
City Clerk of The City of San Diego, California