

Council
Minutes
Book 138
10-29-70
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12-3-70

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, OCTOBER 29, 1970
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present-Councilmen Cobb, Loftin, Landt, Williams, Martinet, Hitch,
Schaefer and Mayor Curran.
Absent--Councilman Morrow.
Clerk---John Lockwood.

Mayor Curran called the Regular Meeting to order at 9:08 a.m.

The Purchasing Agent reported on all bids opened Wednesday,
October 28, 1970, on the paving and otherwise improving Elder Avenue,
Donax Avenue, 14th Street, 15th Street and Elm Avenue.
Finding was made on motion of Councilman Schaefer, seconded by
Councilman Hitch, that bids had been opened and declared as reported.
By the same motion, report was referred to the City Manager and the
City Attorney for recommendation.

A communication from Arthur D. Allard, President, Board of
Trustees, Del Mar Union School District, requesting Council cease
issuing residential building permits within School District Area unless
developer provides written statement from School Board that Public
School requirements can be accommodated by District, was presented.
No one appeared to speak.
This communication was noted and filed on motion of Councilman
Loftin, seconded by Councilman Landt.

By common consent, the Council moved to consider Item 3 at the
end of the Docket.

Councilman Morrow entered the Chamber.

A proposed resolution, continued from the meeting of October 22,
1970, establishing a parking time limit of two hours was presented.
RESOLUTION 201104, 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 both sides of Eighth Avenue from Washington Street
to the dead end northerly, was adopted on motion of Councilman Schaefer,
seconded by Councilman Morrow.

RESOLUTION 201105, 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 Washington Street between 8th
Avenue and 9th Avenue, was adopted on motion of Councilman Schaefer,
seconded by Councilman Morrow.

RESOLUTION 201106, awarding a contract to Dorman's, Inc., for recapping of passenger and truck tires for a period of one year ending October 31, 1971 for an actual cost of \$39,133.35, including tax and terms, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow.

RESOLUTION 201107, awarding contracts for the purchase of paper products for the one-year period ending October 31, 1971, for actual costs, including tax and terms, to San Diego Janitor Supply for \$806.40; Mission Chemical for \$7,680.75; and Zellerbach Paper Co. for \$8,792.70, for a total cost of \$17,279.85, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow.

RESOLUTION 201108, awarding a contract to Southwest Flexible Co., for the purchase of one hydraulic sewer cleaner for an actual cost of \$10,038.00, including tax and terms, was adopted on motion of Councilman Cobb, seconded by Councilman Loftin.

RESOLUTION 201109, awarding a contract to Van Waters & Rogers for the purchase of 15 tons of copper sulphate, with an option to renew the contract within one year, for an actual cost of \$7,865.55, including tax and terms, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

RESOLUTION 201110, awarding a contract to Eastern Industrial Leasing Corporation for the lease of laboratory equipment for the one-year period ending October 31, 1971, with option to renew agreement on a year-to-year basis for three additional years, with option to purchase equipment or continue lease after fourth year, for an actual cost of \$3,279.11, including tax, deposit and freight, was adopted on motion of Councilman Cobb, seconded by Councilman Loftin.

RESOLUTION 201111, accepting the offer of Itel Corporation - Computer Leasing Division to continue the agreement for leasing data processing computer equipment for a one-year period ending November 30, 1971, for an actual cost of \$140,744.88, including tax and terms, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

RESOLUTION 201112, accepting the offer of Pro Electric Company to modify conveyor system in the City Administration Building for an actual cost of \$3,750.00, including tax and terms, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow.

The following resolutions were adopted on motion of Councilman Cobb, seconded by Councilman Loftin.

RESOLUTION 201113, inviting bids for furnishing mobile radio equipment, in accordance with Specifications Document No. 733779;

RESOLUTION 201114, inviting bids for furnishing janitorial supplies for a one-year period ending December 31, 1971, with an option to renew for an additional year, in accordance with Specifications Document No. 733780; and

RESOLUTION 201115, inviting bids for painting of various structures and appurtenances located in the Community Concourse Parking Garage, in accordance with Specifications Document No. 733781.

RESOLUTION 201116, rejecting all bids heretofore received on September 9, 1970, for Schedule IV Sorrento-Rose Canyon Interceptor, and authorizing the Purchasing Agent to re-advertise for bids for Sorrento-Rose Canyon Interceptor - Schedule IV only, in accordance with Specifications Document No. 733782, was adopted on motion of Councilman Cobb, seconded by Councilman Loftin.

The proposed resolutions, relative to the final map of Alcott Estates Unit No. 1, a 101-lot subdivision, located southerly of Luna Avenue, easterly of Monongahela Street, were presented.

Mr. Norman Seltzer, representing Pacific View Construction Company, appeared to speak in support of the resolutions.

Mr. Fred Conrad, City Attorney's office, answered questions directed by the Council.

The following resolutions were adopted on motion of Councilman Cobb, seconded by Councilman Loftin, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Martinet, Hitch, Schaefer and Mayor Curran. Nays-Councilman Morrow. Absent-None.

RESOLUTION 201117, authorizing an agreement with Pacific View Construction Co., Inc., for the installation and completion of improvements in Alcott Estates Unit No. 1, a 101-lot subdivision, located southerly of Luna Avenue, easterly of Monongahela Street; and

RESOLUTION 201118, approving the map of Alcott Estates Unit No. 1.

RESOLUTION 201119, making a finding that an upholstered furniture sales and repair shop, proposed to be located in the RC Zone, at 7440-B Girard, Lot 23, Block 7, La Jolla Park, by D. E. Becker, is an enterprise similar to and not more obnoxious or detrimental to the welfare of the particular community than those enterprises or businesses permitted in the RC Zone, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow.

RESOLUTION 201120, terminating a subdivision agreement with San Vicente Investments, Inc.; subdivider of Vagabond Trailer Court, entered into on January 28, 1969, and releasing Bond Nos. M 53 11 35 and M53 11 34; City Engineer indicating all improvements are covered in a new agreement, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

The following resolutions were adopted on motion of Councilman Landt, seconded by Councilman Loftin:

RESOLUTION 201121, accepting the work done and authorizing a Notice of Completion in Miramar Land Commercial Center Unit NO. 1; and
RESOLUTION 201122, accepting the work done and authorizing a Notice of Completion in Taylor & Sloan Industrial Park Unit No. 3.

RESOLUTION 201123, authorizing a lease agreement with The Regents of The University of California, leasing a portion of the Community Center Building at Santa Clara Point, Mission Bay Park, for a term of one year, at a rental of \$1.00 per year, for the purpose of the storage of shells, oars and related equipment belonging to the University of California Rowing Team, was adopted on motion of Councilman Martinet, seconded by Councilman Cobb.

RESOLUTION 201124, authorizing an agreement with Albert R. Vallin, P.E., for consulting services in connection with verifying construction cost estimates relating to the design and construction of the C Street Mall; authorizing the expenditure of \$2,000.00 out of Capital Outlay Fund 245 for the consulting services, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

RESOLUTION 201125, authorizing an agreement with Brown & Zammit Engineering, Inc., for electrical engineering services for the Water Utilities Department; said cost not to exceed \$10,000.00 per year, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow.

RESOLUTION 201126, authorizing the City Manager to accept a Discretionary Grant in the amount of \$150,000.00 for the Command and Control System Project from the Law Enforcement Assistance Administration to be administered by the California Council on Criminal Justice; authorizing the City Manager to execute the contract for the Grant; agreeing to provide the required matching funds in the amount of \$100,000.00 to said project; certifying that Grant Funds shall be used to supplement and not supplant ongoing law enforcement expenditures, and that matching funds will be used in that manner specified within the Federal Grant, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

RESOLUTION 201127, approving Change Order No. 24 issued in connection with the contract with Roel Construction Company for construction of the City Operations Building; said changes amounting to a net increase of \$40,297.00, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

RESOLUTION 201128, confirming the following appointments by the Mayor to the Housing Advisory and Appeals Board commencing on the effective date of this resolution for terms as indicated: Mrs. Joan E. Dahlin, 3-1-72; Art S. Leitch, 3-1-71; Frederick Liebhardt, 3-1-72; Paul Roel, 3-1-71; and Harold G. Sadler (Chairman), 3-1-72, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow.

RESOLUTION 201129, confirming the following appointments by the Mayor to the Board of Appeals and Advisors (Buildings) commencing on the effective date of this resolution for terms as indicated: Angelo Adams, 3-1-72; Thomas G. Atkinson, 3-1-71; James W. Bird (Chairman), 3-1-72; David Engel, 3-1-71; Clyde E. Grover, 3-1-72; George C. Hatch, 3-1-71; Ray L. Huffman, 3-1-72; Richard John Lareau, 3-1-71; James R. Libby, 3-1-72; and John C. Read, 3-1-71, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow.

RESOLUTION 201130, accepting the contribution of \$50,000.00 from the Committee of 100 and directing said contribution be deposited in Trust Fund 302 to be used solely and exclusively for the requested changes in construction of the second floor loggia of the Casa Del Prado in Balboa Park; directing all future contributions from the Committee of 100 be similarly deposited; expressing appreciation and commending the Committee of 100 for this act of civic pride and generosity, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

RESOLUTION 201131, requesting the State of California, Bureau of Public Works, Division of Highways, to depress Interstate Freeway 805 under the City streets and railroad tracks north of San Ysidro Boulevard; to allocate sufficient funds to landscape this area as soon as possible after construction, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

The following resolutions, authorizing the City Attorney to acquire, under Eminent Domain proceedings, certain parcels of land required in connection with the Penasquitos Sewer District, were adopted on motion of Councilman Cobb, seconded by Councilman Loftin:

RESOLUTION 201132, authorizing the City Attorney to acquire, under Eminent Domain proceedings, portions of Sections in Township 15 South Range 3 West, for the Carroll Canyon Trunk Sewer;

RESOLUTION 201133, authorizing the City Attorney to acquire, under Eminent Domain proceedings, portions of Sorrento Lands and Townsite, Town of Sorrento, Genesee Vista, and Pueblo Lots 1278, 1291, 1292, 1294, 1303, 1307 and adjacent unnumbered Pueblo Lots of the Pueblo Lands of San Diego, for Rose Canyon - Sorrento Valley Interceptor Sewer;

RESOLUTION 201134, authorizing the City Attorney to acquire, under Eminent Domain proceedings, portions of Homeland Villas, Homeland Villas Resubdivision No. 1, and Pueblo Lots 1777 and 1788, for Second Rose Canyon Trunk Sewer; and

RESOLUTION 201135, authorizing the City Attorney to acquire, under Eminent Domain proceedings, portions of Sections in Township 14 South, Range 3 West, for Carmel Valley Trunk Sewer.

RESOLUTION OF INTENTION 201136, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate portions of Winder Street and India Street between and adjacent to Blocks 167 and 175 of Middletown, for Parcel Map T.M. 70-42, was adopted on motion of Councilman Cobb, seconded by Councilman Loftin.

RESOLUTION 201137, authorizing the Mayor and the City Clerk to execute a Deed conveying to the County of San Diego an easement for road purposes across a portion of Tract 6, Rancho El Cajon (Section 34, Township 15 South, Range 1 West) in the County of San Diego, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

The following ordinances were introduced at the Meeting of October 15, 1970.

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

The following ordinances were adopted on motion of Councilman Martinet, seconded by Councilman Morrow, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer and Mayor Curran. Nays-None. Absent-None.

ORDINANCE 10435 (New Series), incorporating a portion of the South-east 1/4 of Section 6, Township 15 South, Range 2 West, S.B.B.M., into M-1A Zone, as defined by Section 101.0436 of the San Diego Municipal Code, and repealing Ordinance No. 8018 (New Series), adopted December 9, 1958, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith.

ORDINANCE 10436 (New Series), incorporating portions of Lots 28 through 31, Block 258 of University Heights, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 8417 (New Series), adopted January 12, 1961, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith.

The proposed ordinance, continued from the Meetings of October 13 and 20, 1970, amending Ordinance No. 10300 (New Series), as amended by Ordinance No. 10326 (New Series) and Ordinance No. 10402 (New Series), to create the classified positions of Claims Representative and Supervising Claims Representative and establish a schedule of compensation therefor, was introduced on motion of Councilman Cobb, seconded by Councilman Loftin, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer and Mayor Curran.

Nays-None. Absent-None.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the Meeting of September 24, 1970, on the proposed amendment of Chapter X, Article 1, Division 4, of the San Diego Municipal Code, by adding a new Section 101.0435.1 - M-IP Zone (Industrial Park); it was reported that no written protests had been received.

On motion of Councilman Schaefer, seconded by Councilman Morrow, said hearing was continued to Tuesday, November 24, 1970, and referred to Council Conference in the interim.

Mayor Curran recessed the Meeting for five minutes, at 9:55 a.m. Upon reconvening at 10:00 a.m., the roll call showed no one absent.

At this time the Council considered Item 3, out of order.

The proposed resolutions, continued from the Meeting of October 22, 1970, relative to the final map of Larwin Mesa View Unit No. 7, a 98-lot Subdivision, located between Black Mountain Road and Camino Ruiz northerly of Mira Mesa Boulevard; authorizing an agreement with Larwin-San Diego, Inc., for completion of improvements, and approving the map, were presented.

It was reported that a written communication from San Diego City Schools, requesting approval of the Map for Larwin Mesa View Unit No. 7 be withheld until the required option had been executed, had been received.

On motion of Councilman Loftin, seconded by Councilman Landt, said proposed resolutions were continued to Thursday, November 12, 1970, for deed dedicating park land.

At this time the Council considered Item 106.

The hour of 9:30 a.m. having arrived, time set for the hearing on the intention to grant Franchises for (a) Transmitting and distributing gas in the streets of The City of San Diego; and (b) Transmitting and distributing electricity in the streets of The City of San Diego; it was reported that written protests had been received.

Mr. Hayden Ames, Attorney for San Diego Gas & Electric Company, appeared to speak and answered questions directed by the Council.

City Attorney John Witt answered questions directed by the Council.

A motion by Councilman Morrow, seconded by Councilman Williams, declaring the San Diego Gas & Electric Company's bids unresponsive, carried by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet and Schaefer. Nays-Councilman Hitch and Mayor Curran. Absent-None.

A motion by Councilman Williams, seconded by Councilman Landt, to have the City Manager and City Attorney approach the San Diego Gas and Electric Company about a rate review, carried unanimously.

The following resolutions were adopted on motion of Councilman Williams, seconded by Councilman Landt.

RESOLUTION 201138, rescinding Resolution No. 201040 adopted October 20, 1970, which awarded to San Diego Gas & Electric Company a Franchise to construct, maintain and use pipes and appurtenances for transmitting and distributing gas in the streets of The City of San Diego; and

RESOLUTION 201139, rescinding Resolution No. 201041 adopted October 20, 1970, which awarded to San Diego Gas and Electric Company a Franchise to construct, maintain and use poles, wires, conduits and appurtenances for transmitting and distributing electricity in the streets of The City of San Diego.

At this time the Council considered Item 110.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning the Encanto area, generally bounded on the North by Federal Boulevard and Mallard Street, 69th Street on the East, Wunderlin Avenue and Iona Drive and Kenwood Street on the South, and Radio Drive and 60th Street on the West, from Zones R-2, R-3 and C to Zones R-1-10 and R-1-6; it was reported that written protests had been received.

The following persons appeared to speak in support of the rezoning: Ellsworth Prior, Warren Hire, Paul Berryman, Malcomb Campbell, Vincent Cook, Donna Obata, Robert Hire, Aaron Banks, Gail Coner, Tom McPhatter, Mr. Lavara and Tom Schriver.

At 12:00 p.m., Mayor Curran recessed the Meeting to 2:00 p.m. Upon reconvening at 2:10 p.m., the roll call showed the following attendance:

Present--Councilmen Cobb, Loftin, Landt, Williams, Martinet, Hitch, Schaefer and Mayor Curran.
Absent--Councilman Morrow.
Clerk---John Lockwood.

At this time the Council returned to consideration of Item 110.

The following persons appeared to speak in support of the rezoning: Tom Franklin, Helen Fane, Curly Simmons, Robert Hastings, Jesse Branin and Dane Bradford.

The following persons appeared to speak in opposition to the rezoning: Melvin Edwards, Manuel Guevera, Wilmer Bass, Irene Voss, Lee Sutier and William J. Harding.

Mayor Curran recessed the Meeting for five minutes at 3:35 p.m. Upon reconvening at 3:40 p.m., the roll call showed Councilman Morrow absent.

At this time the Council returned to consideration of Item 110.

The following persons appeared to speak in opposition to the rezoning: Annie Gibson, Isabelle Bedford, Ed Austin, Bill Richardson, Pat Kelley and Albert M. Olson.

Councilman Hitch left the Chamber.

Larry Fisher, Billy Gegax, Thomas C. Chitty, Gerald Doughty, Roy Akee, Miss Mercedes and Tony Keenan appeared to speak in opposition to the rezoning.

A motion by Councilman Cobb, seconded by Councilman Loftin, to continue the hearing to Tuesday, November 17, 1970, carried by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Martinet and Mayor Curran. Nays-Councilman Schaefer. Absent-Councilmen Hitch and Morrow.

At this time the Council considered Items 107, 108 and 109.

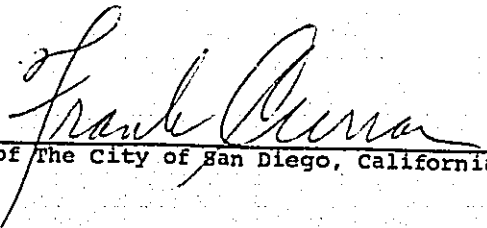
On motion of Councilman Cobb, seconded by Councilman Loftin, the following Items were continued to Tuesday, November 3, 1970, due to lack of time:

Item 107, a matter of rezoning a portion of Section 31, Township 18 South, Range 1 West, S.B.B.M., located on the south side of Otay Mesa Road, easterly of proposed Interstate 805, from Interim Zone A-1-10 to Zone R-1-5;

Item 108, a matter of (a) Rezoning a portion of the West 1/2 of the Northeast 1/4 of Section 31, Township 18 South, Range 1 West, located on the south side of Otay Mesa Road approximately two miles northeast of Interstate Highway 5, from Interim Zone A-1-10 to Zone R-1-5; (b) Appeal of Subdivision Review Board from decision of Planning Commission, approving tentative map of Candlelight Park Units 1 - 5 (Revised); and

Item 109, a matter of (a) Rezoning a portion of the North 1/2 of Section 31, Township 18 South, Range 1 West (approximately 91.5 acres), located on both sides of Otay Mesa Road west of intersection of Otay Mesa Road and Del Sol Boulevard, from Interim Zone A-1-10 to Zone R-1-5; and (b) Appeal of Subdivision Review Board from decision of Planning Commission approving the tentative map of Princess Del Sol Unit 14.

There being no further business to come before the Council, the Meeting was adjourned on motion of Councilman Cobb, seconded by Councilman Loftin, at 4:33 p.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, NOVEMBER 3, 1970
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Cobb, Loftin, Landt, Martinet, and Deputy Mayor Hitch.
Absent--Councilmen Williams, Morrow, Schaefer, and Mayor Curran.
Clerk---John Lockwood.

Deputy Mayor Hitch called the Regular Meeting to order at 9:00 a.m.

The Deputy Mayor introduced the Most Reverend Earl Greenlaw, Pastor of the Old San Diego Community Church, who gave the invocation.

Councilman Martinet led the Pledge of Allegiance.

Councilman Williams entered the Chamber.

Councilman Landt spoke on "What's Right About San Diego".

The Council recognized a group of trainees from Neighborhood Youth Corps attending this meeting, and their counselor.

Councilman Schaefer entered the Chamber.

There were no Council Minutes to be approved at this time.

A communication from Roland Esq. Holmes, President, West Coast Jazz Society, requesting City participation in producing jazz concerts and underwriting a June 18 Jazz Concert for \$100,000.00, was presented. On motion of Councilman Martinet, seconded by Councilman Cobb, said communication was referred to the City Manager.

A communication from the Purchasing Agent reporting on the sale of 31 vehicles from Equipment Division, Public Works Department and 7 vehicles from the Police Department; the \$11,510.00 received from this sale has been deposited with the City Treasurer and credited to Fund 552; the \$4,915.00 received from this sale has been deposited with the City Treasurer and credited to Fund 100.

The communication was noted and filed on motion of Councilman Cobb, seconded by Councilman Landt.

Convened
Invocation
Communications:

01756

The proposed resolution, continued from the Meeting of October 1, 1970, authorizing the City Manager to execute an Urban Mass Transportation Capital Grant Contract with the U. S. Department of Transportation to aid in the financing of the design and construction of a combination administration/maintenance building and purchase of 210 two-way radios, one automatic bus washer and office furniture and machines, was presented.

The City Attorney requested a one-week continuance of this item. On motion of Councilman Landt, seconded by Councilman Loftin, said proposed resolution was continued for one week, to November 10, 1970.

The proposed resolution, continued from the Meeting of October 13, 1970, appointing Leonard T. Bell, Fire Chief; Roy E. Dodson, Water Utilities Director; and Paul D. Foxworthy, Community Development Department to serve as representatives of The City of San Diego on the Reorganization Committee established by Local Agency Formation Commission Resolution No. RO 70-1, was filed on motion of Councilman Cobb, seconded by Councilman Landt.

RESOLUTION 201140, awarding a contract to San Diego Pipe & Supply Co., Inc. for the purchase of 50,000 pounds of caulking lead for the actual cost of \$8,610.00, including tax and terms, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

The proposed resolution, awarding a contract to Ed Goetz Painting Company for the painting of six buildings located at Brown Field, was presented.

City Manager Walter Hahn answered questions directed by the Council.

RESOLUTION 201141, awarding a contract to Ed Goetz Painting Company for the painting of six buildings located at Brown Field for the sum of \$7,166.00, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

RESOLUTION 201142, awarding a contract to M. L. Snyder & Son, Inc. for the purchase of 207 rainsuits for an actual cost of \$1,482.33, including tax and terms, was adopted on motion of Councilman Martinet, seconded by Councilman Schaefer.

The following resolutions were adopted on motion of Councilman Schaefer, seconded by Councilman Martinet:

RESOLUTION 201143, inviting bids for construction of Belt Street Sewer, in accordance with Specifications Document No. 733813; and

RESOLUTION 201144, inviting bids for painting of all exterior surfaces of Serra Museum (Bldg. No. 801) located at Presidio Park, in accordance with Specifications Document No. 733814.

The following resolutions, relative to Fire Emergency System, were adopted on motion of Councilman Landt, seconded by Councilman Loftin:

RESOLUTION 201145, inviting bids for furnishing 32 engine-driven plants, in accordance with Specifications Document No. 733815; and RESOLUTION 201146, authorizing the expenditure of \$57,000 out of Capital Outlay Fund 245 for the purchase and installation in fire stations of power generators and alert radio monitors required in connection with the operation of the telephone emergency system.

Mayor Curran entered the Chamber and took the Chair.

The following resolutions, relative to final map of Bassett Subdivision, a two-lot subdivision located on the southeast corner of University Avenue and Nile Street, were adopted on motion of Councilman Cobb, seconded by Councilman Landt:

RESOLUTION 201147, authorizing an agreement with Donald F. and Betty H. Bassett, for the completion of improvements; and RESOLUTION 201148, approving the map of Bassett Subdivision.

The following resolutions accepting the work done and authorizing a Notice of Completion in subdivisions were adopted on motion of Councilman Cobb, seconded by Councilman Landt:

RESOLUTION 201149, Burad Manor; and RESOLUTION 201150, La Jolla Scenic Knolls Unit No. 2.

A proposed resolution, relative to consenting to a lease agreement between Boys' Club of San Diego, Inc. and San Diego Unified School District, subleasing to School District swimming facilities at William J. Oakes Branch to provide swimming instructions at various schools, was presented.

City Manager Walter Hahn answered questions presented by the Council.

RESOLUTION 201151, consenting to lease agreement between Boys' Club of San Diego, Inc. and San Diego Unified School District, subleasing to School District swimming facilities at William J. Oakes Branch to provide swimming instructions at various schools, was adopted on motion of Councilman Williams, seconded by Councilman Martinet.

RESOLUTION 201152, authorizing an agreement with Manley Edwards, for full-time services for the purpose of assisting the City Manager, City Attorney, Water Utilities Department, and other departments concerned with public utility matters; and authorizing the expenditure of \$24,000 for professional services, was adopted on motion of Councilman Hitch, seconded by Councilman Williams.

A proposed resolution, relative to authorizing an amendment to an agreement of employment of Franklin T. Hamilton, Esq., was presented.

City Manager Walter Hahn answered questions presented by the Council.

RESOLUTION 201153, authorizing an amendment to an agreement of employment of Franklin T. Hamilton, Esq., as special counsel for the improvements to be made in the Centre City Way, was adopted on motion of Councilman Martinet, seconded by Councilman Schaefer.

A proposed resolution, relative to a first amendment to agreement with San Diego Gas & Electric Company, was presented.

City Attorney John Witt answered questions directed by the Council.

RESOLUTION 201154, authorizing a first amendment to agreement with San Diego Gas & Electric Company to make provision for utility services for all present and future occupants of Brown Field, was adopted on motion of Councilman Schaefer, seconded by Councilman Martinet.

RESOLUTION 201155, authorizing an amended agreement for construction of electrical facilities with the San Diego Gas & Electric Company for the extension of underground electrical facilities to serve City-owned property along Hancock Street, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

A proposed resolution, relative to an agreement with the State Division of Highways for relocation of the Metropolitan Sewer, was presented.

City Manager Walter Hahn answered questions directed by the Council.

RESOLUTION 201156, authorizing an agreement with the State Division of Highways for relocation of the Metropolitan Sewer on Road 11-SD-5/54 between "E" Street in Chula Vista and 24th Street in National City, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

A proposed resolution, relative to an agreement with the State Division of Highways for rearrangement of water facilities, was presented.

City Manager Walter Hahn answered questions directed by the Council.

RESOLUTION 201157, authorizing an agreement with the State Division of Highways for rearrangement of water facilities on State Road 11-SD-805, between 0.2 mile north of Friars Road and 0.4 mile north of Route 395 to accommodate freeway construction, and rescinding Resolutions 197271 and 197699, was adopted on motion of Councilman Martinet, seconded by Councilman Hitch.

RESOLUTION 201158, authorizing an agreement with the United States of America, Department of the Navy, Western Division, for the non-exclusive use of City-owned land adjacent to Lower Otay Reservoir for the training of military personnel, was adopted on motion of Councilman Landt, seconded by Councilman Hitch.

A proposed resolution, relative to an application to be filed with the United States Department of the Interior, Federal Water Quality Administration, for a research grant, was presented.

City Manager Walter Hahn and City Attorney John Witt answered questions directed by the Council.

RESOLUTION 201159, authorizing an application to be filed with the United States Department of the Interior, Federal Water Quality Administration, for a research grant in connection with the reclamation of raw sewage by reverse osmosis, was adopted on motion of Councilman Cobb, seconded by Councilman Schaefer.

RESOLUTION 201160, authorizing the use of City Forces to install one 8" FMCT meter with backflow and vault for Genessee Plaza (Fed Mart) at 5432 Balboa Avenue, at an estimated cost of \$7,560; consumer will deposit full amount before work begins, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

RESOLUTION 201161, authorizing the use of City Forces to move a fire hydrant, traffic signal and associated appurtenances on Midway Drive adjacent to the Midway Fire Station, at an estimated cost of \$1,490; and authorizing expenditure of \$1,490 out of Gas Tax Fund 219, was adopted on motion of Councilman Schaefer, seconded by Councilman Martinet.

A proposed resolution, relative to Change Order No. 4 issued in connection with the contract for the construction of San Ysidro Community Center and renovation of the Recreation Center Building, was presented.

City Manager Walter Hahn answered questions directed by the Council.

RESOLUTION 201162, approving Change Order No. 4 issued in connection with the contract with Raymond D. Haas for construction of the San Ysidro Community Center and renovation of the Recreation Center Building; said changes amounting to an increase of \$8,965.60, was adopted on motion of Councilman Hitch, seconded by Councilman Schaefer.

A proposed resolution, relative to Change Order No. 6 issued in connection with the contract for construction of Montgomery Field Administration Building, was presented.

City Manager Walter Hahn answered questions directed by the Council.

RESOLUTION 201163, approving Change Order No. 6 issued in connection with the contract with Art A. Gussa, Inc. for construction of Montgomery Field Administration Building; said changes amounting to an increase of \$1,028, was adopted on motion of Councilman Landt, seconded by Councilman Williams.

A proposed resolution, relative to Change Order No. 8 issued in connection with the contract for construction of Montgomery Field Administration Building, was presented.

City Manager Walter Hahn answered questions directed by the Council.

RESOLUTION 201164, approving Change Order No. 8 issued in connection with the contract with Art A. Gussa, Inc. for construction of Montgomery Field Administration Building; said changes amounting to an increase of \$3,285, was adopted on motion of Councilman Landt, seconded by Councilman Williams.

After discussion of Item 30, which was a proposed resolution approving Change Order No. 12 for construction of Casa Del Prado in Balboa Park, the Council considered Item 31.

RESOLUTION 201165, renaming Calle Tres Lomas, adjacent to Lots 117 through 120, South Rancho Hills Unit No. 2, to RANCHO HILLS DRIVE, was adopted on motion of Councilman Hitch, seconded by Councilman Schaefer.

RESOLUTION 201166, agreeing to cosponsor with the San Diego County Pop Warner Junior Football League the Second Annual San Diego County Junior Football Classics on Sunday, November 29, 1970, to be held in Balboa Stadium; waiving rental fee for use of Balboa Stadium, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

At this time the Council considered Item 100, out of the regular order of business.

RESOLUTION 201167, granting the petition for the installation of sidewalks on the north side of Geneva Street, between Winston Street and Beverly Street; directing the City Engineer to furnish description and plat of the district, was adopted on motion of Councilman Hitch, seconded by Councilman Martinet.

The following resolutions relative to the Improvement of Centre City Way Assessment District (C Street, et al.), under 1913 Municipal Improvement Act, were adopted on motion of Councilman Schaefer, seconded by Councilman Martinet.

RESOLUTION 201168, declaring Intention to Order certain improvements within the City of San Diego pursuant to the Municipal Improvement Act of 1913; describing the District to be benefited by said improvements and to be assessed to pay the cost and expense thereof; determining and declaring that bonds shall be issued under the Improvement Act of 1911 to represent unpaid assessments; providing for the use of any surplus amount remaining in the Improvement Fund after completion of the improvement; and referring the proposed improvement to the City Engineer to make and file a written report;

RESOLUTION 201169, approving a report prepared pursuant to the Municipal Improvement Act of 1913; and fixing the time and place for hearing protests and objections to the improvements, diagram and assessment described and contained in said report and whether public convenience and necessity requires such acquisitions and improvements and giving notice thereof; and

RESOLUTION 201170, directing the City Clerk to give notice inviting sealed bids for the purchase of Improvement Bonds and the construction of improvements.

RESOLUTION 201171, authorizing the execution of a quitclaim deed, quitclaiming to The Owners In Fee Simple of Record of portions of Lots 4, 5, and 6, Block 193 of City Heights, an easement for drainage purposes across portions of Lots 4, 5, and 6, Block 193, of City Heights, was adopted on motion of Councilman Williams, seconded by Councilman Martinet.

The following resolutions relative to approving the acceptance by the City Manager of deeds were adopted on motion of Councilman Landt, seconded by Councilman Loftin:

RESOLUTION 201172, accepting the deed of Mark N. and Harriet B. Baldwin; and John H. and Jane B. Chalmers, as joint tenants, conveying to the City of San Diego an easement and right-of-way for street purposes through, over and across portions of Lot 32 of Aloha Tract; and the land therein conveyed as Parcel 1 is hereby dedicated as and for a public street and the same is hereby named Coronado Avenue, and the land therein conveyed as Parcel 2 is hereby dedicated as and for a public street and the same is hereby named 19th Street.

RESOLUTION 201173, accepting the deed of Richard and Virginia Locke, as joint tenants, conveying to the City of San Diego an easement and right-of-way for street purposes through, over and across a portion of Lot 31 of Aloha Tract, and the land therein conveyed is hereby dedicated as and for a public street and the same is hereby named Coronado Avenue.

The proposed ordinance, relative to amending Chapter II, Article 3 of the San Diego Municipal Code by repealing Division 24 relating to vehicle renting, was introduced on motion of Councilman Hitch, seconded by Councilman Schaefer, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Morrow.

The proposed ordinance, relative to establishing a new Parking Meter Zone "B", on the east side of Fifth Avenue, between I-5 Freeway and Elm Street; and on the south side of Elm Street, between Fifth and Sixth Avenues; a parking time limit of two hours shall be in effect at said location between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, was introduced on motion of Councilman Landt, seconded by Councilman Loftin by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Morrow.

Mayor Curran recessed the meeting at 10:00 a.m. Upon reconvening at 10:08 a.m., the roll call showed Councilman Morrow absent.

The hour of 9:30 a.m. having arrived, time set for the hearings, the Council considered three items on the Supplemental Docket for the Council Meeting of November 3, 1970. These hearings were continued from the meeting of October 29, 1970:

Councilman Morrow entered the Chamber.

Matter of rezoning a portion of Section 31, Township 18 South, Range 1 West, located on the south side of Otay Mesa Road, easterly of proposed Interstate 805, from Interim Zone A-1-10 to Zone R-1-5;

Matter of rezoning a portion of the West 1/2 of the Northeast 1/4 of Section 31, Township 18 South, Range 1 West, located on the south side of Otay Mesa Road approximately two miles northeast of Interstate Highway 5, from Interim Zone A-1-10 to Zone R-1-5; and

Matter of rezoning a portion of the North 1/2 of Section 31, Township 18 South, Range 1 West (approximately 91.5 acres) located on both sides of Otay Mesa Road west of intersection of Otay Mesa Road and Del Sol Boulevard, from Interim Zone A-1-10 to Zone R-1-5.

Mr. J. R. Shattuck and Mr. William Griffin appeared to speak in favor of the rezonings.

Mr. Robert Carter appeared to speak in opposition of the rezonings.

Mr. Klein, Planning Department, Mr. Fowler, Engineering Department, and City Attorney Witt answered questions directed to them by the Council.

On motion of Councilman Landt, seconded by Councilman Cobb the hearings were closed and the following ordinances introduced by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-None.

An ordinance incorporating a portion of Section 31, Township 18 South, Range 1 West, S.B.B.M., in the City of San Diego, California into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 7606 (New Series), adopted September 26, 1957, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith;

An ordinance incorporating a portion of the West 1/2 of the North-east 1/4 of Section 31, Township 18 South, Range 1 West, S.B.B.M., in the City of San Diego, California into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 7606 (New Series), adopted September 26, 1957, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith; and

An ordinance incorporating a portion of the North 1/2 of Section 31, Township 18 South, Range 1 West, S.B.B.M., in the City of San Diego, California into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 7606 (New Series) adopted September 26, 1957, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith.

On motion of Councilman Hitch, seconded by Councilman Cobb, the hearings on the appeals of the Subdivision Review Board relative to the tentative subdivision maps of Candlelight Park Units 1 through 5 and Princess Del Sol Unit No. 14 were closed and the following resolutions were adopted:

RESOLUTION 201174, overruling the appeal of the Subdivision Review Board, and approving the tentative subdivision map of Candlelight Park Unit 1 - 5 (Rev.), subject to the developer presenting evidence that police, fire, and library facilities have been provided equal to City criteria prior to the approval of the final maps; and

RESOLUTION 201175, overruling the appeal of the Subdivision Review Board, and approving the tentative subdivision map of Princess Del Sol Unit 14, subject to the developer presenting evidence that police, fire, and library facilities have been provided equal to City criteria prior to the approval of the final maps.

Mayor Curran recessed the meeting at 11:25 a.m. Upon reconvening at 11:30 a.m., the roll call showed all were present.

At this time the Council considered Item 33, out of the regular order of business.

The request of Bruce Farley Corporation to file a new application with the Planning Commission to rezone a portion of Pueblo Lot 1120, located at Hotel Circle West between Taylor Street and State Highway 163, was presented.

Mr. Bruce Farley spoke in favor of the application.

City Attorney Witt and Mr. Klein, Planning Department answered questions directed by the Council.

A motion by Councilman Hitch, seconded by Councilman Schaefer to grant request to file a new application with the Planning Commission failed due to lack of five affirmative votes. The vote was: Yeas-Councilmen Loftin, Hitch, Schaefer, and Mayor Curran. Nays-Councilmen

Cobb, Landt, Williams, Morrow, and Martinet. Absent-None.

The motion failed due to the lack of five affirmative votes, therefore, the request was denied.

At this time, the Council returned to Item 30, out of the regular order of business.

A proposed resolution, approving Change Order No. 12, issued in connection with the contract with Nielsen Construction Company for construction of Casa Del Prado in Balboa Park, was presented.

City Manager Walter Hahn answered questions directed by the Council.

RESOLUTION 201176, approving Change Order No. 12, issued in connection with the contract with Nielsen Construction Company for construction of Casa Del Prado in Balboa Park; said changes amounting to a decrease of \$1,207, was adopted on motion of Councilman Hitch, seconded by Councilman Schaefer.

At this time, the Council considered Item 106, and returned to the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the Meeting of October 6, 1970, on paving and otherwise improving Coronado Avenue, Granger Street, 15th Street, Atwater Street, 16th Street, 18th Street, 19th Street, and 22nd Street - on Resolution of Intention No. 200676; it was reported the hearing had been continued at the City Engineer's request.

No one appeared to be heard.

The hearing was closed on motion of Councilman Cobb, seconded by Councilman Hitch.

RESOLUTION 201177, approving plans and profiles showing the contemplated changes and modifications in the work described in Resolution of Intention No. 200676 for the improvement of Coronado Avenue, was adopted on motion of Councilman Cobb, seconded by Councilman Hitch; and

RESOLUTION 201178, ordering work to improve Coronado Avenue and directing notice inviting bids, was adopted on motion of Councilman Cobb, seconded by Councilman Hitch.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the Meetings of September 15 and 29, 1970, on vacating Lake Marcia Drive between Lake Murray Boulevard and Lake Ashmere Drive, and portion of Lake Murray Boulevard, between Lake Arrowhead Drive and Lake Marcia Drive - on Resolution of Intention No. 200621; it was reported that the hearing had been continued to coordinate with the final subdivision map.

No one appeared to be heard.

The Clerk reported that he had received a written request from the developer to continue this hearing to December 8, 1970 or later.

RESOLUTION 201179, vacating Lake Marcia Drive between Lake Murray Boulevard and Lake Ashmere Drive, and portion of Lake Murray Boulevard, between Lake Arrowhead Drive and Lake Marcia Drive - on Resolution of

Intention No. 200621, was continued on motion of Councilman Landt, seconded by Councilman Loftin until December 15, 1970.

The hour of 9:30 a.m. having arrived, time set for the hearing on vacating Alley in Block 193, City Heights, between University Avenue and Interstate 805 Right-of-Way - on Resolution of Intention No. 201000; it was reported that no written protests had been received.

No one appeared to be heard.

The hearing was closed on motion of Councilman Landt, seconded by Councilman Morrow.

RESOLUTION 201180, vacating Alley in Block 193, City Heights, between University Avenue and Interstate 805 Right-of-Way - on Resolution of Intention No. 201000, was adopted on motion of Councilman Landt, seconded by Councilman Morrow.

The hour of 9:30 a.m. having arrived, time set for the hearing on appeal of E. C. Brazell for Mesa Shopping Center, Somerset Land Company and Kaufman and Broad, Inc. which denied their appeal for a variance to develop property for use as a model home complex, sales office, and parking lot for sale of homes in Mirador Subdivision, where agricultural or residential use only is permitted; subject property is located on Mira Mesa Boulevard, approximately 1 1/2 miles westerly of Highway 395 in Interim Zone A-1-1; the Council proceeded with the hearing.

Mr. E. C. Brazell appeared to request a continuance of the hearing.

On motion of Councilman Williams, seconded by Councilman Martinet, the appeal hearing was continued until November 24, 1970 at applicant's request.

The hour of 9:30 a.m. having arrived, time set for the hearing on the appeal of Owen and Willie Faye Johnson, by Fred E. Corbin, Attorney, from the decision of the Board of Zoning Appeals which denied their appeal for a variance to maintain approximately 72' of picket fence, 6' high, and to erect 12' of picket fence, 6' high, observing 0' front yard within a 12' established setback; subject property is located on Lot 10, Emerald Hills Estates, 5625 McHugh Street between 56th Street and Bollenbacher Street, Zone R-1-5; the Council proceeded with the hearing.

Mr. Fred Corbin, Attorney, and Mr. Marvin Morris, neighbor, appeared to speak in favor of the variance.

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

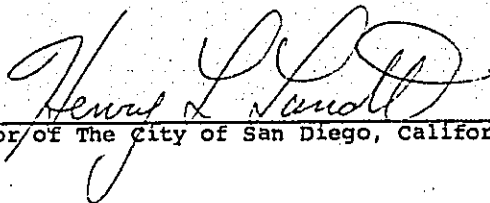
The hearing was closed on motion of Councilman Schaefer, seconded by Councilman Cobb.

RESOLUTION 201181, granting appeal and overruling Board of Zoning Appeals and granting variance to maintain approximately 72' of picket fence, 6' high, and to erect 12' of picket fence, 6' high, observing 0' front yard where a maximum 3' high fence is permitted within a 12' established setback, located at 5625 McHugh Street between 56th Street

and Bollenbacher Street, Zone R-1-5, Lot 10, Emerald Hills Estates, was adopted on motion of Councilman Schaefer, seconded by Councilman Cobb, by the following vote: Yeas-Councilmen Cobb, Williams, Morrow, Hitch, and Schaefer. Nays-Councilmen Loftin, Landt, Martinet, and Mayor Curran. Absent-None.

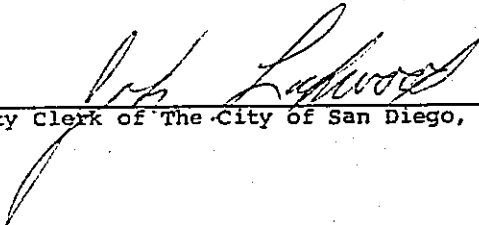
RESOLUTION 201187, providing that the above appellant must comply with the provisions of the City of San Diego Building Code except as to height, and with engineering requirements as to public right-of-way, was adopted on motion of Councilman Cobb, seconded by Councilman Hitch.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned, on motion of Councilman Schaefer, seconded by Councilman Martinet, at 12:30 p.m.



Deputy Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, NOVEMBER 5, 1970
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Cobb, Loftin, Landt, Morrow, Hitch, Schaefer and
Mayor Curran.

Absent--Councilmen Williams and Martinet.

Clerk---John Lockwood.

Mayor Curran called the Regular Meeting to order at 9:05 a.m.

The Council recognized and welcomed a group of foreign educators from ten nations, participating in the International Educational Development Program at San Diego State College, who were accompanied by Dr. Jack Mooers and Mrs. Jacqueline Chaparro.

The Purchasing Agent reported on all bids opened Wednesday, November 4, 1970, for Harbor View Drive Underground Utilities (Municipal Improvement Act of 1913).

Finding was made on motion of Councilman Hitch, seconded by Councilman Schaefer, that bids had been opened and declared as reported.

By the same motion, report was referred to the City Manager and the City Attorney for recommendation.

RESOLUTION 201183, awarding a contract to Industries Supply Co. of San Diego for the purchase of four items of copper tubing for a total cost of \$10,866.71, including tax and terms, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

Councilman Martinet entered the Chamber.

RESOLUTION 201184, awarding a contract to Pacific Toro Company for the purchase of forty-nine 6-foot utility benches for a total cost of \$2,521.05, including cash discount and tax, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

The following resolutions were adopted on motion of Councilman Cobb, seconded by Councilman Loftin.

RESOLUTION 201185, inviting bids for the construction of Arizona Street outfall sewer replacement, Phase I, in accordance with Specifications Document No. 733926; and

RESOLUTION 201186, inviting bids for the construction of Torrey Pines Municipal Golf Course sanitary facilities, in accordance with Specifications Document No. 733825.

The following resolutions, relative to final maps, were adopted on motion of Councilman Martinet, seconded by Councilman Morrow:

RESOLUTION 201187, authorizing an agreement with Avco Community Developers, Inc., for the installation and completion of certain public improvements in the subdivision to be known as Bernardo Greens West Unit No. 3;

RESOLUTION 201188, approving the map of Bernardo Greens West Unit No. 3;

RESOLUTION 201189, authorizing an agreement with Pacific View Construction Co., Inc., for the installation and completion of certain public improvements in the subdivision to be known as Fairway Park Unit No. 1;

RESOLUTION 201190, approving the map of Fairway Park Unit No. 1;

RESOLUTION 201191, authorizing an agreement with J. R. Shattuck and Deborah Shattuck, for the installation and completion of certain public improvements in the subdivision to be known as Mira Mesa Mobile Home Estates Unit No. 1; and

RESOLUTION 201192, approving the map of Mira Mesa Mobile Home Estates Unit No. 1.

The following resolutions relative to declaring buildings to be a public nuisance and directing the City Attorney to take action to abate said nuisance, were adopted on motion of Councilman Cobb, seconded by Councilman Loftin:

RESOLUTION 201193, declaring the building owned by Wanda Brocchini at 6839 Jamacha Road to be a public nuisance; directing the City Attorney to take action to abate said nuisance; and

RESOLUTION 201194, declaring the building owned by James K. Delaney at 3536 Orange Avenue to be a public nuisance; directing the City Attorney to take action to abate said nuisance.

RESOLUTION 201195, authorizing the City Attorney or his authorized representative to incur all necessary expenses in connection with an appearance and participation in those hearings being held before the California Public Utilities Commission in the matter of the Pacific Telephone and Telegraph Company's Application No. 51774; authorizing the transfer of \$3,500.00 from the Unallocated Reserve to the Travel Budget of the City Attorney for the sole purpose of providing funds in connection with said appearance and participation, was adopted on motion of Councilman Hitch, seconded by Councilman Morrow.

RESOLUTION 201196, approving the official statement for use in connection with the sale of \$5,000,000.00 1966 Municipal Improvement Bonds, Series 4, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

RESOLUTION 201197, authorizing a representative of the Police Department to travel to Dallas, Texas, November 10, 11 and 12, 1970 to attend a Records Search Symposium, and to incur all necessary expenses, was adopted on motion of Councilman Cobb, seconded by Councilman Loftin.

RESOLUTION 201198, granting the petition for installation of a modern ornamental lighting system to replace the present obsolete system on Garnet Avenue, between Ocean Boulevard and Cass Street; directing the City Engineer to furnish description and plat of the district, was adopted on motion of Councilman Hitch, seconded by Councilman Morrow.

The following resolutions, relative to sale of certain City-owned land, were adopted on motion of Councilman Hitch, seconded by Councilman Martinet:

RESOLUTION 201199, rescinding Resolution No. 199253, adopted March 12, 1970, authorizing the Mayor and City Clerk to execute a deed conveying to the City of La Mesa, portions of Lots 1, 2 and 3, Clement's Acres and portions of Lots 1, 2, 3, 4 and 5, Gertrude Munro Tract, in the City of La Mesa, County of San Diego; and

RESOLUTION 201200, authorizing the sale by negotiation of portions of Lots 1, 2, 3, 6 and 7, Clement's Acres, portions of Lots 1, 2, 3, 4 and 5 Gertrude Munro Tract, and portions of Lots 120 and 121, La Mesa Colony, for the sum of \$70,356.00, to the City of La Mesa; authorizing the execution of a Grant Deed, conveying said property.

The following ordinance was introduced at the meeting of October 22, 1970.

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 written or printed copy of said ordinance.

The following ordinance was adopted on motion of Councilman Martinet, seconded by Councilman Morrow, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer and Mayor Curran. Nays-None. Absent-Councilman Williams.

ORDINANCE 10437 (New Series), establishing a new Parking Meter Zone "B" on the south side of Washington Street, between Third Avenue and the alley east; the zone to be effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted.

The proposed ordinance, introduced at the meeting of October 22, 1970, establishing a new Parking Meter Zone "B" on the west side of Kettner Boulevard between Thorn and Upas Street; the zone to be effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, was presented.

City Manager Walter Hahn requested that the proposed ordinance be returned to the Manager's office.

A motion by Councilman Morrow, seconded by Councilman Martinet, to deny adoption of said proposed ordinance, carried by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer and Mayor Curran. Nays-None. Absent-Councilman Williams.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the meeting of October 22, 1970, on the application of Rick Engineering Company, by Houshmand Aftahi, for special permission to waive underground electrical requirements in connection with the tentative subdivision map of Vista Camino Del Rio Unit 1, a subdivision of a portion of Pueblo Lot 1110, located southwesterly of Camino Del Rio South and Texas Street, in the R-1-40 Zone (RP-1A Zone upon recordation of final map); it was reported that no written protests had been received.

City Manager Walter Hahn suggested that this hearing be continued for two weeks for further study and at request of the applicant.

On motion of Councilman Morrow, seconded by Councilman Martinet, said hearing was continued two weeks to Thursday, November 19, 1970.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the meeting of October 22, 1970, on the matter of (a) Proposed Mission-Pacific Beach Community Plan, which covers an area of approximately 4.5 square miles of land bounded on the north by the adopted La Jolla Community Plan boundary, on the east by Interstate 5, on the south by the northerly line of the Mission Bay Channel, and on the west by the Pacific Ocean; and (b) Proposed amendment to the Progress Guide and General Plan for The City of San Diego - to amend the map for the Mission-Pacific Beach Community Plan if approved; it was reported that written protests had been received.

Mayor Curran recessed the Meeting for five minutes, at 9:37 a.m. Upon reconvening at 9:47 a.m., the roll call showed the following attendance:

Present-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer and Mayor Curran.

Absent--None.

Clerk---John Lockwood.

At this time the Council returned to consideration of Item 105.

The following people appeared to speak in support of the Plan: Judy Brown, Gerry Seymour, Alan Brown, Dick Farrar, George Green, Grover Meyers, Lucille Wherry, Karen Ludley, Richard Stage and Thomas Scripps.

Norman Seltzer spoke neither for nor against the Plan, but directed the Council's attention to a particular problem.

Arnold Andersen and John Stible spoke in support of the Plan.

Mayor Curran recessed the Meeting for five minutes, at 10:18 a.m. Upon reconvening at 10:25 a.m., the roll call showed no one absent.

The hearing was closed and the following resolutions adopted on motion of Councilman Martinet, seconded by Councilman Hitch:

RESOLUTION 201201, approving the proposed Mission-Pacific Beach Community Plan as a guide for the development of an area comprising approximately 4.5 square miles of land bounded on the north by the adopted La Jolla Community Plan boundary, on the east by Interstate 5, on the south by Mission Bay Park and on the west by the Pacific Ocean; and

RESOLUTION 201202, approving the proposed amendment to the "Progress Guide and General Plan for The City of San Diego" - to amend the map for the Mission-Pacific Beach Community Plan.

At 12:00 p.m., Mayor Curran recessed the Meeting to 2:00 p.m.

Upon reconvening at 2:03 p.m., the roll call showed the following attendance:

Present--Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer and Mayor Curran.

Absent--Councilman Williams.

Clerk---John Lockwood.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the Meeting of October 22, 1970, on the matter of a proposal to impose a 50 foot Height Limitation Zone over the whole or any part of the Mission-Pacific Beach area, generally bounded by the southerly boundary of the La Jolla Height Limitation Zone, the mean high tide line of the Pacific Ocean, the northerly line of Mission Bay Channel, and Interstate 5; it was reported that written protests had been received.

The following persons appeared to speak in support of the proposal: Gerry Seymour, Sheila Kelley and Bob Brown.

Councilman Williams entered the Chamber.

The Council continued consideration of Item 106, and the following persons spoke in favor of the proposal: John Steibel, Fred Livingston, Pat DeVore, Richard Ridenour, Judy Brown, Lynn Lawson, Ken Kellogg, William Elks, Al Walker, Jack Eberhardt, Angela Rowe, Walter Johnson, Dan McKinnon and Dorothy Connell.

Mayor Curran recessed the Meeting for five minutes, at 3:00 p.m. Upon reconvening at 3:10 p.m., the roll call showed no one absent.

A motion by Councilman Martinet, seconded by Councilman Morrow, to have a substitute ordinance, was not voted on at this time.

A motion by Councilman Landt, seconded by Councilman Loftin, to continue this hearing, was not voted on at this time.


On motion of Councilman Martinet, seconded by Councilman Morrow, said hearing was continued to December 1, 1970, and referred to the City Attorney and Planning Director for preparation of an ordinance which would impose the same restrictions on this area that are imposed on the La Jolla Height Limitation area for a period of six months.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning Lots 6 and 15, Block 3, Drucker's Subdivision, located northwest of Frontage Road between Jupiter Street and La Salle Street from Zone R-4 to Zone C-1; it was reported that no written protests had been received. No one appeared to be heard.

The hearing was closed on motion of Councilman Schaefer, seconded by Councilman Hitch.

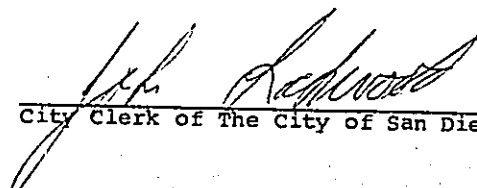
The proposed ordinance, incorporating Lot 15, Block 3, Drucker's Subdivision, into C-1 Zone, as defined by Section 101.0430.1 of the San Diego Municipal Code, and repealing Ordinance No. 4407 (New Series), adopted May 16, 1950, of the ordinances of The City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Schaefer, seconded by Councilman Hitch, by the following vote:
Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer and Mayor Curran. Nays-None. Absent-None.

By unanimous consent of the Council, on motion of Councilman Cobb, seconded by Councilman Schaefer, the Regular Meeting was adjourned at 4:00 p.m., in memory of Mrs. Aline A. Martinet, who passed away during the week.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, NOVEMBER 10, 1970
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Cobb, Loftin, Landt, Martinet, Schaefer, Hitch, and Mayor Curran.
Absent--Councilmen Williams and Morrow.
Clerk---John Lockwood.

Mayor Curran called the Regular Meeting to order at 9:00 a.m.

Mayor Curran asked Councilman Cobb to give the invocation in the absence of Reverend Hilka D. Green, First United Methodist Church.

Councilman Loftin led the Pledge of Allegiance.

The Council recognized and welcomed a group of five South Vietnamese Government Officials, who were accompanied by their interpreter.

Councilman Williams entered the Chamber.

Service Awards, in recognition of service with the City were presented to the following: Mr. John W. Wood, Community Services Supervisor, Recreation Department, 25 years, by Councilman Landt; Mr. Leland Cook, Jr., Utilities Superintendent, Water Utilities Department, 25 years, by Councilman Loftin; Mr. Lawrence D. Morgan, Utility Foreman I, Water Utilities Department, 25 years, by Councilman Schaefer; Mr. Victor M. Gray, Equipment Repairman II, Water Utilities Department, 30 years, by Councilman Morrow; Mr. Albert L. Howard, Equipment Repairman II, Water Utilities Department, 30 years, by Councilman Cobb; Mr. Nickolas Mitrovich, Equipment Repairman II, Water Utilities Department, 30 years, by Councilman Hitch.

Councilman Morrow entered the Chamber.

At this time the Council considered Item 6, passing over Item 5 which was the Bids for Penasquitos Sewer District.

The following resolution, continued from the Meetings of October 1, and November 3, 1970, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow:

RESOLUTION 201203, authorizing the City Manager to execute an Urban Mass Transportation Capital Grant Contract with the U. S. Department of Transportation to aid in the financing of the design and construction of a combination administration/maintenance building and purchase of 210/Two-way Radios, one Automatic Bus Washer, and Office Furniture and Machines.

RESOLUTION 201204, awarding a contract to Del-Rey Construction for the construction of Pennsylvania Avenue Storm Drain for \$7,144.00; authorizing the expenditure of \$8,600.00 out of Capital Outlay Fund 245 for said construction and related costs, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

The following resolutions were adopted on motion of Councilman Williams, seconded by Councilman Morrow:

RESOLUTION 201205, inviting bids for construction of Mesa Vista Branch Library, in accordance with Specifications Document No. 733891; and

RESOLUTION 201206, inviting bids for painting the exterior of four buildings (Building Nos. 645, 700, 705, and miscellaneous items located at Balboa Park and Building No. 30 at 20th and "B" Streets), in accordance with Specifications Document No. 733890.

A proposed resolution, rejecting bids concerning construction of the Tecolote Park and Recreation Center, was presented.

City Manager Hahn answered questions directed by the Council.

RESOLUTION 201207, rejecting all bids heretofore received on October 6, 1970, and authorizing the Purchasing Agent to re-advertise for bids for construction of the Tecolote Park and Recreation Center, in accordance with Specifications Document No. 733889, was adopted on motion of Councilman Martinet, seconded by Councilman Williams.

At this time the Council considered Item 10c out of the regular order of business.

The proposed resolutions authorizing an agreement with Elmer and Myra M. Piazza and Kenneth W. and Susan McLaughlin for completion of improvements; and approving the map of Piazza Subdivision, on motion of Councilman Cobb, seconded by Councilman Loftin were heard concurrently with Item 107 later in the meeting.

At this time the Council considered Item 10a and 10b in the regular order of business.

The proposed resolutions authorizing agreements and approving the final maps, relative to Miramar Land Commercial Center Unit No. 2 and Paradise South Unit No. 2, were presented.

City Manager Hahn and Mr. Fowler, Engineering Department, answered questions directed by the Council.

The following resolutions were adopted on motion of Councilman Hitch, seconded by Councilman Landt:

RESOLUTION 201208, authorizing an agreement with Yellow Equipment & Terminals, Inc. for the completion of improvements in the subdivision to be known as Miramar Land Commercial Center Unit No. 2;

RESOLUTION 201209, approving the map of Miramar Land Commercial Center Unit No. 2 Subdivision;

RESOLUTION 201210, authorizing an agreement with Merle F. Palmer for the completion of improvements in the subdivision to be known as Paradise South Unit No. 2; and

RESOLUTION 201211, approving the map of Paradise South Unit No. 2 Subdivision.

RESOLUTION 201212, authorizing an agreement with The Fed-Mart Corporation for the construction of improvements on Midway Drive from Kemper Street easterly, a distance of approximately 150 feet, in Arena Plaza Subdivision, and reimbursement by the City; and authorizing the expenditure of not to exceed \$2,481.50 out of Gas Tax Fund 219 to reimburse said subdivider, was adopted on motion of Councilman Martinet, seconded by Councilman Schaefer.

RESOLUTION 201213, authorizing an agreement and consent relating to Encroachment Permit No. 70-16 with the San Diego County Water Authority, for grading over the Authority's Second San Diego Aqueduct pipeline easement between Stations 4416+15 and 4424+77 for the extension of Baltimore Drive near Lake Murray, was adopted on motion of Councilman Hitch, seconded by Councilman Schaefer.

A proposed resolution, relative to a First Amendment to Lease Agreement with Mission Bay Lessees' Association, was presented.

City Manager Hahn answered questions directed by the Council.

RESOLUTION 201214, authorizing a First Amendment to Lease Agreement with Mission Bay Lessee' Association, providing for refund of member contributions in excess of \$37,500.00, was adopted on motion of Councilman Martinet, seconded by Councilman Hitch.

RESOLUTION 201215, authorizing the use of City Forces to install two 4" FMCT meters with backflow and vault on a 6" service for Westminster Manor at 1730 Third Avenue, at an estimated cost of \$7,128.00; consumer will deposit full amount before work begins, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

A proposed resolution, relative to establishing a Council Policy No. 400-7 regarding financing of water and sewer facilities in undeveloped areas, was presented.

City Manager Hahn and Water Utilities Director Dodson answered questions directed by the Council.

RESOLUTION 201216, establishing a Council Policy No. 400-7 regarding financing of water and sewer facilities in undeveloped areas, was adopted on motion of Councilman Hitch, seconded by Councilman Schaefer.

RESOLUTION 201217, granting the petition for paving and otherwise improving Chattanooga Street from Rachael Avenue easterly to present improvement and the City boundary from Blueridge Street southerly to Lot 4, Block 39, Paradise Hills; directing the City Engineer to furnish description and plat of the district, was adopted on motion of Councilman Martinet, seconded by Councilman Schaefer.

RESOLUTION 201218, granting the petition for installation of sidewalks and otherwise improving Hyatt Street, East Hyatt Street, Fulton Street, West Ingersoll Street, East Ingersoll Street, North Judson Street, Richland Street and Gatling Court in the Linda Vista CHIRP Area; directing the City Engineer to furnish description and plat of the district, was adopted on motion of Councilman Williams, seconded by Councilman Martinet.

A proposed resolution, relative to directing the City Engineer to furnish description and plat of the Assessment District for paving and otherwise improving Streamview Drive, was presented.

City Manager Hahn and Mr. McLaughlin, Engineering Department, answered questions directed by the Council.

RESOLUTION 201219, directing the City Engineer to furnish description and plat of the Assessment District for paving and otherwise improving Streamview Drive, between 54th Street and Gayle Street, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow.

RESOLUTION OF INTENTION 201220, electing to vacate Mt. Aguilar Court, southwesterly of Mt. Aguilar Drive, in Balboa Towers Unit No. 1, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of paving and otherwise improving 51st Street, Roswell Street, and Market Street, on Assessment Roll No. 3446; it was reported that no written appeals had been received.

No one appeared to be heard.

The hearing was closed and the following resolution was adopted, on motion of Councilman Williams, seconded by Councilman Martinet:

RESOLUTION 201221, overruling and denying the appeals, written or verbal, against paving and otherwise improving 51st Street, Roswell Street, and Market Street; and confirming and approving the Street Superintendent's Assessment No. 3446, authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, said warrant and diagram and assessment to be recorded in the office of said Street Superintendent.

At this time the Council returned to Item 5 of today's docket, relating to the opening of bids on City of San Diego Penasquitos Sewer District, 1970 Sewer Bonds, Series A.

This being the time and place fixed for the opening of bids for the \$9,500,000 bonds of The City of San Diego Penasquitos Sewer District designated CITY OF SAN DIEGO PENASQUITOS SEWER DISTRICT, 1970 SEWER BONDS, SERIES A, the following bids received pursuant to the notice of sale were publicly opened, examined and read:

Bank of America N.T. & S.A. and Associates, P. O. Box 3415, Rincon Annex, San Francisco, California 94120, bid \$9,314,085 and accrued interest to date of delivery, for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>		<u>Years</u>
6.00%	\$2,900,000	1973 to 1979, inclusive
6.75%	\$2,400,000	1980 to 1983, inclusive
6.90%	\$ 600,000	1984 only
7.00%	\$ 600,000	1985 only
7.25%	\$3,000,000	1986 to 1990, inclusive.

The bid was accompanied by a good faith check in the amount of \$100,000.

Merrill Lynch, Pierce, Fenner & Smith Inc. & Associates, 523 West Sixth Street, Los Angeles, California 90014, bid 98% of par, plus accrued interest to date of delivery, for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>	<u>Years</u>
5.50%	1973 only
5.75%	1974 only
6.00%	1975 only
7.00%	1976 only
7.50%	1977 through 1990, inclusive.

The bid was accompanied by a good faith check in the amount of \$100,000.

All bids were then referred to the Bond Committee for checking and computation, a report thereon to be given to the Council later in this meeting.

At 10:06 a.m., Mayor Curran recessed the Meeting. The Council reconvened at 10:15 a.m. with all members of the Council present.

At this time the Council returned to Item 105 and the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing on paving and otherwise improving Baltic Street and Atlas Street, on Assessment Roll No. 3448; it was reported that written appeals amounting to 100% of the property frontage had been received.

Mr. Lawrence E. McCaw appeared to speak in opposition to the street paving.

The hearing was closed and the following resolution was adopted, on motion of Councilman Morrow, seconded by Councilman Williams:

RESOLUTION 201222, overruling and denying the written appeals filed in the office of the City Clerk, and all other appeals, written or verbal, against paving and otherwise improving Baltic Street and Atlas Street; and confirming and approving the Street Superintendent's Assessment No. 3448; authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, said warrant and diagram and assessment to be recorded in the office of said Street Superintendent.

The hour of 9:30 a.m. having arrived, time set for the hearing on paving and otherwise improving Crown Point Drive, on Assessment Roll No. 3450; it was reported that no written appeals had been received.

No one appeared to be heard.

The hearing was closed and the following resolution was adopted, on motion of Councilman Martinet, seconded by Councilman Hitch:

RESOLUTION 201223, overruling and denying the appeals, written or verbal, against paving and otherwise improving Crown Point Drive; and confirming and approving the Street Superintendent's Assessment No. 3450, authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, said warrant and diagram and assessment to be recorded in the office of said Street Superintendent.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of vacating Yonge Street, adjacent to Lots 4 through 7, Block 35, Western Addition, on Resolution of Intention No. 200999; it was reported that written protests had been received.

Mr. Elmer Piazza answered questions directed by the Council.

Mr. McLaughlin, Engineering Department, also answered questions directed by the Council.

Mayor Curran suggested that the hearing be continued for one week to November 17, 1970, for a field inspection by Councilman Loftin.

RESOLUTION 201224, continuing the hearing on the proposed vacation of Yonge Street, adjacent to Lots 4 through 7, Block 35, Western Addition, under Resolution of Intention No. 200999 to the hour of 9:30 a.m., Tuesday, November 17, 1970, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

At this time the Council considered Item 10c out of the regular order of business.

Two proposed resolutions, authorizing an agreement with Elmer and Myra M. Piazza and Kenneth W. and Susan R. Laughlin for completion of improvements of Piazza Subdivision; and approving the final map, were presented.

Councilman Loftin suggested that the item be continued for one week to November 17, 1970, for a field inspection and that this item be considered in conjunction with Item 107.

On motion of Councilman Loftin, seconded by Councilman Landt, the proposed resolutions authorizing an agreement and approving the final map of Piazza Subdivision were continued until Tuesday, November 17, 1970.

At this time the Council considered Item 108 in the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of vacating Marcellena Road, Littlerock Road, and Goodland Road, in Lot 2, Marcellena Tract, on Resolution of Intention No. 201001; it was reported that no written protests had been received.

No one appeared to be heard.

The applicant requested that the matter be continued until December 15, 1970, in order to coordinate with the final map of Picard Estates Unit No. 4.

RESOLUTION 201225, continuing the hearing on the proposed vacation of Marcellena Road, Littlerock Road, and Goodland Road, in Lot 2, Marcellena Tract under Resolution of Intention No. 201001 to the hour of 9:30 a.m., Tuesday, December 15, 1970, was adopted on motion of Councilman Cobb, seconded by Councilman Landt.

The hour of 9:30 a.m. having arrived, the Mayor announced that in the matter of the proposed grading, constructing street lighting facilities and undergrounding electrical and communication facilities in certain streets in Golden Park, Ironton Subdivision, et al (Harbor View Drive, Harbor View Place, Armada Terrace, et al), on Resolution of Intention 200971 under the provisions of the 1913 Municipal Improvement Act, this is the time and place fixed for hearing of protests and objections on the Report of the City Engineer, prepared pursuant to Resolution of Intention 200971. Any and all persons having any protest or objection to the proposed improvements, the extent of the assessment district or the proposed assessment may appear before the Council and show cause why the same should not be carried out and ordered in accordance with the said Report and Resolution of Intention. This is also the time and place fixed for the public hearing whether public convenience and necessity require such improvement and whether the same should be ordered without application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

City Clerk John Lockwood advised the Council that the Report of the City Engineer is available in the Council Chamber and the affidavit of publication of the notice of improvement and the certificates of posting and mailing notices of adoption of the resolution of intention and filing of the report are on file in the Clerk's Office.

The Clerk also reported that pursuant to Resolution 200973, notice was given and sealed bids for the construction of the proposed improvements and for the purchase of bonds to be issued were received. He reported that one bid for the bonds had been received. This was the bid of Elmer D. Warnes offering to purchase the bonds for 93 per cent of their principal amount at the rate of 7 per cent. Two bids had

been received for the construction of improvements, one from Wilcox Electric doing business as Arrow Electric for \$38,331, and the second bid from Sherwin Electric for \$44,815.25.

Mr. Franklin T. Hamilton, Special Counsel for the City, addressed the Council. He said it appeared that written protests had been filed with the City Clerk by the owners of more than 50% of the assessable area within the proposed district. In the face of this apparent majority protest, he advised the Council that it had the following choices:

1. Continue the hearings for a reasonable period of time. If written withdrawals of prior protests were filed, prior to the conclusion of the hearing, so as to reduce the total written protests to less than a majority in area, then the Council would have jurisdiction to order the improvement and the formation of the district.
2. Pursuant to the provisions of the California Constitution and the Debt Limit Act of 1931, determine by a 4/5 vote of the Council that the majority protest provisions of the 1931 Act are inapplicable and, pursuant to the Municipal Improvement Act of 1913, overrule the majority protest by a 4/5 vote of the Council.
3. Sustain the written protests and abandon the proceedings.

The Mayor then asked Mr. McLaughlin of the City Engineering Department for a report on written protests filed with the City Clerk. Mr. McLaughlin reported that, as of 9:30 a.m. that morning, written protests filed with the City Clerk and not withdrawn represent 54.8% of the area of the property to be assessed for the proposed improvements.

The Mayor asked the Council, in light of the apparent majority protest, if it was their desire to sustain the protests and abandon the proceedings or proceed with the hearing. After discussion the Mayor announced that the Council would hear from four proponents and four opponents to see if there was any possibility of the group getting together to reduce the majority protest below 50% and on this basis the Council might continue the hearings to allow for withdrawal of protests. If after hearing this group, it was apparent that this could not be accomplished, then the Council would proceed with the hearings today and hear all that wished to speak and also consider all written protests. Speaking to the possibility of a two-week continuance, and allowing 15 minutes for each side, the Council proceeded.

Those speaking for the project were Marshall E. Dornin, Frederick Kunzel, John F. Borchers, and Dr. Anthony Moran.

Mr. Alan Perry, Attorney representing protesting property owners in the area, spoke against the project.

Mr. McLaughlin answered questions of the Council regarding the verification of the signatures on the written protests and clarified by reference to the map those parcels on which written protests had been received.

Councilman Morrow moved, seconded by Councilman Williams, that the hearings be continued for two weeks, and that the Street Superintendent be directed to mail revised assessment notices to all property owners based on the revised cost estimates since the opening of the bids.

The question was called for and the motion adopted by the following vote: Yeas-Councilmen Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-Councilman Cobb, Absent-None. By the same vote the following resolution was adopted:

RESOLUTION 201226, continuing the hearings on the proposed improvement of grading, constructing street lighting facilities and undergrounding electrical and communication facilities in certain streets in Golden Park, Ironton Subdivision, et al. (Harbor View Drive, Harbor View Place, Armada Terrace, Runnymead Lane, Martinez Street, Golden Park Avenue, Golden Park Place, Bangor Street, Jennings Street, Lucinda Drive, Talbot Street, Bessemer Street, John Street, Armada Place and the first alley southerly of and parallel with Harbor View Drive) on Resolution of Intention No. 200971, adopted October 8, 1970, to the hour of 9:30 a.m., Tuesday, November 24, 1970.

Mayor Curran announced that in the event there is a change in the bidder's procedure we will also notify both sides through their respective speakers so that reconsideration of the matter might be taken up at the next meeting if this is the case.

At this time the Council returned to Item 5 to receive the Bond Committee's report on bids for \$9,500,000 City of San Diego Penasquitos Sewer District, 1970 Sewer Bonds, Series A.

The committee appointed to check and compute the bids on the bonds for which bids were opened previously during this meeting reported that the bid of Bank of America N. T. & S. A. and Associates is the bid yielding the lowest net interest cost.

After considering the various bids and the report thereon, the following resolution was adopted on motion of Councilman Cobb, seconded by Councilman Loftin:

RESOLUTION 201227, entitled "RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, AWARDED \$9,500,000 PENASQUITOS SEWER DISTRICT BONDS TO THE BEST RESPONSIBLE BIDDER, REJECTING ALL OTHER BIDS AND FIXING THE INTEREST RATES ON THE BONDS."

Said resolution was adopted by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-None.

At this time the Council considered the Supplemental Docket for this meeting. There was discussion of Items 1 through 5.

Mayor Curran recessed the Council Meeting at 12:00 p.m. to reconvene at 2:00 p.m. The Meeting reconvened at 2:00 p.m. and all members of the Council were present.

A proposed resolution awarding a contract to Charles J. Dorfman for the construction of Penasquitos Canyon Intexceptor Sewer for the sum of \$2,736,993 was presented.

City Manager Hahn and Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

RESOLUTION 201228, awarding a contract to Charles J. Dorfman for the construction of Penasquitos Canyon Interceptor Sewer for the sum of \$2,736,993; authorizing the expenditure of \$2,812,000 from Penasquitos Sewer Bonds, 1970, Improvement Fund 730 for said construction and related costs, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

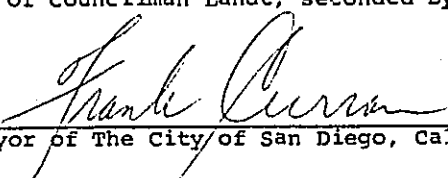
RESOLUTION 201229, awarding contracts for Sorrento-Rose Canyon Interceptor, as follows: (a) Weardco Construction Corporation for Schedule I for the sum of \$1,606,000; (b) Tab Construction Inc. for the combination of Schedules II, III and V for the sum of \$1,361,756; and (c) authorizing the expenditure of \$3,116,000 from Penasquitos Sewer Bonds, 1970, Improvement Fund 730 for these purposes and related costs, was adopted on motion of Councilman Landt, seconded by Councilman Loftin by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-Councilman Williams. Absent-None.

RESOLUTION 201230, awarding a contract to Strecker Construction Company for construction of Carmel Valley Trunk Sewer for the sum of \$759,159; authorizing the expenditure of \$822,000 from Penasquitos Sewer Bonds, 1970, Improvement Fund 730, was adopted on motion of Councilman Landt, seconded by Councilman Loftin by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-Councilman Williams. Absent-None.


RESOLUTION 201231, awarding a contract to Frontier Contractors, Inc. for construction of Second Rose Canyon Trunk Sewer for the sum of \$1,833,676.75; authorizing the expenditure of \$1,925,000 from Penasquitos Sewer Bonds, 1970, Improvement Fund 730, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

RESOLUTION 201232, awarding a contract to Vido Artukovich & Son, Inc. for the construction of Carroll Canyon Trunk Sewer for the sum of \$1,512,373; authorizing the expenditure of \$1,579,000 from Penasquitos Sewer Bonds, 1970, Improvement Fund 730, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

There being no further business to come before the Council, the Meeting was adjourned on motion of Councilman Landt, seconded by Councilman Loftin, at 2:21 p.m.


Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California

201228 - 201232
Adjourned
jlf

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REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, NOVEMBER 12, 1970
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Cobb, Loftin, Landt, Hitch, and Mayor Curran.
Absent--Councilmen Williams, Morrow, Martinet, and Schaefer.
Clerk---John Lockwood.

Mayor Curran called the Regular Meeting to order at 9:00 a.m.

Councilman Schaefer entered the Chamber.

A communication from Mr. Martin F. Bloom, Attorney, requesting the City Council to direct the Planning Commission to hold public hearings on the rezoning of those canyons designated in the adopted Clairemont Mesa Community Plan as very low residential, was presented.

Mr. Martin F. Bloom appeared to speak regarding this communication. On motion of Councilman Cobb, seconded by Councilman Landt, said communication was referred to the Planning Commission and the Planning Department for their recommendation.

Councilman Martinet entered the Chamber.

The proposed resolutions, continued from the Meetings of October 22 and 29, 1970, relative to the final map of Larwin-Mesa View Unit No. 7, was presented.

City Manager Hahn and Mr. Ken Klein of the Planning Department answered questions directed by the Council and recommended that the matter be continued for three weeks to allow for receipt of a deed.

On motion of Councilman Cobb, seconded by Councilman Loftin, the proposed resolutions, continued from the Meetings of October 22 and 29, 1970, relative to authorizing an agreement with Larwin-San Diego, Inc. for completion of improvements and approving the final map of Larwin Mesa View Unit No. 7, a 98-lot subdivision located between Black Mountain Road and Camino Ruiz northerly of Mira Mesa Boulevard, were continued for three weeks, Thursday, December 3, 1970.

The following resolutions, relative to the construction of water and sewer main replacements - Group 180, were adopted on motion of Councilman Landt, seconded by Councilman Loftin:

RESOLUTION 201233, awarding a contract to Marker & Howley Construction Co., for the sum of \$171,133.75; authorizing the expenditure of \$242,000.00 out of Water Revenue Fund 502 and \$18,000.00 out of Sewer Revenue Bond Fund 728 for said construction and related costs; and

RESOLUTION 201234, authorizing the use of City Forces to place high lines and make connections as required.

RESOLUTION 201235, awarding a contract to Alco Fence Co., Inc. for the purchase and installation of Chain Link Fence and Locks for an actual cost of \$2,202, including tax and terms, was adopted on motion of Councilman Martinet, seconded by Councilman Loftin.

A proposed resolution, relative to awarding a contract for the purchase of one electric powered four wheel truck, was presented. City Manager Hahn answered questions directed by the Council. RESOLUTION 201236, awarding a contract to Winn Supply Co., for the purchase of one electric powered four wheel truck for an actual cost of \$1,637.21, including cash discount and tax, was adopted on motion of Councilman Landt, seconded by Councilman Cobb.

A proposed resolution, relative to awarding a contract for the purchase and installation of 18 bays of pallet racks, was presented. City Manager Hahn answered questions directed by the Council. RESOLUTION 201237, awarding a contract to R. J. Wilson & Associates for the purchase and installation of 18 bays of pallet racks for an actual cost of \$1,448.46, including tax and terms, was adopted on motion of Councilman Martinet, seconded by Councilman Schaefer.

Councilman Morrow entered the Chamber.

Councilman Cobb left the Chamber.

A proposed resolution, relative to awarding a contract for the purchase of one electric driven air compressor, was presented. City Manager Hahn reported on the proposed resolution. RESOLUTION 201238, awarding a contract to Equipment Engineering Co., for the purchase of one electric driven air compressor for an actual cost of \$1,203.93, including tax and terms, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

Councilman Cobb entered the Chamber.

The following resolutions were adopted on motion of Councilman Martinet, seconded by Councilman Schaefer:

RESOLUTION 201239, inviting bids for furnishing 77 items of automotive equipment for Police, Fire and Public Works Departments, in accordance with Specifications Document No. 733935; and

RESOLUTION 201240, inviting bids for construction of sidewalks on southwesterly side of Grand Avenue from Pico Street to North Mission Bay Drive, in accordance with Specifications Document No. 733936.

The following resolutions, relative to accepting the work done and authorizing a notice of completion in subdivisions, were adopted on motion of Councilman Loftin, seconded by Councilman Hitch:

RESOLUTION 201241, accepting the work done and authorizing a notice of completion in Amherst Estates;

RESOLUTION 201242, accepting the work done and authorizing a notice of completion in Gatewood Hills Unit No. 2; and

RESOLUTION 201243, accepting the work done and authorizing a notice of completion in Point Loma Tennis Club Unit No. 2.

RESOLUTION 201244, authorizing the City Manager to accept and execute the Grant Offer from the United States Department of the Interior, Federal Water Pollution Control Administration, in the amount of \$376,500 for construction of an additional Sludge Digester at Point Loma Sewage Treatment Plant, was adopted on motion of Councilman Loftin, seconded by Councilman Hitch.

At this time the Council reconsidered Item Two at the request of Councilman Cobb and by the common consent of the Council.

The proposed resolutions, continued from the Meetings of October 22, and 29, 1970, relative to authorizing an agreement with Larwin-San Diego, Inc. for completion of improvements; and approving the map of Larwin Mesa View Unit No. 7, were continued for a period of one week, November 19, 1970, at the request of the developer for the acquisition of a deed, on motion of Councilman Cobb, seconded by Councilman Loftin.

At this time the Council considered Item 11 in the regular order of business.

RESOLUTION 201245, approving Change Order No. 1 issued in connection with the contract with T. B. Penick & Sons for improvements of portions of Balboa Park; said changes amounting to an increase of \$2,673.80, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

RESOLUTION 201246, granting the request of Mallcraft, Inc., contained in Change Order No. 2 for an extension of time of fifty days, to December 21, 1970, in which to complete the contract for the construction of a Pilot Refuse Baling Plant, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

RESOLUTION 201247, authorizing the expenditure of \$5,300 out of Capital Outlay Fund 245 for the purpose of providing funds for completing the first increment improvement of Black Mountain Park; authorizing the use of City Forces to do all the work for said improvement, was adopted on motion of Councilman Hitch, seconded by Councilman Schaefer.

RESOLUTION 201248, renaming a portion of Kearny Villa Road, from Cardinal Drive 800 feet southerly to its terminus, Cardinal Lane; and naming the new unnamed street, between Cardinal Drive and Genessee Avenue, Cardinal Road, was adopted on motion of Councilman Morrow, seconded by Councilman Schaefer.

The proposed resolution, relative to recommending a positive course of action by the County, State, and Federal Agencies for an area wide conversion and management plan for the watersheds, was presented.

City Manager Hahn answered questions directed by the Council.

RESOLUTION 201249, recommending a positive course of action by County, State and Federal Agencies for an area wide conversion and management plan for the watersheds; appropriating sufficient funds by these legislative bodies, both emergency and regular budget, to carry the plan forward, was adopted on motion of Councilman Cobb, seconded by Councilman Hitch.

The following ordinance was introduced at the meeting of October 29, 1970.

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 written or printed copies of said ordinance.

ORDINANCE 10438, amending Ordinance No. 10300 (New Series), as amended by Ordinance No. 10326 (New Series) and Ordinance No. 10402 (New Series), to create the classified positions of Claims Representative and Supervising Claims Representative and establish a Schedule of Compensation therefor, was adopted on motion of Councilman Schaefer, seconded by Councilman Martinet by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Williams.

A proposed ordinance, amending Chapter II, Article 2, Section 22.0101, of the San Diego Municipal Code, relating to Council Meetings, was presented.

The proposed ordinance was referred to a Council Conference on motion of Councilman Schaefer, seconded by Councilman Cobb by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Williams.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the Meeting of September 17, 1970, on the matter of rezoning a portion of Pueblo Lot 1308, located on the south side of Miramar Street, east of Regents Road, from Zone R-1-5 to Zone C-1A; the tentative map, University City Center No. 1, was also considered at this time.

Messrs. Chuck Warren, representing Penasquitos Corporation, R. H. Hamatra, and Larry Bousard appeared to speak in favor of the rezoning.

Mr. Klein of the Planning Department answered questions directed by the Council relating to the Planning Commission's decision.

City Attorney Witt answered questions directed to him by the Council.

On motion of Councilman Cobb, seconded by Councilman Morrow, the hearing was closed.

RESOLUTION 201250, denying the rezoning of Pueblo Lot 1308 from Zone R-1-5 to Zone C-1A, located on the south side of Miramar Street, east of Regents Road, sustaining the Planning Commission's decision, and denying the tentative map of University City Center No. 1, was adopted on motion of Councilman Cobb, seconded by Councilman Morrow by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Schaefer, and Mayor Curran. Nays-Councilman Hitch. Absent-Councilman Williams.

RESOLUTION 201251, directing the Planning Commission to conduct public hearings on rezoning a portion of Pueblo Lot 1308 of the Pueblo Lands of San Diego, from the existing R-1-5 Zone to the C-1A Zone, was adopted on motion of Councilman Cobb, seconded by Councilman Hitch by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Williams.

Mayor Curran recessed the Meeting at 10:05 a.m. Upon reconvening at 10:09 a.m., the roll call showed Councilman Williams absent.

At this time the Council considered Item 112, out of the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing on the proposal to impose a 50-foot Height Limitation Zone over the whole or any part of the West Peninsula Area generally bounded by the U. S. International University campus, the U. S. Military Reservation, Catalina Boulevard, Nimitz Boulevard, the south jetty of the San Diego River Flood Control Channel, and the Mean High Tide Line of the Pacific Ocean by adding Section 101.0452.3 Height Limitation Zone - West Peninsula to the San Diego Municipal Code; it was reported that written protests had been received.

Mr. Gene Reynolds, Mr. Ted Kisner, Mrs. Helen Fane, Mrs. O'Brien, and Mrs. Scheer appeared to speak.

Mr. Ken Klein of the Planning Department answered questions directed by the Council and recommended a continuance for preparation of an identical ordinance with that of Mission-Pacific Beach area.

On motion of Councilman Morrow, seconded by Councilman Loftin, the proposal to impose a 50-foot Height Limitation Zone over the whole

or any part of the West Peninsula Area generally bounded by the U. S. International University Campus, the U. S. Military Reservation, Catalina Boulevard, Nimitz Boulevard, the south jetty of the San Diego River Flood Control Channel, and the Mean High Tide Line of the Pacific Ocean, by adding Section 101.0452.3 Height Limitation Zone - West Peninsula to the San Diego Municipal Code, was continued until Tuesday, December 1, 1970 for preparation of an ordinance identical to Mission-Pacific Beach Ordinance by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, and Mayor Curran. Nays-Councilman Schaefer. Absent-Councilman Williams.

At this time the Council returned to Item 103 and the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning portions of Lots 46, 47, and 48, Block 17, University Heights, located on the southwest side of Adams Avenue between Hamilton and Arizona Streets, from Zone R-4 to Zone C; it was reported that no written protests had been received.

Ms. Norma Lewis appeared to speak in favor of the rezoning.

Mr. Ken Klein of the Planning Department answered questions directed by the Council.

The hearing was closed and the following resolution was adopted on motion of Councilman Loftin, seconded by Councilman Schaefer by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, and Mayor Curran. Nays-Councilman Schaefer and Hitch. Absent-Councilman Williams.

RESOLUTION 201252, denying the rezoning of portions of Lots 46, 47, and 48, Block 17, University Heights, from Zone R-4 to Zone C, located on the southwest side of Adams Avenue between Hamilton and Arizona Streets.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning portions of Pueblo Lots 241, 242, 243, and Lots 1 through 9, Gulls Acres located northwest of Kemper Street between Midway Drive and Sports Arena Boulevard from Zones C and M-1 to Zone C-1; it was reported that no written protests had been received.

No one appeared to be heard.

Mr. Ken Klein of the Planning Department answered questions directed by the Council.

The hearing was closed on motion of Councilman Loftin, seconded by Councilman Landt.

The proposed ordinance incorporating portions of Pueblo Lots 241, 242, 243 of the Pueblo Lands of San Diego, and Lots 1 through 9, Gulls Acres, into C-1 Zone, as defined by Section 101.0430.1 of the San Diego Municipal Code, and repealing Ordinance No. 34 (New Series) adopted September 12, 1932, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Loftin, seconded by Councilman Landt, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Williams.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning a portion of Section 11, Township 15 South, Range 3 West, S.B.B.M., located on the north side of Miramar Road, west of the intersection of Carroll Road and Miramar Road, from Zone A-1-10 to Zone M-1A; it was reported that no written protests were received.

No one appeared to be heard.

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

The hearing was closed on motion of Councilman Martinet, seconded by Councilman Schaefer.

The proposed ordinance incorporating a portion of Section 11, Township 15 South, Range 3 West, S.B.B.M., in the City of San Diego, into M-1A Zone, as defined by Section 101.0436 of the San Diego Municipal Code, and repealing Ordinance No. 8018 (New Series), adopted December 9, 1958, of the Ordinances of the City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Martinet, seconded by Councilman Schaefer, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Williams.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning portion of Pueblo Lot 1215, located on the north side of Stalmer Street between Budd Street and proposed Interstate 805, from Zone R-1-5 to Zone R-2A; it was reported that written protests had been received.

Mr. Don Harman, Mrs. Helen Fane, and Ms. Marian Bear appeared to speak in favor of the proposed rezoning.

Mrs. Ruby Zellman, Mr. William Garreck, Mr. Henry Chance, Mrs. Raymond King, Mrs. Margaret Maylon, Mr. Victor Anderson, Mr. Jack Lawrence, and Mr. Olson appeared to speak in opposition to the proposed rezoning.

City Manager Hahn, Mr. Kimball H. Moore, Assistant to the City Manager, Mr. John Fowler of the Engineering Department, and Mr. M. J. McDonough of Leased Housing answered questions directed by the Council.

Mayor Curran recessed the Meeting at 12:00 p.m. Upon reconvening at 2:03 p.m., the roll call showed Councilman Williams absent.

Mr. Rubin appeared at this time to speak in favor of the proposed rezoning.

The hearing was closed on motion of Councilman Hitch, seconded by Councilman Morrow.

The proposed ordinance incorporating a portion of Pueblo Lot 1215 of the Pueblo Lands of San Diego, in the City of San Diego, into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 13457, adopted February 15, 1932, of the Ordinances of the City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Hitch, seconded by Councilman Morrow, by the following vote: Yeas-Councilmen Cobb,

Loftin, Landt, Morrow, Martinet, Hitch, and Mayor Curran. Nays-Councilman Schaefer. Absent-Councilman Williams.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning a portion of the Northwest 1/4 of the Northeast 1/4 of Section 31, Township 14 South, Range 2 West, S.B.B.M., located on the northeast corner of Mira Mesa Boulevard and Black Mountain Road, from Interim Zone A-1-1 to Zone C-1A; it was reported that no written protests had been received.

Mr. John Taft King, applicant, Mr. Alex Harper, and Mr. Ralph Lovitt appeared to speak in favor of the proposed rezoning.

The hearing was closed on motion of Councilman Hitch, seconded by Councilman Cobb.

The proposed ordinance incorporating a portion of the Northwest 1/4 of the Northeast 1/4 of Section 31, Township 14 South, Range 2 West, S.B.B.M., in the City of San Diego into C-1A Zone, as defined by Section 101.0431 of the San Diego Municipal Code, and repealing Ordinance No. 8018 (New Series), adopted December 9, 1958, of the Ordinances of the City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Hitch, seconded by Councilman Cobb, by the following vote: Yeas-Councilman Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Williams.

Mayor Curran recessed the Meeting at 3:30 p.m. Upon reconvening at 3:40 p.m., the roll call showed Councilman Williams absent.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning Lots 5 through 8, Block 240, Pacific Beach located on the west side of Noyes Street between Balboa and Grand Avenues, from Zone R-4 to Zone C-1A; it was reported that no written protests had been received.

Mr. Norman Seltzer, Attorney, appeared to speak in favor of the proposed rezoning.

Mr. Ken Klein of the Planning Department answered questions directed by the Council.

The proposed ordinance incorporating Lots 5 through 8, Block 240, Pacific Beach, in the City of San Diego into C-1A Zone, as defined by Section 101.0431 of the San Diego Municipal Code, and repealing Ordinance No. 119 (New Series), adopted January 3, 1933, of the Ordinances of the City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Martinet, seconded by Councilman Hitch, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Williams.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning a portion of the Northwest 1/4 of Section 33, Township 18 South, Range 2 West, S.B.B.M., located on the south side of Satellite Boulevard between 15th and 17th Streets, from Zone R-1-5 to Zone R-2A; it was reported that no written protests had been received.

No one appeared to be heard.

Mr. J. R. Shattuck, applicant, requested a continuance to Tuesday, December 1, 1970.

The proposed ordinance incorporating a portion of the Northwest 1/4 of Section 33, Township 18 South, Range 2 West, S.B.B.M., in the City of San Diego, into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 8689 (New Series), adopted July 26, 1962, of the Ordinances of the City of San Diego, insofar as the same conflicts herewith, was continued to December 1, 1970, on motion of Councilman Schaefer, seconded by Councilman Martinet, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Williams.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning a portion of Lot 9, Subdivision of Lots 61, 62, and a portion of Lot 63, Rancho Mission located on the south side of Fontaine Street extended westerly of Leicester Street from Zone A-1-1 to Zone R-3; it was reported that written protests had been received.

Messrs. Alan Perry, Attorney, Lewis Cole, Frank Powell, and Mrs. Shopper appeared to speak in opposition to the proposed rezoning.

The proposed ordinance incorporating a portion of Lot 9, Subdivision of Lots 61, 62, and a portion of Lot 63, Rancho Mission, in the City of San Diego, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 8924 (New Series), adopted November 14, 1963, of the Ordinances of the City of San Diego, insofar as the same conflicts herewith, was continued for one week, Thursday, November 19, 1970, for preparation of R-1-5 Ordinance, on motion of Councilman Loftin, seconded by Councilman Cobb, by the following vote: Yeas-Councilman Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Williams.

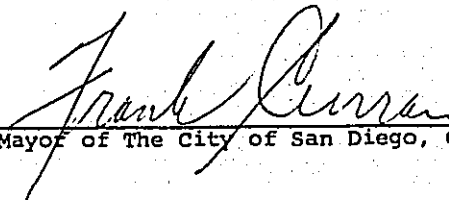
The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of the proposed amendment to Chapter X, Article I of the San Diego Municipal Code by amending Section 101.0303 - Discontinuance of Nonconforming Use; amendment related to the loss of nonconforming rights through destruction of nonconforming buildings by substituting 200% for present 100% of assessed valuation; it was reported that no written protests had been received.

No one appeared to speak.

The hearing was closed on motion of Councilman Hitch, seconded by Councilman Landt.

The proposed ordinance amending Chapter X, Article I of the San Diego Municipal Code by amending Section 101.0303 to Discontinuance of Non-conforming Use, was introduced on motion of Councilman Hitch, seconded by Councilman Landt, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Williams.

There being no further business to come before the Council, the Meeting was adjourned on motion of Councilman Cobb, seconded by Councilman Hitch, at 4:15 p.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, NOVEMBER 17, 1970
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Cobb, Loftin, Landt, Martinet, Hitch and Mayor Curran.
Absent--Councilmen Williams, Morrow, Schaefer.
Clerk---John Lockwood.

Mayor Curran called the Regular Meeting to order at 9:00 a.m.

In the absence of a Clergyman, Councilman Cobb gave the Invocation.

Councilman Williams and Councilman Schaefer entered the Chamber.

Councilman Landt led the Pledge of Allegiance.

The following employees received Service Awards in recognition of their service with the City: Vester L. Hendrix - Welder, Public Works Department - 25 years, presented by Councilman Martinet; Manuel J. Gonzales - Heavy Truck Driver, Public Works Department - 30 years, presented by Councilman Landt; and Matthew N. Lowe - Battalion Chief, Fire Department - 30 years, presented by Councilman Cobb.

Councilman Morrow entered the Chamber.

RESOLUTION 201253, authorizing a Suggestion Award to Nancy J. Acevedo, Personnel Department for \$115.00, was adopted on motion of Councilman Cobb, seconded by Councilman Landt.
Councilman Williams presented the award.

At this time, the Council considered Item 16, out of the regular order of business.

RESOLUTION 201254, authorizing Suggestion Awards to the following: Barbara Thompson - Water Utilities Department - \$30.00; James C. Price - Fire Department - \$20.00; Bruce C. Hopkins - Parks and Public Buildings Department - \$10.00; Arthur Hoopes - Police Department - \$10.00; Richard J. Jansen - Police Department - \$10.00; Robert F. Radder - Fire Department - \$10.00; and Charles E. Kinnel - Fire Department - \$15.00, was adopted on motion of Councilman Hitch, seconded by Councilman Cobb.

Minutes of the Regular Council Meetings of October 13, 15, 22, 27 and 29, 1970, were presented by the City Clerk. On motion of Councilman Landt, seconded by Councilman Morrow, said Minutes were approved without reading, after which they were signed.

A communication from the Bring Them Back Committee, requesting the City Council pass an ordinance prohibiting the sale of non-returnable bottles and cans within the City limits of San Diego, was presented.

Mr. Warren Johnson appeared to speak regarding this communication. On motion of Councilman Schaefer, seconded by Councilman Cobb, said communication was referred to City Manager and City Attorney for a report back to Council.

Two proposed resolutions continued from the Meeting of November 10, 1970, relative to the final map of Piazza Subdivision, were presented. By common consent, the Council agreed to consider Item 7 and Item 109 concurrently later in the Meeting.

RESOLUTION 201255, awarding a contract to Hawthorne Bros. for the purchase of ten each Fiberglass Skiffs at a cost of \$300.00 each for a total cost of \$3,118.50, was adopted on motion of Councilman Hitch, seconded by Councilman Loftin.

The following resolutions were adopted on motion of Councilman Schaefer, seconded by Councilman Morrow:

RESOLUTION 201256, inviting bids for furnishing One Two-Man Hydraulic Aerial Lift, in accordance with Specifications Document No. 733958; and

RESOLUTION 201257, inviting bids for furnishing Lamps for a period of one year ending December 31, 1971, in accordance with Specifications Document No. 733959.

The following resolution relative to the Final Map of La Jolla Shores Heights Annex, a five-lot subdivision located between Torrey Pines Road and La Jolla Scenic Drive, was adopted on motion of Councilman Schaefer, seconded by Councilman Cobb.

RESOLUTION 201258, approving the final map of La Jolla Shores Heights Annex.

The following resolutions, relative to the following final maps, were adopted on motion of Councilman Schaefer, seconded by Councilman Cobb:

RESOLUTION 201259, authorizing an agreement with Trepte Construction Company, et al., for the installation and completion of certain improvements in the subdivision known as Clairemont Mesa Industrial Park Unit, No. 1;

RESOLUTION 201260, approving the map of Clairemont Mesa Industrial Park Unit No. 1.

RESOLUTION 201261, authorizing an agreement with Friars Apartments, Ltd for the installation and completion of certain improvements in the subdivision known as Friar Estates;

RESOLUTION 201262, approving the map of Friar Estates Subdivision;

RESOLUTION 201269, continuing the hearing on the proposed vacation of Yonge Street, adjacent to Lots 4 through 7, Block 35, Western Addition, under Resolution of Intention No. 200999, to the hour of 9:30 a.m., December 22, 1970, was adopted on motion of Councilman Cobb, seconded by Councilman Hitch.

At this time, the Council returned to the regular order of the docket and considered Item 100.

RESOLUTION 201270, granting the petition for paving and otherwise improving the Alley, Block 8, Sunset Cliffs; directing the City Engineer to furnish description and plat of the district, was adopted on motion of Councilman Schaefer, seconded by Councilman Cobb.

By unanimous consent, the following resolutions relative to the final map of the Fed-Mart Industrial Park were adopted on motion of Councilman Cobb, seconded by Councilman Hitch:

RESOLUTION 201271, authorizing an agreement with the Fed-Mart Corporation for completion of improvements; and

RESOLUTION 201272, approving the map of Fed-Mart Industrial Park Subdivision.

RESOLUTION 201273, granting the petition for paving and otherwise improving the Alley adjacent to Golden View Unit No. 1, Map No. 6188 (easterly of 34th Street and northerly of C Street); directing the City Engineer to furnish description and plat of the district, was adopted on motion of Councilman Hitch, seconded by Councilman Morrow.

RESOLUTION 201274, granting the petition for paving and otherwise improving the Alley, Block 243, San Diego Land and Town Company's Addition; directing the City Engineer to furnish description and plat of the district, was adopted on motion of Councilman Hitch, seconded by Councilman Morrow.

The following ordinances were introduced at the meeting of November 3, 1970.

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

ORDINANCE 10439 (New Series), amending Chapter III, Article 3 of the San Diego Municipal Code by repealing Division 24 relating to Vehicle Renting, was adopted on motion of Councilman Loftin, seconded by Councilman Hitch by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer and Mayor Curran. Nays-None. Absent-None.

RESOLUTION 201263, authorizing an agreement with J. R. and Deborah Snattuck for the installation and completion of certain improvements in the subdivision known as Mira Mesa Mobile Home Estates Unit No. 2; and

RESOLUTION 201264, approving the map of Mira Mesa Mobile Home Estates Unit. No. 2.

RESOLUTION 201265, authorizing an agreement with the City of National City to allow The City of San Diego to purchase 3.4 million gallons per day capacity in the proposed Plaza Boulevard Interceptor Sewer, located in the City of National City; and authorizing the transfer of \$246,770.00 within the Sewer Revenue Fund 506 from the Unallocated Reserve 68.91 - 3495 to Contributions to System Extensions 68.53 - 3299, was adopted on motion of Councilman Hitch, seconded by Councilman Martinet.

RESOLUTION 201266, authorizing the use of City Forces to install two 4" FMCT meters with backflow and vault on a 6" service for the Security Pacific National Bank, 591 Camino De La Siesta, for an estimated cost of \$7,266.00, was adopted on motion of Councilman Morrow, seconded by Councilman Williams.

RESOLUTION 201267, establishing a parking time limit of two hours between the hours of 7:00 a.m. and 5:00 p.m., Sundays and certain holidays excepted, on the North side of Lewis Street between First Avenue and Bachman Place, was adopted on motion of Councilman Landt, seconded by Councilman Martinet.

RESOLUTION 201268, 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 North side of Market Street between 28th and 29th Streets, was adopted on motion of Councilman Martinet, seconded by Councilman Cobb.

At this time, the Council considered Items 7 and 109 concurrently, out of the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing continued from the Meeting of November 10, 1970, on the matter of vacating Yonge Street, adjacent to Lots 4 through 7, Block 35, Western Addition, under Resolution of Intention No. 200999, adopted October 13, 1970; it was reported that no written protests had been received.

Mrs. Stanley Howell and Mr. Klauber appeared to speak in opposition of the proposed vacation.

Two proposed resolutions, continued from the Meeting of November 10, 1970, authorizing an agreement with Elmer Piazza and Myra M. Piazza, Kenneth W. Laughlin, and Susan P. Laughlin, for completion of improvements, and approving the map of Piazza Subdivision, a one-lot subdivision, located west of Palermo Drive at the northerly terminus of Yonge Street were presented.

At the request of the City Attorney, these matters were continued to December 22, 1970, for a new final map, which is to include set-back, access easement and drainage.

ORDINANCE 10440 (New Series), establishing new parking meter zones on the east side of Fifth Avenue between I-5 Freeway and Elm Street; and on the south side of Elm Street between Fifth and Sixth Avenues; and establishing a parking time limit, was adopted on motion of Councilman Landt, seconded by Councilman Cobb by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer and Mayor Curran. Nays-None. Absent-None.

ORDINANCE 10441 (New Series), incorporating a portion of Section 31, Township 18 South, Range 1 West, S.B.B.M., into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 7606 (New Series), adopted September 26, 1957, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith was adopted on motion of Councilman Cobb, seconded by Councilman Schaefer by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer and Mayor Curran. Nays-None. Absent-None.

ORDINANCE 10442 (New Series), incorporating a portion of the West 1/2 of the Northeast 1/4 Section 31, Township 18 South, Range 1 West, S.B.B.M. into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 7606 (New Series), adopted September 26, 1957, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith was adopted on motion of Councilman Cobb, seconded by Councilman Schaefer by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer and Mayor Curran. Nays-None. Absent-None.

ORDINANCE 10443 (New Series), incorporating a portion of the North 1/2 of Section 31, Township 18 South, Range 1 West, S.B.B.M. into R-1-5 Zone, as defined by Section 101.0407, repealing Ordinance No. 7607 (New Series), adopted September 26, 1957, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was adopted on motion of Councilman Cobb, seconded by Councilman Schaefer by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer and Mayor Curran. Nays-None. Absent-None.

A proposed Ordinance, establishing a new Parking Meter Zone "B" on the North Side of Vine Street between California Street and Kettner Boulevard; a parking time limit of two hours to be effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, was introduced on motion of Councilman Loftin, seconded by Councilman Martinet, by the following vote: Yeas-Councilman Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer and Mayor Curran. Nays-None. Absent-None.

Item 109, the hearing on the Vacation of Yonge Street was considered earlier in the Meeting.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the Meeting of October 29, 1970, on the matter of rezoning the Encanto Area, generally bounded on the North by Federal Boulevard and

Mallard Street, 69th Street on the East, Wunderlin Avenue and Iona Drive and Kenwood Street on the South, and Radio Drive and 60th Street on the West, from Zones R-2, R-3 and C to Zones R-1-10 and R-1-6; it was reported that written protests had been received.

Mr. Warren Hire appeared to speak in favor of the proposed rezoning.
Mr. Wilmer Bass appeared to speak in opposition to the proposed rezoning.

Mayor Curran recessed the Meeting at 10:05 a.m. Upon reconvening at 10:10 a.m., the roll call showed all present.

Mr. Goff and Mr. Klein of the Planning Department answered questions directed by the Council regarding the proposed rezoning.

The proposed Ordinance was amended to change Zones R-2, R-3 and C to Zone R-1-6 instead of R-1-10 and R-1-6 on motion of Councilman Schaefer, seconded by Councilman Cobb, by the following vote: Yeas-Councilman Cobb, Loftin, Landt, Williams, Martinet, Schaefer and Mayor Curran. Nays-Councilman Hitch. Absent-None. Councilman Morrow was excused from voting because he was not present at the October 29, 1970 Meeting. Councilman Hitch announced that he had listened to the previous testimony.

The proposed Ordinance, as amended, incorporating the area generally bounded by Mallard Street, 69th Street, Broadway, 60th Street, and approximately 310 Feet and 220 Feet South of Federal Boulevard, into R-1-6 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 adopted on motion of Councilman Schaefer, seconded by Councilman Cobb by the following vote: Yeas: Councilmen Cobb, Loftin, Landt, Williams, Martinet, Schaefer and Mayor Curran. Nays-Hitch. Absent-None. Councilman Morrow was excused from voting because he was not present at the October 29, 1970 Meeting. Councilman Hitch announced that he had listened to the previous testimony.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of vacating portions of Winder Street and India Street, between and adjacent to Blocks 167 and 175 of Middletown - on Resolution of Intention 201136; it was reported that no written protests had been received.

No one appeared to be heard.

The hearing was closed on motion of Councilman Hitch, seconded by Councilman Loftin.

RESOLUTION 201275, vacating portions of Winder Street and India Street, between and adjacent to Blocks 167 and 175, Middletown - Resolution of Intention No. 201136, was adopted on motion of Councilman Hitch, seconded by Councilman Martinet.

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

Upon reconvening at 2:00 p.m., the roll call showed all present.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of establishing a Parking and Business Improvement Area and levying an additional Business License Tax therein for upgrading and promoting the area to be known as the Downtown Improvement Area - on Resolution of Intention No. 201062; It was reported that written protests had been received.

Messrs. George Scott, Ed Streicher, Allan Reed, Pat Paderewski, Evan Jones, Art Jessop, Bob Arnym, John Hirten appeared to speak in favor of the improvement area.

Mr. James Milch, Mrs. Goodbody, Mr. John Nagy, Ms. Lois Brozey, Ms. Emile Trapp, Mr. Elexis Goncho, Ms. Adrian Bying, Mr. Thomas Reeves, Mr. Sam Soloman, Mr. Irv Mueller and Mr. Arlie Ebert appeared to speak in opposition to the improvement area.

Councilman Hitch moved to close the hearing, overrule protests and introduce the Ordinance to form a Parking and Business Improvement Area to be known as Downtown Improvement Area.

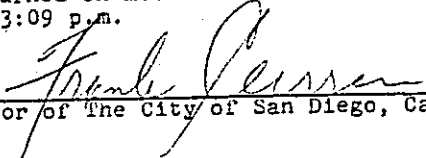
No vote was taken.

Councilman Morrow moved to amend the Ordinance to include Mortuaries in Class A, which was seconded by Councilman Hitch. Motion failed by the following vote: Yeas-Councilman Morrow, Hitch, Schaefer, and Mayor Curran. Nays-Councilmen Cobb, Loftin, Landt, Williams, Martinet. Absent-None.

The proposed Ordinance to form a Parking and Business Improvement Area to be known as Downtown Improvement Area was introduced on motion of Councilman Hitch, seconded by Councilman Cobb by the following vote: Yeas-Councilman Cobb, Loftin, Landt, Martinet, Williams, Hitch, Schaefer, and Mayor Curran. Nays-Councilman Morrow. Absent-None.

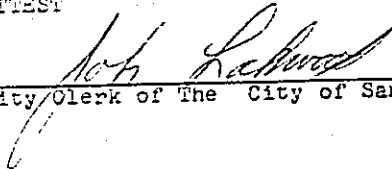
At this time, Mayor Curran announced that the San Diego County Division, League of California Cities, November Meeting will be held Thursday, November 19, 1970, at the Elks Lodge, 1400 E. Washington, El Cajon, California.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Cobb, seconded by Councilman Loftin, at 3:09 p.m.



Mayor of The City of San Diego, California

ATTEST



City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, NOVEMBER 19, 1970
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present-Councilmen Cobb, Loftin, Landt, Williams, Martinet, Hitch,
Schaefer, and Mayor Curran.
Absent--Councilman Morrow.
Clerk---John Lockwood.

Mayor Curran called the Regular Meeting to order at 9:06 a.m.

The Council recognized and welcomed a group of Neighborhood
Youth Corp workers who were accompanied by their counselors.

Councilman Morrow entered the Chamber.

A communication from Mr. Albert W. Johnson, President, Citizens
Coordinate for Century 3, requesting permission to address the Council
regarding the development of North City, was presented.

Mr. Johnson appeared to speak regarding this communication.
On motion of Councilman Morrow, seconded by Councilman Hitch, said
communication was referred to the City Manager and the Planning Depart-
ment.

A communication from Ms. Celine A. Olson of the "Committee to
Save Mission Hills" requesting the Council to consider the zoning
improvement in this area, was presented.

Ms. Olson appeared to speak regarding this communication.
On motion of Councilman Loftin, seconded by Councilman Morrow,
said communication was referred to the City Manager and the Planning
Department for a report.

RESOLUTION 201276, awarding a contract to Butler's Mill, Inc. for
the purchase of 60 tons of 15-8-4 Fairway Fertilizer for the actual
cost of \$3,824.10 including tax and terms, was adopted on motion of
Councilman Schaefer, seconded by Councilman Martinet.

The following resolutions were adopted on motion of Councilman
Schaefer, seconded by Councilman Martinet:

RESOLUTION 201277, inviting bids for resurfacing of City Streets -
Group J - Specifications Document No. 733985; and

RESOLUTION 201278, inviting bids for construction of channelization
improvements - various locations - Specifications Document No. 733986.

Item 6, concerning two resolutions authorizing an agreement with Fed-Mart Corporation for completion of improvements; and approving the map relative to Fed-Mart Industrial Park, were presented.

This item had been adopted by unanimous consent on Tuesday, November 17, 1970, by Resolutions 201271 and 201272 respectively.

On motion of Councilman Cobb, seconded by Councilman Landt, this item was filed, as it had previously been adopted on November 17, 1970.

RESOLUTION 201279, authorizing a Lease Agreement with William Rae, leasing 4010 University Avenue, for a term of one year, at a rental of \$85.00 per month, for the purpose of providing office space for a Community Relations office of the San Diego Police Department; lease is to expire October 31, 1971, was adopted on motion of Councilman Hitch, seconded by Councilman Schaefer.

The proposed resolution, relative to authorizing an agreement with the County of San Diego for the purpose of providing emergency animal care, was presented.

City Manager Hahn answered questions directed by the Council.

RESOLUTION 201280, authorizing an agreement with the County of San Diego for the purpose of providing emergency animal medical care pursuant to California Penal Code, Section 587f and Agricultural Code, Section 30652, was adopted on motion of Councilman Landt, seconded by Councilman Loftin. The entire subject of "Dogs and Cats" was referred to a Council Conference.

RESOLUTION 201281, approving the San Diego Transit Corporation Budget for Fiscal Year 1970-71; and authorizing the expenditure of \$1,484,870 from Public Transportation Fund 257, for the purpose of meeting operating deficits as indicated in the budget, was adopted on motion of Councilman Schaefer, seconded by Councilman Hitch.

After some discussion on Item 10, the Council considered Item 11, out of the regular order of business.

RESOLUTION 201282, honoring De Graff Austin, County Supervisor and former San Diego City Councilman, was adopted on motion of Councilman Martinet, seconded by Councilman Morrow.

After some discussion on Item 12, the Council considered Item 13 out of the regular order of business.

Two proposed resolutions, continued from the Meetings of October 22 and 29, and November 12, 1970, relative to the final map of Larwin Mesa View Unit No. 7, were presented.

Mr. Klein of the Planning Department answered questions directed by the Council.

Mr. E. J. Manley of the Larwin-San Diego, Inc. answered questions directed by the Council.

The following resolutions, relative to the final map of Larwin Mesa View Unit No. 7, a 98-lot subdivision, located between Black Mountain Road and Camino Ruiz northerly of Mira Mesa Boulevard, were adopted on motion of Councilman Cobb, seconded by Councilman Morrow:

RESOLUTION 201283, authorizing an agreement with Larwin-San Diego, Inc. for completion of improvements; and
RESOLUTION 201284, approving the map of Larwin Mesa View Unit No. 7 Subdivision.

The Council, on motion of Councilman Cobb, seconded by Councilman Morrow adopted the following resolution:

RESOLUTION 201285, authorizing the acceptance by the City Manager of the deed of Larwin-San Diego, Inc. for Parcel A of Larwin Mesa View Unit No. 7.

The Council thanked and complimented Mr. E. J. Manley and Larwin-San Diego, Inc. for the deed for the park site and for Mr. Manley's statements regarding City staff. This is the first deed for park land in subdivisions presented to the City pursuant to Council Policy No. 600-10.

The following ordinance was introduced at the meeting of November 5, 1970.

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 written or printed copies of said ordinance.

ORDINANCE 10444 (New Series), incorporating Lot 15, Block 3, Drucker's Subdivision Map 1584, into C-1 Zone, as defined by Section 101.0430.1 of the San Diego Municipal Code, and repealing Ordinance No. 4407 (New Series), adopted May 16, 1950, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was adopted on motion of Councilman Hitch, seconded by Councilman Morrow, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-None.

After discussion on Item 101, the Council considered Item 102 out of the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the meetings of October 22 and November 5, 1970, on the application of Rick Engineering Company, by Houshmand Aftahi, for

special permission to waive underground electrical requirements in connection with the tentative subdivision map of Vista Camino Del Rio Unit 1, a subdivision of a portion of Pueblo Lot 1110, located south-westerly of Camino Del Rio South and Texas Street, in the R-1-40 Zone (RP-1A Zone upon recordation of final map); it was reported that this hearing had been continued at the request of the City Manager and the applicant.

Mr. James Milch appeared to speak in favor of the application. Assistant City Attorney Teaze and Mr. Fowler, Engineering Department, answered questions directed by the Council.

The hearing was closed on motion of Councilman Morrow, seconded by Councilman Hitch.

RESOLUTION 201286, granting the application for waiver of undergrounding of electrical requirements in connection with Vista Camino Del Rio Unit No. 1, was adopted on motion of Councilman Morrow, seconded by Councilman Hitch by the following vote: Yeas-Councilmen Loftin, Landt, Williams, Morrow, Martinet, Hitch, and Schaefer. Nays-Councilman Cobb, and Mayor Curran. Absent-None.

Mayor Curran recessed the Meeting at 10:40 a.m. Upon reconvening at 10:46 a.m., the roll call showed all members of the Council present.

The Council returned to Item 101 and the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the Meeting of November 12, 1970, on the matter of rezoning a portion of Lot 9, Subdivision of Lots 61, 62, and a portion of Lot 63, Rancho Mission located on the south side of Fontaine Street extended westerly of Leicester Street from Zone A-1-1 to Zone R-3, the Mayor re-opened the Continued Hearing; it was reported that written protests had been received.

No one appeared to be heard.

Mr. Klein of the Planning Department recommended that the Council close the hearing and introduce the ordinance.

The hearing was closed on motion of Councilman Schaefer, seconded by Councilman Martinet.

A proposed ordinance, incorporating a portion of Lot 9, subdivision of Lots 61, 62, and a portion of Lot 63, Rancho Mission, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 8924 (New Series), adopted November 14, 1963, of the Ordinances of the City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Schaefer, seconded by Councilman Martinet by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-None.

At this time the Council considered Item 10 out of the regular order of business.

A proposed resolution, authorizing the City Auditor and Comptroller to transfer funds from various funds pertaining to reimbursement of unused sick leave credits, was presented.

City Manager Hahn answered questions directed by the Council, and presented a report, which amended original resolution by altering the amount of funds to be transferred.

RESOLUTION 201287, authorizing the City Auditor and Comptroller to transfer \$140,000 from the General Fund 100 Unallocated Reserve (Dept. 53.30) to Unused Sick Leave (Dept. 51.60); authorizing the transfer of \$40,000 from the Water Utilities Fund 500 Unallocated Reserve (Dept. 67.49) to Unused Sick Leave (Dept. 67.48); and authorizing the transfer of \$20,000 from the Sewer Revenue Fund 506 Unallocated Reserve (Dept. 68.91) to Unused Sick Leave (Dept. 68.48), was adopted on motion of Councilman Cobb, seconded by Councilman Hitch, by the following vote: Yeas-Councilmen Cobb, Williams, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-Councilmen Loftin, and Landt. Absent-None.

At this time the Council considered Item 12 out of the regular order of business.

A proposed resolution regarding the alignment of State Route 56 in the Del Mar Area, was presented.

City Manager Hahn, Assistant City Attorney Teaze, and Planning Director Goff answered questions directed by the Council.

Mr. Don Marsh, representing the Del Mar Community Planning Organization, and Mrs. Tonaski appeared to request that the resolution be filed.

On motion of Councilman Cobb, seconded by Councilman Landt, the proposed resolution regarding the alignment of State Route 56 in the Del Mar Area was filed.

Mayor Curran recessed the Meeting at 11:20 a.m. Upon reconvening at 11:25 a.m., the roll call showed all members of the Council present.

At this time the Council returned to Item 103 in the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing on the appeal of Malcolm O. Whitt, Robert E. Carter as President of They Otay Mesa Homeowner's Association, and others, from the decision of the Planning Commission approving the application of San Diego Consolidated Company and Consolidated Rock Products Company under Conditional Use Permit Case No. 251-PC, to construct and operate a natural resource facility for the extraction of sand, gravel and rock, located on Monument Road, west of the extension of Hollister Street, being

portions of Sections 4 and 9, Township 19 South, Range 2 West, S.B.B.M., in the A-1-10, R-1-20 and FC Zones; it was reported that written protests had been received.

Messrs. Paul Petersen and Harold B. Goldman appeared to speak in favor of the Conditional Use Permit.

Mayor Curran recessed the Meeting at 12:02 p.m. Upon reconvening at 2:06 p.m., the roll call showed all members of the Council were present.

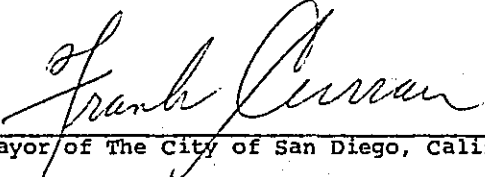
Dr. W. L. Faith and Messrs. Louis Lee, Bill Walker, and Glen Dowdy appeared to speak in favor of the Conditional Use Permit.

Mayor Curran recessed the Meeting at 3:40 p.m. Upon reconvening at 3:45 p.m., the roll call showed all members of the Council were present.

Messrs. Norman Seltzer, John Wehbring, Burt Stynes, Robert Carter, Mrs. Warner Roberts, and Dr. Jordan Gascal appeared to speak in favor of the appeal.

On motion of Councilman Landt, seconded by Councilman Loftin, the hearing was continued until 2:00 p.m., Thursday, December 3, 1970, with 35 minutes of additional testimony time allotted to the opponents of the Conditional Use Permit and 15 minutes allotted for rebuttal on each side, by the following vote: Yeas-Councilman Cobb, Loftin, Landt, Williams, Morrow, Martinet, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-None.

There being no further business to come before the Council, the Meeting was adjourned on motion of Councilman Cobb, seconded by Councilman Hitch, at 5:30 p.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

Adjourned

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REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, NOVEMBER 24, 1970
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Cobb, Loftin, Williams, Martinet, Schaefer, and
Mayor Curran.

Absent--Councilmen Landt, Morrow, and Hitch.

Clerk---John Lockwood.

Mayor Curran called the Regular Meeting to order at 9:10 a.m.

Councilman Landt entered the Chamber.

Roverend Paul Marconi, CRSP, Associate Pastor of Our Lady of
Rosary Catholic Church gave the invocation.

Councilman Williams led the Pledge of Allegiance.

Councilman Morrow entered the Chamber.

The following employees received Service Awards in recognition
of their service with the City: Joseph F. Grayson - Patrolman, Police
Department - 25 years, presented by Councilman Cobb; George H. Bye -
Sanitation Foreman II, Public Works/Sanitation - 25 years, presented
by Councilman Landt; Aden E. Baldwin - Utility Senior Foreman, Public
Works/Street - 25 years, presented by Councilman Morrow; Lambert C.
Dial - Utility Senior Foreman, Public Works/Street - 25 years, pre-
sented by Councilman Schaefer; Willie L. Pitt - Heavy Truck Driver,
Public Works/Street - 25 years, presented by Councilman Williams;
Ruth E. Kelso - Senior Stenographer, Auditor and Comptroller - 30
years, presented by Councilman Martinet.

Mayor Curran recognized and welcomed a group of new employees,
who were present in the Chamber.

A communication from Don Calori, Golden Arrow Dairy, making a
presentation regarding Solid Waste Disposal and Environmental Pol-
lution, was presented.

Mr. Don Calori appeared to speak regarding this presentation.

On motion of Councilman Martinet, seconded by Morrow, said
communication was referred to the City Manager and City Attorney.

At this time the Council considered the Supplemental Docket for November 24, 1970, out of the regular order of business.

RESOLUTION 201288, authorizing a lease agreement with Robert E. Moore, leasing approximately 194 acres in San Pasqual Valley, for a term of 25 years on Parcel II, and 2 years on Parcel I, per rental rates as indicated in lease, for the purpose of operating and maintaining a Grade "A" dairy and general agricultural purposes, was adopted on motion of Councilman Landt, seconded by Councilman Cobb.

The proposed resolutions, relative to Villa Barbados Unit No. 1, were presented.

Mr. John Fowler, Engineering Department, and City Clerk John Lockwood answered questions directed by the Council.

The following resolutions, relative to Villa Barbados Unit No. 1, a 100-lot subdivision located easterly of Santo Road on the north side of Clairemont Mesa Boulevard, were adopted on motion of Councilman Landt, seconded by Councilman Loftin:

RESOLUTION 201289, authorizing an agreement with Christiana Oil Corporation, a Delaware Corporation, for the installation and completion of certain public improvements;

RESOLUTION 201290, approving the map of Villa Barbados;

RESOLUTION 201291, vacating Clairemont Mesa Boulevard, Tierrasanta Boulevard, and Santo Road, and relinquishing all rights to and interest in the slope rights adjacent to said vacated streets; said streets to be vacated have been superseded by relocation; and

RESOLUTION 201292, approving the acceptance by the City Manager of a Deed from Christiana Oil Corporation, conveying easement and right of way for street purposes, and dedicating and naming same Santo Road, Tierrasanta Boulevard, and Clairemont Mesa Boulevard.

At this time the Council returned to Item 6 and the regular order of business.

The proposed resolutions relative to the construction of Lower Otay Filtration Plant - Phase I, were presented.

Assistant City Manager Meno Wilhelms answered questions directed by the Council.

The following resolutions, relative to the construction of Lower Otay Filtration Plant - Phase I, were adopted on motion of Councilman Schaefer, seconded by Councilman Cobb:

RESOLUTION 201293, awarding a contract to C. E. Wylie Construction Company, for \$460,989.48; authorizing expenditure of \$558,800 out of Water Revenue Fund 502; and

RESOLUTION 201294, authorizing use of City Forces to make connections to pipelines and related work at an estimated cost of \$16,050.

The proposed resolution relative to awarding a contract for the purchase of Live Rainbow Trout, was presented.

Assistant City Manager Wilhelms answered questions directed by the Council.

RESOLUTION 201295, awarding a contract to Whitewater Trout Co., for the purchase of Live Rainbow Trout for the period of one year, ending October 31, 1971, with an option to renew the contract for an additional one-year period per prices on file in the office of the Purchasing Agent, for an estimated cost of \$73,600, at 92¢ per pound, was adopted on motion of Councilman Schaefer, seconded by Councilman Cobb.

The proposed resolution relative to awarding a contract to Dyna Med, Inc., for the purchase of Rescue Equipment for a total cost of \$2,866.50 was presented.

City Attorney Witt answered questions directed by the Council.

City Attorney Witt requested that the item be continued for one week, Tuesday, December 1, 1970, to review possible conflict of interest.

On motion of Councilman Cobb, seconded by Councilman Martinet, the proposed resolution relative to awarding a contract to Dyna Med, Inc., for the purchase of Rescue Equipment was continued for one week, to Tuesday, December 1, 1970.

RESOLUTION 201296, authorizing the Purchasing Agent to advertise for bids for furnishing 13 tandem axle cabs and chassis and 13 twenty-five yard rear loading refuse packer bodies, in accordance with Specifications Document No. 734033, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

The following resolutions, relative to the final map of Penasquitos Villas Unit No. 2, a seven-lot subdivision located westerly of Highway 395, were adopted on motion of Councilman Schaefer, seconded by Councilman Loftin:

RESOLUTION 201297, authorizing an agreement with Penasquitos, Inc. for completion of improvements; and

RESOLUTION 201298, approving the map of Penasquitos Villas Unit 2.

The proposed resolution relative to making a finding that a retail and wholesale tire store is an enterprise similar to and not more obnoxious or detrimental to the welfare of the particular community than those enterprises or businesses permitted in the C and RC Zones, was presented.

City Planner Klein answered questions directed by the Council.

On motion of Councilman Morrow, seconded by Councilman Landt, the proposed resolution, relative to making a finding that a retail and wholesale tire store, proposed to be located in the C and RC Zones on Lot 3 and portions of Lot 2, Block 85, Linda Vista Unit No. 2, at 6645 Linda Vista Road, by 4 Day Tire Stores, is an enterprise similar to and not more obnoxious or detrimental to the welfare

of the particular community than those enterprises or businesses permitted in the C and RC Zones, was continued for one week, to December 1, 1970, for a field inspection.

Mayor Curran recessed the Meeting at 10:00 a.m. Upon reconvening at 10:07 a.m., the roll call showed Councilman Hitch absent.

Mr. Mike Styles, Public Relations Director, introduced Mr. Aldren Ames, who presented a check for final payment of the grant from the Economic Development Administration for Rancho Bernardo Industrial park to Councilman Cobb, who accepted it on behalf of the Council.

RESOLUTION 201299, accepting the work done and authorizing a notice of completion in Bernardo Village Clinic Subdivision, was adopted on motion of Councilman Cobb, seconded by Councilman Morrow.

The proposed resolutions, relative to a lease and permit with the San Diego Gas & Electric Company, were presented.

Assistant City Manager Wilhelms presented a report to the Council. On motion of Councilman Landt, seconded by Councilman Loftin, the following resolutions were adopted:

RESOLUTION 201300, leasing 10,000 square feet of City land northerly of the north levy of the San Diego River Floodway and westerly of Interstate 5, in a portion of City Gardens, for a term ending November 6, 2002, at a rental of \$750 for the purpose of installation, operation and maintenance of an electrical substation; and

RESOLUTION 201301, granting permission to use a portion of Pueblo Lots 217, 245, 246, 247, 258, and 260, for underground electrical facilities for a term ending November 6, 2002, at a rental of \$750.

The proposed resolution, relative to authorizing an option agreement with Stephen B. Drogin, was presented.

Assistant City Manager Wilhelms, Property Director MacFarlane, and Mr. Stephen B. Drogin answered questions directed by the Council.

Messrs. Gerald Seymour, William Elks, Phillip Shafer, Ms. Ruth Peyton and Ms. Isabell Vinson appeared to speak in opposition.

On motion of Councilman Morrow, seconded by Councilman Cobb, the proposed resolution, relative to authorizing an option agreement with Stephen B. Drogin, covering the option to lease Block 309, Pacific Beach; and authorizing a lease agreement with Stephen B. Drogin, leasing Block 309, Pacific Beach, for a term of 55 years, for the purpose of the construction, operation, and maintenance of a multiple residential development, was continued for three weeks at the request of the Assistant City Manager, to Tuesday, December 15, 1970.

RESOLUTION 201302, authorizing an agreement with Henry W. Fuller for services as Coordinator of the Mayor's Council on Youth Opportunity, was adopted on motion of Councilman Cobb, seconded by Councilman Loftin.

At this time the Mayor introduced Mr. Fuller to the Council.

RESOLUTION 201303, authorizing a memorandum of understanding with the Department of Defense to participate in Project Transition, was adopted on motion of Councilman Cobb, seconded by Councilman Landt.

The proposed resolution, relative to authorizing the City Manager to submit an application to HUD for a Neighborhood Facility Grant, was presented.

Assistant City Manager Wilhelms answered questions directed by the Council.

RESOLUTION 201304, authorizing the City Manager to submit an application to HUD for a Neighborhood Facility Grant to develop the Bay Bridge Park Community Center, was adopted on motion of Councilman Martinet, seconded by Councilman Cobb.

The proposed resolution, relative to assuring the Federal Insurance Administration that legislative action will be taken by the City of San Diego in order to qualify for Federal Flood and Mudslide Insurance, was presented.

Assistant City Manager Wilhelms, City Attorney Witt, and Mr. Foxworthy of the Community Development Department answered questions directed by the Council.

RESOLUTION 201305 - assuring the Federal Insurance Administration that it will use its best efforts toward legislative action in order to qualify for Federal Flood and Mudslide Insurance, was adopted on motion of Councilman Loftin, seconded by Councilman Cobb, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Martinet, Schaefer, and Mayor Curran. Nays-Councilman Morrow. Absent-Councilman Hitch.

RESOLUTION 201306, declaring intention to pay out of municipal funds of the City the whole amount of taxes to be derived from that area of the San Diego County Water Authority which is within the City for the fiscal year beginning July 1, 1971, in an amount to be fixed in August, 1971, by resolution of the Board of Directors of the Authority, was adopted on motion of Councilman Martinet, seconded by Councilman Cobb, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Martinet, Schaefer, and Mayor Curran. Nays-Councilman Morrow. Absent-Councilman Hitch.

RESOLUTION 201307, declaring intention to pay out of 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, 1971, in an amount to be fixed in August, 1971, by Resolution of the Board of Directors of the District, was adopted on motion of Councilman Martinet, seconded by Councilman Cobb, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Martinet, Schaefer, and Mayor Curran. Nays-Councilman Morrow. Absent-Councilman Hitch.

The proposed resolution, relative to authorizing a representative of the Department of Legislative Representation to attend the National Conference of State Legislative Leaders in Puerto Rico, was presented. Assistant City Manager Wilhelms answered questions directed by the Council.

RESOLUTION 201308, authorizing a representative of the Department of Legislative Representation to attend the National Conference of State Legislative Leaders in Puerto Rico, November 30 - December 4, 1970, and to incur all necessary expenses; authorizing the transfer of \$776 from the Travel Contingency Fund 442 to Department Fund 04.60, was adopted on motion of Councilman Cobb, seconded by Councilman Loftin.

The following resolutions, relative to paving and otherwise improving Cervantes Avenue and Paradise Road, were adopted on motion of Councilman Loftin, seconded by Councilman Landt:

RESOLUTION 201309, approving the plans, specifications, and plat No. 3792 of the assessment district; and

RESOLUTION of INTENTION 201310, setting the time and place for hearing protests.

The following resolutions, relative to improving and establishing the grade on Elder Avenue, Donax Avenue, 14th Street, and 15th Street, and improving Elm Street, were adopted on motion of Councilman Schaefer, seconded by Councilman Martinet.

RESOLUTION 201311, awarding a contract to T. B. Penick & Sons, Inc. for said work; and

RESOLUTION 201312, authorizing the expenditure of \$3,500 out of Capital Outlay Fund 245, for City's contribution toward the cost of said improvements.

RESOLUTION 201313, authorizing the Mayor and the City Clerk to execute a Deed conveying to the City of La Mesa an easement for public street purposes in Lot 103, La Mesa Colony in the City of La Mesa, was adopted on motion of Councilman Cobb, seconded by Councilman Landt.

RESOLUTION 201314, approving the acceptance by the City Manager of a deed from Merle S. Clements for a portion of Lot 22, in Block 187, City Heights for street purposes; naming the same LANDIS STREET, was adopted on motion of Councilman Morrow, seconded by Councilman Williams.

A proposed ordinance, relating to vehicles on private property, was presented.

Police Inspector William Garlington appeared to speak in favor of the proposed ordinance.

Messrs. Victor Conway, Frank Pendzick, Charles Winters, and Robert Phippen appeared to speak in opposition to the proposed ordinance.

A proposed ordinance, continued from the Meetings of September 17, and October 22, 1970, relative to amending Chapter VIII, Article 4 of the San Diego Municipal Code by amending Section 84.03 relating to vehicles on private property, was introduced by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Morrow, Schaefer, and Mayor Curran. Nays-Councilmen Williams and Martinet. Absent-Councilman Hitch.

Mayor Curran recessed the Meeting at 12:03 p.m. Upon reconvening at 2:00 p.m., the roll call showed Councilman Hitch absent.

A proposed ordinance, relative to amending Ordinance No. 10300 (New Series), as amended by Ordinances Nos. 10326 (New Series) and 10402 (New Series), to create the Classified Positions of Deputy Model Cities Director, Model Cities Technician II and Model Cities Technician I, and establish a schedule of compensation therefor, was continued for one week, to Tuesday, December 1, 1970, for a report from the City Manager, on motion of Councilman Schaefer, seconded by Councilman Martinet.

The hour of 9:30 a.m. having arrived, the Mayor announced that this was the time and place fixed for the hearings, continued from the Meeting of November 10, 1970, on the matter of grading, constructing street lighting facilities and undergrounding electrical and communication facilities in certain streets in Golden Park and Ironton Subdivisions, et al., (Harbor View Drive, Harbor View Place, et al.) under Resolution of Intention No. 200971. The Mayor stated that at the meeting of November 10, 1970, the Council heard testimony and at that time there appeared to be a majority protest on file, but that it appeared to the Council that some agreement might be reached between the opponents and proponents of this project so as to reduce the majority protest to less than 50% and, on that basis, the Council continued the hearings. He also stated that it was not an uncommon practice in a 1911 Act or 1913 Act proceeding to continue the matter when the City had spent considerable time and money putting the project together, in order to offer an opportunity for compromise in the community.

Mr. McLaughlin of the Engineering Department reported that in the intervening time since the original hearing, the Engineer's office had very carefully reviewed all written protests and the counter-petition filed with the City prior to 9:30 a.m., November 10, 1970. The Engineer's office had also reviewed all written withdrawals presently on file with the City from the counterpetition, and from the prior written protests. He reported there had been a total of 81 written protests submitted and eleven withdrawals which brought the total percentage of written protests to 47.58%. There was also a surviving unwithdrawn signature from the counterpetition amounting to 2.6%, which together with unwithdrawn written protests would bring the total protest to 50.18% of assessable lands within the district. He also reported that two conditional withdrawals of prior protests had been filed, the conditions being the deletion of certain street lights from the project. He stated that if the Council were to comply with the conditions of these withdrawals, then the unwithdrawn protests would be reduced to less than a majority of assessable lands.

Mr. Franklin T. Hamilton, Special Counsel for the City, advised the Council that during the course of the hearing they had the power to eliminate a portion of the proposed work and thus could order the deletion of some of the street lights to satisfy the conditions of the conditional withdrawals.

Mr. McLaughlin then explained the conditions of the withdrawals in question. One was by Iris Bascom, owner of Parcel 56, who conditioned her withdrawal on the deletion of a proposed new street light near her property. The other was by Jerome D. Ryan, owner of Parcel 46, who conditioned his withdrawal on the deletion of all street lights proposed to be installed at new locations within the district.

At the invitation of the Mayor, Mrs. Bascomb and Mr. Ryan addressed the Council. Mrs. Bascomb indicated that the condition of her withdrawal would be satisfied if the Council deleted all street lights at new locations. Mr. Ryan indicated he did not object to street lighting at intersections presently lighted but that his withdrawal was conditioned on the deletion of all street lights proposed to be installed at new locations.

The following persons appeared to speak in protest to the elimination of the street lights: Mr. Alan Perry, Attorney for property owners protesting the project, Mr. G. W. Willitt, Mrs. Spencer Rogers, and Mrs. Ralph Crandall.

Councilman Loftin made a motion for the deletion from the project of all street lighting standards proposed to be installed at new locations within the district. This was seconded by Councilman Cobb, and carried by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Martinet, and Mayor Curran. Nays-Councilmen Morrow and Schaefer. Absent-Councilman Hitch.

Mr. McLaughlin then reported that based on the withdrawal of protests on Parcel No. 56 and Parcel No. 46, the present unwithdrawn protest to the project was 48.52% of assessable lands.

Mr. McLaughlin then testified on the preparation and filing of the Report, giving a brief summary. He also testified on the proposed diagram and assessment, stating that in his opinion all lands within the proposed district would be benefited by the proposed improvements and that the proposed assessment has been apportioned upon the several lots, parcels and subdivisions of land in the district in proportion to the estimated benefits to be received from the proposed improvements, and that he was available to answer questions.

City Clerk Lockwood read the text of all written protests filed, not repeating those that were duplicates.

Mayor Curran asked if any person who had filed a written protest, or his representative, desired to be heard orally in support of such protest.

The following people appeared to speak in protest: Mr. Alan Perry, Attorney representing protesting property owners, Mr. G. W. Willitt, Mrs. S. W. Shepard, Mrs. Richard Knoth, Mrs. Martha Tormey, and Mrs. Ralph Crandall.

Mayor Curran then asked Special Counsel for advice concerning procedure. Mr. Hamilton stated that the Council's order for deletion of the street lights would necessitate the making of changes in the plans and specifications and also a revision of each of the individual assessments in the assessment roll. Accordingly he recommended that the hearings be continued to give the Engineer the opportunity to make these changes and revisions.

The following were adopted on motion of Councilman Loftin, seconded by Councilman Cobb:

1. An order that the Superintendent of Streets be directed to prepare a proposed revised assessment based upon deletion of the proposed street light standards and to mail notices of revised assessments to all property owners within the district.

2. RESOLUTION 201315, continuing the hearings on the proposed improvement of Golden Park, Ironton Subdivision, et al. (Harbor View Drive, et al.) on Resolution of Intention 200971, continued from the meetings of November 10, and November 24, 1970, to 9:30 a.m., Tuesday, December 15, 1970.

Mayor Curran recessed the Meeting at 4:00 p.m. Upon reconveing at 4:08 p.m., the roll call showed Councilman Hitch absent.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the meeting of November 3, 1970, on the appeal of E. C. Brazell for Mesa Shopping Center, Somerset Land Company and Kaufman and Broad, Inc. from the decision of the Board of Zoning Appeals which denied their appeal (Zoning Administrator Case No. 9955) for a variance to develop property for use as a model home complex, sales office, and parking lot for sale of homes in Mirador Subdivision, where agricultural or residential use only is permitted; subject property is located on Mira Mesa Boulevard, approximately 1 1/2 miles westerly of Highway 395 in Interim Zone A-1-1; it was reported this hearing had been continued at the applicant's request.

Mr. Brazell appeared to speak in favor of the appeal.

The hearing was closed and the following resolution was adopted, on motion of Councilman Loftin, seconded by Councilman Landt:

RESOLUTION 201316, denying the appeal of E. C. Brazell for Mesa Shopping Center, Somerset Land Company and Kaufman and Broad, Inc.; and upholding the decision of the Board of Zoning Appeals denying their appeal (Zoning Administrator Case No. 9955) for a variance to develop property for use as a model home complex, sales office, and parking lot for sale of homes in Mirador Subdivision where agricultural or residential use only is permitted. Subject property is located on Mira Mesa Boulevard, approximately 1 1/2 miles westerly of Highway 395 in

Interim Zone A-1-1.

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 September 24 and October 29, 1970, on the proposed amendment of Chapter X, Article 1, Division 4, of the San Diego Municipal Code by adding a new Section 101.0435.1 - M-IP Zone (Industrial Park); it was reported that this hearing had been continued for a Council Conference.

No one appeared to be heard.

Mr. Klein of the Planning Department presented a report on the revised ordinance that the Council had directed be prepared.

The hearing was closed and the following ordinance (revised version) introduced on motion of Councilman Schaefer, seconded by Councilman Martinet, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Hitch:

A proposed ordinance amending Chapter X, Article 1, of the San Diego Municipal Code by adding Section 101.0435.1 relating to the M-IP Zone.

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on paving and otherwise improving Whittier Street, West Point Loma Boulevard, Alley, Block 85, Morena Sub-division, Famosa Boulevard, and Ingulf Street - on Assessment Roll No. 3447.

No written appeals were received and no one appeared to be heard.

The hearing was closed and the following resolution was adopted, on motion of Councilman Martinet, seconded by Councilman Morrow:

RESOLUTION 201317, confirming and approving the Street Superintendent's Assessment No. 3447, covering the cost of paving and otherwise improving Whittier Street, West Point Loma Boulevard, Alley, Block 85, Morena Subdivision, Famosa Boulevard and Ingulf Street; authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; said warrant, diagram, and assessment to be recorded in the office of said Street Superintendent, and in the office of the County Recorder.

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 Daniel R. and Dorothy J. Leonard from the decision of the Board of Zoning Appeals which denied their appeal (Zoning Administrator Case No. 10089) for a variance to move approximately 73' of existing 5' high wood fence to the property line on Hemingway Avenue, where a maximum of 3' high fence is permitted in the 10' street sideyard; subject property is located on Lot 160, Vista del Cerro Unit 3, at 6919 Cibola Road, at the southwest corner of the intersection with Hemingway Avenue, in Zone R-1-5; it was reported that no written protests had been received.

Mr. Daniel Leonard appeared to speak in favor of the appeal.

A motion by Councilman Martinet, seconded by Councilman Cobb, to continue the hearing for one week for a field inspection, failed due to lack of five affirmative votes, as follows: Yeas-Councilmen Cobb, Loftin,

Morrow, and Martinet. Nays-Councilmen Landt, Williams, Schaefer, and Mayor Curran. Absent-Councilman Hitch.

The hearing was closed and the following resolution was adopted, on motion of Councilman Loftin, seconded by Councilman Landt, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, and Mayor Curran. Nays-Councilman Schaefer. Absent-Councilman Hitch:

RESOLUTION 201318, denying the appeal of Daniel R. and Dorothy J. Leonard and upholding the decision of the Board of Zoning Appeals (Zoning Administrator Case No. 10089) which denied their appeal for a variance to move approximately 73' of existing 5' high wood fence to the property line on Hemingway Avenue, where a maximum of 3' high fence is permitted in the 10' street sideyard. Subject property is located on Lot 160, Vista del Cerro Unit 3, at 6919 Cibola Road, at the southwest corner of the intersection with Hemingway Avenue, Zone R-1-5.

The hour of 2:00 p.m. having arrived, time set for the hearing on the matter of whether franchises shall be granted for (a) transmitting and distributing gas in the streets of the City of San Diego; and (b) transmitting and distributing electricity in the streets of the City of San Diego, in accordance with Section 103 of the City Charter; it was reported that no written protests had been received.

Mr. Walter Zitlau, Executive Vice President, and Mr. C. M. Laffoon, Vice President, of the San Diego Gas & Electric Company answered questions directed by the Council.

The following people appeared to speak: Mr. Phillip Shafer, Ms. Ruth Peyton, Mr. Ernest Nabicht, Dr. Richard Peters, Mr. Philip Pride, Mr. Bill Bond, Ms. Jean Stone, Mr. Bob O'Brien, Mr. James Jacobson, Mrs. Doris Shappan, Mr. Robert Reyburn, and Mr. Clay Kemper.

Mayor Curran recessed the Meeting at 5:25 p.m. Upon reconvening at 5:30 p.m., the roll call showed Councilman Hitch absent.

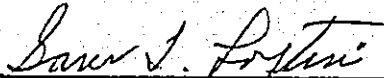
A motion to amend the term of the franchise to read 30 years instead of 50 years with a 10-year review period, made by Councilman Morrow, seconded by Councilman Williams, failed by the following vote: Yeas-Councilmen Williams, Morrow, and Schaefer. Nays-Councilmen Cobb, Loftin, Landt, Martinet, and Mayor Curran. Absent-Councilman Hitch.

On motion of Councilman Cobb, seconded by Councilman Landt, the following resolutions were adopted by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Martinet, Schaefer, and Mayor Curran. Nays-Councilmen Williams, and Morrow. Absent-Councilman Hitch.

RESOLUTION 201319, notice and resolution of intention of the Council of The City of San Diego to sell to the highest responsible cash bidder a franchise to construct, maintain and use pipes and appurtenances for transmitting and distributing gas in the streets of the City of San Diego; and

RESOLUTION 201320, notice and resolution of intention of the Council of The City of San Diego to sell to the highest responsible cash bidder a franchise to construct, maintain and use poles, wires and conduits and appurtenances for transmitting and distributing electricity in the streets of the City of San Diego.

There being no further business to come before the Council, the Meeting was adjourned on motion of Councilman Landt, seconded by Councilman Loftin, at 6:00 p.m.



Acting Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California

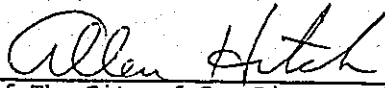
REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - MONDAY, NOVEMBER 30, 1970
HELD IN LIEU OF THURSDAY, NOVEMBER 26, 1970
THANKSGIVING HOLIDAY
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--None.

Absent--Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet,
Hitch, Schaefer and Mayor Curran.

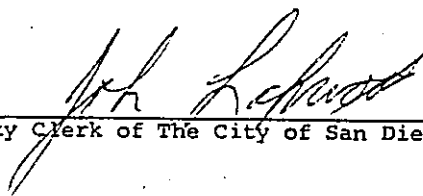
Clerk---LaVerne Miller.

In the absence of the members of the City Council, the Assistant
City Clerk declared this meeting adjourned until 9:00 a.m., Tuesday,
December 1, 1970, in the Chamber of the Council, 12th Floor, City
Administration Building.



Deputy 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
MONDAY, NOVEMBER 30, 1970 HELD TUESDAY, DECEMBER 1, 1970
IN LIEU OF THURSDAY, NOVEMBER 26, 1970
THANKSGIVING HOLIDAY
IN THE CHAMBER OF THE COUNCIL, ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Cobb, Loftin, Landt, Williams, Martinet,
Schaefer and Mayor Curran.
Absent--Councilmen Morrow and Hitch.
Clerk---John Lockwood.

The Adjourned Regular Meeting was called to order by Mayor Curran
at 9:05 a.m.

It was reported that this meeting was adjourned from Monday,
November 30, 1970, to this time by the Assistant City Clerk.

The Clerk reported that copies of the Notice of Adjournment
covering the adjournment of this meeting from Monday, November 30, 1970
(in lieu of November 26, 1970 which was Thanksgiving Day, and Friday,
November 27, 1970 which also was a Holiday) to 9:00 a.m., Tuesday,
December 1, 1970, had been posted and mailed as required by law, and
the proper certificate of posting and mailing is on file.

On motion of Councilman Cobb, seconded by Councilman Landt, the
meeting was adjourned at 9:06 a.m.



Deputy Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

Convened - Adjourned
skp

C1820

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, DECEMBER 1, 1970
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Cobb, Loftin, Landt, Williams, Martinet, Schaefer
and Mayor Curran.

Absent--Councilmen Morrow and Hitch.

Clerk---John Lockwood.

Mayor Curran called the Regular Meeting to order at 9:07 a.m.

Mayor Curran introduced Reverend Neil Carlson, Pastor of Alvarado
American Baptist Church, who gave the Invocation.

Councilman Landt led the Pledge of Allegiance.

Councilman Morrow entered the Chamber.

The following employees received Service Awards in recognition
of their service with the City: Aegydius H. Rock - Engineer, Fire
Department - 25 years, presented by Councilman Loftin; Earl L. Miller -
Engineer, Fire Department - 25 years, presented by Councilman Martinet;
Jack B. Clark - Captain - Fire Department- 25 years, presented by
Councilman Landt; Charles H. Causey - Captain - Fire Department - 25
years, presented by Councilman Schaefer; James Gibson, Jr. - Engineer -
Fire Department - 25 years, presented by Councilman Williams; William
H. Pitts - Battalion Chief - Fire Department - 25 years, presented by
Councilman Cobb.

Minutes of the Regular Council Meeting of Thursday, November 5,
1970, were presented by the City Clerk. On motion of Councilman
Landt, seconded by Councilman Loftin, said Minutes were approved
without reading, after which they were signed.

At this time the Council considered Item 6 on the docket.

A communication from Mr. Eugene A. Corporon, Director of Mt.
Miguel High School Band, requesting financial assistance to help meet
costs for the Mt. Miguel Marching Matador Band to represent the City
and County of San Diego in the Tournament of Roses Parade, January 1,
1971, was presented.

Mr. Corporon appeared to speak regarding this communication.

On motion of Councilman Cobb, seconded by Councilman Landt,
said communication was referred to the City Manager.

A communication from Mr. Emit Hunt, requesting permission to address the Council regarding an amendment to the R-1 Zone Ordinance, was presented.

This communication was noted and filed on motion of Councilman Landt, seconded by Councilman Loftin.

A communication from Mr. Dell Pike, President, South Bay Bobby Sox Softball League, requesting permission to address the Council regarding City aid in helping prepare field for use in April was presented.

This communication was noted and filed on motion of Councilman Landt, seconded by Councilman Williams.

A proposed resolution, continued from the Meeting of November 24, 1970, awarding a contract to Dyna Med, Inc., for the purchase of Rescue Equipment, for a total cost of \$2,866.50, including tax and terms, was presented.

The City Attorney requested this item be continued for one week.

The proposed resolution was continued to December 15, 1970, on motion of Councilman Martinet, seconded by Councilman Williams for review of a possible conflict of interest. Councilman Schaefer was excused from voting because of a possible conflict of interest.

A proposed resolution, continued from the Meeting of November 24, 1970, making a finding that a retail and wholesale tire store, proposed to be located in the C and RC Zones on Lot 3 and portions of Lot 2, Block 85, Linda Vista Unit 2, at 6645 Linda Vista Road, by 4day Tire Stores, is an enterprise similar to^{and} not more obnoxious or detrimental to the welfare of the particular Community than other enterprises or businesses permitted in the C and RC Zones, was presented.

This had been continued for a field inspection by Councilman Morrow who reported he had not had an opportunity to make the inspection.

The proposed resolution was continued to December 15, 1970, on motion of Councilman Morrow, seconded by Councilman Cobb. (This item was reconsidered later in the Meeting and adopted. See Resolution 201350.)

The following resolutions, relative to the construction of University Community Fire-Police Facility, including the Base Bid and Additive Alternate Numbers 1, 4 and 5, were adopted on motion of Councilman Cobb, seconded by Councilman Landt:

RESOLUTION 201321, awarding a contract to Callahan Bros. for the sum of \$465,667; authorizing the expenditure of \$493,100 out of Community Buildings and Improvements Bond Fund 726, and authorizing the expenditure of \$135,900 out of Capital Outlay Fund 245 for said work and related costs; and

RESOLUTION 201322, authorizing the use of City Forces to install water services and make necessary connections as required.

RESOLUTION 201323, awarding a contract to Charles E. Milleman for the construction of Martin Avenue Storm Drain for the sum of \$38,907.25; authorizing the expenditure of \$48,000 out of Capital Outlay Fund 245 for said construction and related costs, was adopted on motion of Councilman Williams, seconded by Councilman Martinet.

RESOLUTION 201324, awarding a contract to Industries Supply Co. for the purchase of gate and tapping valves - Group I for a cost of \$20,908.97 and Group II for a cost of \$4,987 for an actual cost of \$26,646.95, including tax and terms, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

A proposed resolution, awarding a contract to Pacific Insurance Agency and Percy H. Goodwin Company, Joint Brokers, for the purchase of \$15 million Excess Public Liability and Property Damage Insurance for the period of three years, commencing December 15, 1970 for an actual cost of \$39,330, was presented.

City Manager Hahn requested that the Item be continued for two weeks.

On motion of Councilman Williams, seconded by Councilman Martinet, said resolution was continued to December 15, 1970.

RESOLUTION 201325, awarding a contract to Virco Manufacturing Corp. for the purchase of 200 stacking chairs for an actual cost of \$2,908.50, including tax and terms, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

RESOLUTION 201326, awarding a contract to Keenan Pipe & Supply Co. for the purchase of repair parts for Clayton Valves for an actual cost of \$1,197.50, including tax and terms, was adopted on motion of Councilman Landt, seconded by Councilman Williams.

RESOLUTION 201327, awarding a contract to W. F. DeMarco Co. for the purchase of 100 each cast iron meter box covers at an actual cost of \$1,261.58, including tax and terms, was adopted on motion of Councilman Schaefer, seconded by Councilman Martinet.

At this time the Council considered Item 18 a-d, four resolutions inviting bids. City Manager Hahn answered questions directed by the Council on 18b, relative to bids for reflective pavement markers, which was continued to later in the meeting.

On motion of Councilman Cobb, seconded by Councilman Loftin, the following resolutions inviting bids were adopted:

RESOLUTION 201328, furnishing water main adapters, repair clamps, couplings, and tapping saddles, in accordance with Specifications Document No. 734070;

RESOLUTION 201329, construction of safety lighting system on Skyline Drive between Gribble Street and Encinitas Avenue, in accordance with

Specifications Document No. 734072; and
RESOLUTION 201330, development of Marcy Park, in accordance with
Specifications Document No. 734073.

The following resolutions, relative to final subdivision maps,
were adopted on motion of Councilman Landt, seconded by Councilman
Loftin:

RESOLUTION 201331, authorizing an agreement with Avco Community
Developers, Inc., for the completion of improvements in Bernardo
Greens West Unit No. 4, a 47-lot subdivision located on the east side
of Bernardo Center Drive and the south side of Graciosa Drive;

RESOLUTION 201332, approving the map of Bernardo Greens West Unit
No. 4;

RESOLUTION 201333, authorizing an agreement with Hallcraft Homes
Company for the completion of improvements in Rancho San Carlos Unit
No. 3, a 27-lot subdivision located on the south side of Mission Gorge
Road, on both sides of Jackson Drive extended; and

RESOLUTION 201334, approving the map of Rancho San Carlos Unit
No. 3.

The following resolutions accepting the work done and authorizing a
Notice of Completion in certain subdivisions, were adopted on motion
of Councilman Schaefer, seconded by Councilman Martinet:

RESOLUTION 201335 - Bennett Subdivision;

RESOLUTION 201336 - Mission Gardens;

RESOLUTION 201337 - Princess Gardens Unit 3;

RESOLUTION 201338 - Rancho Caster; and

RESOLUTION 201339 - Rancho Cerro Unit 2.

The following resolutions relative to license agreements with the
Atchison, Topeka and Santa Fe Railway Company for sewer pipelines
required by City for sum of \$150 each, were adopted on motion of Council-
man Cobb, seconded by Councilman Landt:

RESOLUTION 201340, Carmel Valley Trunk Sewer Project; and

RESOLUTION 201341, Penasquitos Canyon Trunk Sewer Project.

RESOLUTION 201342, authorizing an agreement with the County of
Orange to provide service through the Orange County Police Intersystem
radio relay station, was adopted on motion of Councilman Schaefer,
seconded by Councilman Martinet.

A proposed resolution, relative to an agreement with the County
of San Diego, was presented.

City Manager Hahn answered questions directed by the Council.

RESOLUTION 201343, authorizing an agreement with the County of
San Diego covering the acquisition of Morena Reservoir, was adopted
on motion of Councilman Schaefer, seconded by Councilman Morrow.

RESOLUTION 201344, authorizing the use of City Forces to install two 3" meters with backflow and vault on a 4" service for the Fed-Mart Warehouse in San Diego at 7130 Miramar Road, at an estimated cost of \$7,009; consumer will deposit full amount before work begins, was adopted on motion of Councilman Morrow, seconded by Councilman Martinet.

RESOLUTION 201345, authorizing the expenditure of \$15,000 out of Capital Outlay Fund 245 for incidental costs associated with gas tax projects which are not eligible for financing out of Gas Tax Funds, was adopted on motion of Councilman Cobb, seconded by Councilman Loftin.

RESOLUTION 201346, authorizing encroachment permit No. 70-15 with the San Diego County Water Authority for the improvement of Pomerado Road, over the Second San Diego Aqueduct easement between Stations 3908+60 & 3908+10, was adopted on motion of Councilman Cobb, seconded by Councilman Landt.

Two proposed resolutions, relative to exchange of property for Hancock Street, were adopted on motion of Councilman Schaefer, seconded by Councilman Martinet.

City Manager Hahn presented an Exhibit to the Council; John Fowler, Engineering Department, answered questions directed by the Council.

RESOLUTION 201347, authorizing the Mayor and City Clerk to execute a grant deed conveying to H. L. Wells, Inc., a portion of Pueblo Lot 278; and

RESOLUTION 201348, approving the acceptance by the City Manager of a deed from H. L. Wells, Inc., conveying the right-of-way for street purposes through, over and across all of Lot 48 and all of Lot 47, excepting the Southeasterly 10.00 feet thereof in Block 1, Subdivision of Pueblo Lot 277; and naming the same HANCOCK STREET.

Mayor Curran outlined the procedure regarding public testimony at the time Ordinances are presented to the City Council for adoption.

At 10:06 a.m., Mayor Curran recessed the Meeting. Upon reconvening at 10:19 a.m., the roll call showed Councilman Hitch absent.

The Council returned to Item 5 on the docket.

This being the time and place fixed for the opening of bids for the \$5,000,000 Bonds of The City of San Diego, California, designated 1966 MUNICIPAL IMPROVEMENT BONDS, SERIES 4, OF THE CITY OF SAN DIEGO, CALIFORNIA, and numbered 1 to 1000, inclusive, the following bids received pursuant to the notice of sale were publicly opened, examined and read:

Crocker-Citizens National Bank, 1 Montgomery Street, San Francisco, California 94120, bid par, accrued interest to date of delivery and

a premium of \$1,462.55 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>		<u>Years</u>
5.75%	\$ 500,000	1972 to 1975, inclusive
4.10	1,500,000	1976 to 1980, inclusive
3.90	300,000	1981 only
4.00	300,000	1982 only
4.10	300,000	1983 only
4.25	300,000	1984 only
4.40	300,000	1985 only
4.50	300,000	1986 only
4.70	300,000	1987 only
4.90	300,000	1988 only
5.00	300,000	1989 only
4.00	300,000	1990 only

The bid was accompanied by a good faith check in the amount of \$50,000.

Security Pacific National Bank, Blyth & Co., Inc., P.O. Box 2097, Terminal Annex, Los Angeles, California 90054, bid par, accrued interest to date of delivery, plus a premium of \$464 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>		<u>Years</u>
5.00%		1972 to 1977, inclusive
4.05		1978 only
4.00		1979 to 1982, inclusive
4.10		1983 only
4.20		1984 only
4.35		1985 only
4.50		1986 only
4.65		1987 only
4.70		1988 only
4.00		1989 to 1990, inclusive

The bid was accompanied by a good faith check in the amount of \$50,000.

The Bank of California, N. A., F. I. Du Pont, Glore Forgan & Co., and Associates, P.O. Box 3511, 400 California Street, San Francisco, California 94120, bid par, accrued interest to date of delivery, plus a premium of \$ 0 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>		<u>Years</u>
6.00%		1972 to 1974, inclusive
5.00		1975 to 1977, inclusive
4.00		1978 to 1982, inclusive

<u>Rate</u>	<u>Years</u>
4.20	1983 only
4.30	1984 only
4.40	1985 only
4.50	1986 only
4.60	1987 only
4.70	1988 only
4.80	1989 only
4.00	1990 only

The bid was accompanied by a good faith check in the amount of \$50,000.

Continental Illinois National Bank and Trust Company of Chicago, Lock Box H, Chicago, Illinois 60690, bid par, accrued interest to date of delivery, plus a premium of \$150, for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>	<u>Amount</u>	<u>Years</u>
5.00%	\$500,000	1972 to 1975, inclusive
3.55	300,000	1976 only
3.50	300,000	1977 only
3.60	300,000	1978 only
3.70	300,000	1979 only
3.80	300,000	1980 only
3.95	300,000	1981 only
4.05	300,000	1982 only
4.15	300,000	1983 only
4.25	300,000	1984 only
4.40	300,000	1985 only
4.60	300,000	1986 only
4.75	300,000	1987 only
4.90	300,000	1988 only
4.95	300,000	1989 only
5.00	300,000	1990 only

The bid was accompanied by a good faith check in the amount of \$50,000.

First National City Bank and Associates, (First National City Bank, First National Bank of Chicago, Eastman Dillon Union Securities & Co., Kuhn, Loeb & Co., First Western Bank & Trust Co., Dominick & Dominick, Inc., Roosevelt & Cross, Inc., Laidlaw & Company, Fidelity Union Trust Co., E. F. Hutton & Co., Inc., Rand & Co., Inc., First National Bank of Atlanta, Taylor & Co., Saunders, Stiver & Co., Roberts, Scott & Co., Inc.,) 55 Wall Street, New York, N. Y. 10015, bid par, accrued interest to date of delivery, plus a premium of \$315 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>		<u>Years</u>
5.50%	\$ 50,000	1972 only
5.50	50,000	1973 only
5.50	100,000	1974 only
5.50	300,000	1975 only
5.50	300,000	1976 only
5.50	300,000	1977 only
5.20	300,000	1978 only
3.90	300,000	1979 only
4.00	300,000	1980 only
4.10	300,000	1981 only
4.25	300,000	1982 only
4.40	300,000	1983 only
4.60	300,000	1984 only
4.75	300,000	1985 only
4.85	300,000	1986 only
4.95	300,000	1987 only
5.00	300,000	1988 only
5.00	300,000	1989 only
3.50	300,000	1990 only

The bid was accompanied by a good faith check in the amount of \$50,000.

Southern California First National Bank as agent for Smith Barney & Co., Inc., P.O. Box 1311, San Diego, California 92112, bid par, accrued interest to date of delivery, plus a premium of \$428 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>		<u>Years</u>
5.00%	\$2,600,000	1972 to 1982, inclusive
4.40	600,000	1983 to 1984, inclusive
4.50	300,000	1985 only
4.60	300,000	1986 only
4.75	300,000	1987 only
4.80	300,000	1988 only
3.00	600,000	1989 to 1990, inclusive

The bid was accompanied by a good faith check in the amount of \$50,000.

Southern California First National Bank as Agent for Weeden and Company, P.O. Box 1311, San Diego, California 92112, bid par, accrued interest to date of delivery, plus a premium of \$500 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>		<u>Years</u>
5.50%		1972 to 1975, inclusive
5.25		1976 only
5.00		1977 only
3.75		1978 only
3.90		1979 to 1980, inclusive

<u>Rate</u>	<u>Years</u>
4.00%	1981 only
4.25	1982 to 1983, inclusive
4.40	1984 only
4.50	1985 to 1986, inclusive
4.75	1987 to 1988, inclusive
4.90	1989 only
4.00	1990 only

The bid was accompanied by a good faith check in the amount of \$50,000.

Halsey, Stuart & Co. Inc., Phelps, Penn & Co., 123 South La Salle Street, Chicago, Illinois 60690, bid par, accrued interest to date of delivery, plus a premium of \$600 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>	<u>Years</u>
6.00%	1972 to 1976, inclusive
4.00	1977 to 1982, inclusive
4.20	1983 only
4.30	1984 only
4.40	1985 only
4.50	1986 only
4.65	1987 only
4.80	1988 only
4.00	1989 to 1990, inclusive

The bid was accompanied by a good faith check in the amount of \$50,000.

Bank of America National Trust and Savings Association and Associates, P.O. Box 3415, Rincon Annex, San Francisco, California 94120, bid par, accrued interest to date of delivery, plus a premium of \$2,500 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>	<u>Amount</u>	<u>Years</u>
5.50%	\$200,000	1972 to 1974, inclusive
5.25	300,000	1975 only
3.50	900,000	1976 to 1978, inclusive
3.60	300,000	1979 only
3.70	300,000	1980 only
3.85	300,000	1981 only
4.00	300,000	1982 only
4.10	300,000	1983 only
4.20	300,000	1984 only
4.30	300,000	1985 only
4.40	300,000	1986 only
4.50	300,000	1987 only
4.60	300,000	1988 only
4.70	300,000	1989 only
4.80	300,000	1990 only

The bid was accompanied by a good faith check in the amount of \$50,000.

Morgan Guaranty Trust Company of New York and Associates, 23 Wall Street, New York, N. Y. 10015, bid par, accrued interest to date of delivery, plus a premium of \$77 for bonds bearing interest payable annually the first year and semiannually thereafter at the rates of:

<u>Rate</u>	<u>Years</u>
5.00%	1972 to 1974, inclusive
4.90	1975 only
5.00	1976 to 1978, inclusive
4.60	1979 only
3.90	1980 only
4.00	1981 only
4.20	1982 only
4.30	1983 only
4.40	1984 only
4.50	1985 only
4.60	1986 only
4.70	1987 only
4.80	1988 only
4.90	1989 only
3.00	1990 only

The bid was accompanied by a good faith check in the amount of \$50,000.

All bids were then referred to the Bond Committee for checking and computation, a report thereon to be given to the Council later in this meeting.

At this time the Council returned to the regular order of the docket and considered Item 101.

The following ordinances were introduced at the meeting of November 12, 1970:

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

The following ordinances were adopted on motion of Councilman Schaefer, seconded by Councilman Martinet, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Schaefer and Mayor Curran. Nays-None. Absent-Councilman Hitch.

ORDINANCE 10445 (New Series), incorporating portions of Pueblo Lots 241, 242, 243 of the Pueblo Lands, and Lots 1 through 9, Gulls Acres, into C-1 Zone, as defined by Section 101.0430.1 of the San Diego Municipal Code, and repealing Ordinance No. 34 (New Series), adopted September 12, 1932, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith; and

Ordinance 10446 (New Series), incorporating a portion of Section 11, Township 15 South, Range 3 West, S.B.B.M. into M-1A Zone, as defined by Section 101.0436 of the San Diego Municipal Code, and repealing Ordinance No. 8018 (New Series), adopted December 9, 1958, of the ordinances of The City of San Diego, insofar as the same conflicts herewith.

A proposed ordinance, introduced at the Meeting of November 12, 1970, incorporating a portion of Pueblo Lot 1215 of the Pueblo Lands, into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 13457, adopted February 15, 1932, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was presented.

Mrs. Ruby Zellman addressed the Council relative to a possible conflict of interest.

Mayor Curran ruled that no additional testimony on the rezoning would be heard.

On motion of Councilman Landt, seconded by Councilman Morrow, the Chair was overruled by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Schaefer and Mayor Curran. Nays-None. Absent-Councilman Hitch.

Mrs. Ruby Zellman, Woodrow Twyman, Mark Manion and Jack Updyke appeared to speak regarding the proposed ordinance.

The proposed ordinance, incorporating a portion of Pueblo Lot 1215 of the Pueblo Lands, into R-2A Zone, was continued to December 15, 1970 to resolve possible conflict of interest, on motion of Councilman Loftin, seconded by Councilman Morrow.

The following ordinances were introduced at the Meeting of November 12, 1970.

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

The following ordinances were adopted on motion of Councilman Schaefer, seconded by Councilman Loftin, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Schaefer and Mayor Curran. Nays-None. Absent-Councilman Hitch.

ORDINANCE 10447 (New Series), incorporating a portion of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 31, Township 14 South, Range 2 West, S.B.B.M., into C-1A Zone, as defined by Section 101.0431 of the San Diego Municipal Code, and repealing Ordinance No. 8018 (New Series), adopted December 9, 1958, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith;

ORDINANCE 10448 (New Series), incorporating Lots 5 through 8, Block 240, Pacific Beach, into C-1A Zone, as defined by Section 101.0431 of the San Diego Municipal Code, and repealing Ordinance No. 119 (New Series), adopted January 3, 1933, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith; and

ORDINANCE 10449 (New Series), amending Chapter X, Article 1 of the San Diego Municipal Code by amending Section 101.0303 relating to discontinuance of non-conforming use.

A proposed ordinance introduced at the Meeting of November 17, 1970, establishing a Parking and Business Improvement Area and Levying an additional Business License Tax therein for upgrading and promoting the area, was presented.

Councilman Landt moved to dispense with the reading and adopt. Mr. John Nagy appeared to ask that the Council reopen the hearing to see if a majority protest exists.

Deputy City Attorney Jack Katz answered questions directed by the Council.

Councilman Morrow moved, seconded by Councilman Schaefer, to reopen the hearing. No vote was taken.

Councilman Morrow moved, seconded by Councilman Schaefer, to continue to January 5, 1971 and readvertise for a new hearing.

Mr. Robert Arnhy, Executive Vice President of the Downtown Association spoke against the proposed continuance.

The motion to continue failed by the following vote: Yeas-Councilmen Williams, Morrow and Schaefer. Nays-Councilmen Cobb, Loftin, Landt, Martinet and Mayor Curran. Absent-Councilman Hitch.

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 written or printed copies of the ordinance.

ORDINANCE 10450 (New Series), establishing a Parking and Business Improvement Area and Levying an additional Business License Tax therein for upgrading and promoting the area, was adopted on motion of Councilman Cobb, seconded by Councilman Loftin, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Martinet, and Mayor Curran. Nays-Councilmen Williams, Morrow and Schaefer. Absent-Councilman Hitch.

The following ordinances were introduced at the Meeting of November 17, 1970.

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

The following ordinances were adopted on motion of Councilman Landt, seconded by Councilman Loftin, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Schaefer and Mayor Curran. Nays-None. Absent-Councilman Hitch.

ORDINANCE 10451 (New Series), establishing a new Parking Meter Zone "B" on the north side of Vine Street, between California Street and Kettner Boulevard; the zone to be effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted; and

ORDINANCE 10452 (New Series), incorporating the area generally bounded by Mallard Street, 69th Street, Broadway, 60th Street, and approximately 310 feet and 220 feet south of Federal Boulevard (ENCANTO AREA), in the City of San Diego, California, into R-1-6 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.

(There was a request to have the hearing on Ordinance 10452 (New Series) reopened.)

A proposed ordinance, continued from the Meeting of November 24, 1970, amending Ordinance No. 10300 (New Series), as amended by Ordinance Nos. 10326 (New Series), and 10402 (New Series), creating the classified positions of Deputy Model Cities Director, Model Cities Technician II and

Model Cities Technician I, and establishing a schedule of compensation therefor, was presented.

Assistant City Manager Wilhelms answered questions directed by the Council.

The proposed ordinance, amending Ordinance No. 10300 (New Series), as amended by Ordinance Nos. 10326 (New Series) and 10402 (New Series), to create the classified positions of Deputy Model Cities Director, Model Cities Technician II and Model Cities Technician I and establish a schedule of compensation therefor, was introduced on motion of Councilman Martinet, seconded by Councilman Cobb, by the following vote: Yeas-Councilmen Cobb, Williams, Morrow, Martinet, Schaefer and Mayor Curran. Nays-Councilmen Loftin and Landt. Absent-Councilman Hitch.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the Meeting of November 12, 1970, on the matter of rezoning a portion of the Northwest $\frac{1}{4}$ of Section 33, Township 18 South, Range 2 West, S.B.B.M., located on the south side of Satellite Boulevard between 15th and 17th Streets, from Zone R-1-5 to Zone R-2A; it was reported that this hearing had been continued at the applicant's request.

Mr. J. R. Shattuck, the applicant, spoke in favor of the rezoning. John Wehbring, Planning Director of Imperial Beach, Ken Klein, Planning Department, James McLaughlin, Engineering Department, and Assistant City Manager Wilhelms, answered questions directed by the Council.

On motion of Councilman Landt, seconded by Councilman Loftin, the hearing was continued to December 15, 1970, and referred to the City Attorney to prepare an Ordinance for R-2A Zoning, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Martinet and Schaefer. Nays-Councilmen Williams, Morrow and Mayor Curran. Absent-Councilman Hitch.

At this time the Council returned to Item 5 to receive the Bond Committee's report on bids for \$5,000,000 1966 Municipal Improvement Bonds, Series 4.

The committee appointed to check and compute the bids on the bonds for which bids were opened previously during this meeting reported that the bid of Bank of America N.T. & S.A. and Associates is the bid yielding the lowest net interest cost.

After considering the various bids and the report thereon, the following resolution was adopted on motion of Councilman Schaefer, seconded by Councilman Martinet:

RESOLUTION 201349, entitled, "RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, AWARDED \$5,000,000 1966 MUNICIPAL IMPROVEMENT BONDS, SERIES 4 TO THE BEST RESPONSIBLE BIDDER, REJECTING ALL OTHER BIDS AND FIXING THE INTEREST RATE ON THE BONDS."

Said resolution was adopted by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Schaefer and Mayor Curran. Nays-None. Absent-Councilman Hitch.

Mayor Curran recessed the Meeting at 12:06 p.m. to reconvene at 2:00 p.m. The Meeting reconvened at 2:06 p.m. and the roll call showed Councilmen Williams and Hitch absent.

At this time the Council reconsidered Item 10 of the docket out of the regular order of business.

The proposed resolution, relative to 4day Tire Stores which

had been continued earlier in the meeting to allow time for field inspection, was reconsidered on motion of Councilman Morrow, seconded by Councilman Martinet.

Councilman Morrow advised the members of the Council that the information necessary to make the finding had been obtained and it was no longer necessary for a continuance.

RESOLUTION 201350, making a finding that a retail and wholesale tire store, proposed to be located in the C and RC Zones on Lot 3 and portions of Lot 2, Block 85, Linda Vista Unit No. 2 located at 6645 Linda Vista Road, by 4day Tire Stores, is an enterprise similar to and not more obnoxious or detrimental to the welfare of the particular community than those enterprises or businesses permitted in Section 101.0425, San Diego Municipal Code, was adopted on motion of Councilman Morrow, seconded by Councilman Martinet.

At this time the Council returned to the regular order of the docket and considered Item 112.

Councilman Williams entered the chamber.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the Meetings of October 22, and November 5, 1970, on the matter of a proposal to impose a 50-foot Height Limitation Zone over the whole or any part of the Mission-Pacific Beach area, generally bounded by the southerly boundary of the La Jolla Height Limitation Zone, the mean high tide line of the Pacific Ocean, the northerly line of Mission Bay Channel, and Interstate 5; it was reported that written protests had been received, and that the hearing had been continued for preparation of an alternate ordinance.

James McLaughlin, Engineering Department, and Ken Klein, Planning Department answered questions directed by the Council.

Mayor Curran asked if anyone wished to speak for or against either of the ordinances before the Council, on the proposed height limitation. The following persons appeared to speak: Phillip Shafer, Gerald Seymour, James Barthel, Ruth Peyton, Janet Wiscombe, Judith Brown, Katherine Brown, Ernie Mason, Isabell Vinson, and Reverend Quintin Garman.

At 3:16 p.m., Mayor Curran recessed the Meeting. Upon reconvening at 3:25 p.m., the roll call showed Councilman Hitch absent.

The Council continued with the hearing on the Mission-Pacific Beach Height Limitation Ordinance. The following persons appeared to speak: Ria Close, Ray Hirschman, Vernon Taylor, Arvid L. Steen-ken, Fred Livingston, Don Wiedmann, representing Fritz Swan, Ted Kistner.

On motion of Councilman Martinet, seconded by Councilman Morrow, the Ordinance dated November 23, 1970, identified as Ordinance "B", was amended to change the expiration date to January 1, 1972 by the following vote: Yeas-Councilmen Cobb, Loftin, Williams, Morrow, Martinet, Schaefer and Mayor Curran. Nays-Councilman Landt. Absent-Councilman Hitch.

The hearing was closed and a proposed ordinance, amending Chapter X, Article 1, of the San Diego Municipal Code by adding Section 101.0452.2 relating to the Height Limitation Zone - Mission-Pacific Beach as amended by the above motion was introduced on motion of Councilman Martinet, seconded by Councilman Morrow, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Schaefer and Mayor Curran.

Nays-None. Absent-Councilman Hitch.

At 4:20 p.m., Mayor Curran recessed the Meeting. Upon reconvening at 4:30 p.m., the roll call showed Councilman Hitch absent.

The hour of 9:30 a.m. having arrived, time set for the hearing, continued from the Meeting of November 12, 1970, on the proposal to impose a 50-foot Height Limitation Zone over the whole or any part of the West Peninsula Area generally bounded by the U.S. International University Campus, the U.S. Military Reservation, Catalina Boulevard, Nimitz Boulevard, the south jetty of the San Diego River Flood Control Channel, and the Mean High Tide Line of the Pacific Ocean, by adding Section 101.0452.3 Height Limitation Zone - West Peninsula to the San Diego Municipal Code; it was reported that written protests had been received.

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

Mayor Curran asked if anyone wished to speak for or against either of the ordinances before the Council, on the proposed height limitation. The following persons appeared to speak: Ted Kistner, Helen Fane, Mignon Scherer, Ramona Peterson, Ruby Young, Richard F. Ridenour, Spike Webb, Kate Cummins, Gloria Crowningshield and Mrs. James A. Martin.

The hearing was closed and the ordinance of 11/23/70 was amended, deleting exemption CII and renumbering the exemptions 1, 2, 3, on motion of Councilman Loftin, seconded by Councilman Landt.

A proposed ordinance, amending Chapter X, Article 1, of the San Diego Municipal Code by adding Section 101.0452.3 relating to the Height Limitation Zone - West Peninsula, as amended, was introduced on motion of Councilman Loftin, seconded by Councilman Landt, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Schaefer and Mayor Curran. Nays-None. Absent-Councilman Hitch.

The hour of 9:30 a.m. having arrived, time set for the hearing on the proposed Amendment to Rule II of the Rules of the Civil Service Commission by amending Section 2, and amending Chapter II, Article 3, Division 3 of the San Diego Municipal Code by amending Section 23.0302 relating to Residence; it was reported that no written protests were received.

Mrs. Mildred Waite, President of the Civil Service Commission, John Lewis, representative for the San Diego Police Officers, Sam Salazar, representative for the San Diego Fire Fighter's Association appeared to speak in favor of the amendment to the ordinance.

The hearing was closed on motion of Councilman Loftin, seconded by Councilman Schaefer.

The proposed ordinance, approving and adopting an Amendment to Rule II of the Civil Service Commission by amending Chapter II, Article 3, Division 3, Section 23.0302, of the San Diego Municipal Code and Rule II, Section 2, of the Rules of the Civil Service Commission relating to residence requirements of Policemen and Firemen, was introduced on motion of Councilman Loftin, seconded by Councilman Schaefer, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Martinet, Schaefer and Mayor Curran. Nays-None. Absent-Councilman Hitch.

Councilman Loftin left the Chamber.

The hour of 9:30 a.m. having arrived, time set for the hearing on the Appeal of Willard D. Olson, for Earl N. Edwards, owner, from the decision of the Planning Commission in sustaining the decision of the Planning Director in denying the preliminary parcel map for a two-parcel division of Lot 68, Del Norte Addition to Encanto Heights, located on the west side of Paradise Street, between Springfield and Mulberry Streets, in the R-2 Zone; it was reported that no written protests had been received.

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

Willard D. Olson appeared to speak in favor of the appeal.

The hearing was closed on motion of Councilman Cobb, seconded by Councilman Landt, and the following resolution adopted to provide for an adjusted lot line:

RESOLUTION 201351, granting the appeal of Willard D. Olson, for Earl N. Edwards, owner, from the decision of the Planning Commission and approving the preliminary parcel map of Lot 68, Del Norte Addition to Encanto Heights, TM 70-263, as shown in Document No. 734271 on file in the office of the City Clerk.

The hour of 9:30 a.m. having arrived, time set for the hearing on the Appeal of Fred E. Anderson from the decision of the Board of Zoning Appeals (Zoning Administrator Case No. 10073) for a variance to construct a 25'2" x 14'8" carport addition to existing single family dwelling; addition to observe 0' interior sideyard where 4' is required; subject property is located on Lot 626, Lomita Village Unit 4, at 437 Sears Avenue, between Skyline Drive and San Felipe Street, in the R-1-5 Zone; it was reported that no written protests were received.

James Herrick, Assistant Zoning Administrator, and Deputy City Attorney Conrad answered questions directed by the Council.

Jim Bear, representative for Mr. Anderson, spoke in favor of the appeal.

Stan Peters spoke in opposition of the appeal.

A motion to uphold the Board of Zoning Appeals and deny the appeal of Fred E. Anderson was made by Councilman Landt, seconded by Councilman Martinet and failed by the following vote: Yeas-Councilmen Cobb, Landt, Martinet and Mayor Curran. Nays-Councilmen Williams, Morrow and Schaefer. Absent-Councilmen Loftin and Hitch.

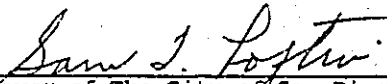
A motion to grant the appeal of Fred E. Anderson and overrule the decision of the Board of Zoning Appeals was made by Councilman Williams, seconded by Councilman Morrow and failed by the following vote: Yeas-Councilmen Williams, Morrow and Schaefer. Nays-Councilmen Cobb, Landt, Martinet and Mayor Curran. Absent-Councilmen Loftin and Hitch.

Due to the lack of five affirmative votes the appeal was deemed denied.

At this time the Council considered Item 18b of the docket out of the regular order.

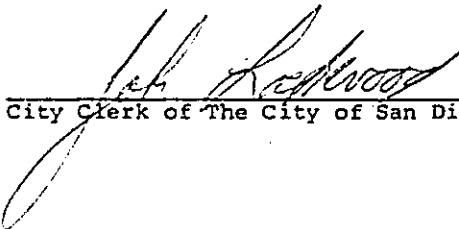
RESOLUTION 201352, furnishing and installing reflective pavement markers - various locations, San Diego, California, was adopted on motion of Councilman Cobb, seconded by Councilman Morrow.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned, on motion of Councilman Cobb, seconded by Councilman Morrow at 6:02 p.m.



Deputy Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, DECEMBER 3, 1970
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Loftin, Landt, Williams, Hitch, Schaefer, and Mayor Curran.
Absent--Councilmen Cobb, Morrow, and Martinet.
Clerk---John Lockwood.

Mayor Curran called the Regular Meeting to order at 9:15 a.m.

Councilman Morrow entered the Chamber.

The Council recognized a group of students from San Diego High School.

This being the time and place fixed for the opening of bids for (a) a franchise to construct, maintain and use pipes and appurtenances for transmitting and distributing gas in the City streets; and (b) a franchise to construct, maintain and use poles, wires, conduits and appurtenances for transmitting and distributing electricity in the City streets, the following bids were publicly opened, examined and read:

(a) Gas Franchise - bid of San Diego Gas and Electric Company in the amount of \$50,000, accompanied by a certified check for \$50,000.

(b) Electrical Franchise - bid of San Diego Gas and Electric Company in the amount of \$50,000, accompanied by a certified check for \$50,000.

The Mayor asked if there was anyone present who wished to submit a bid for either franchise in a sum not less than 10% above the bids that had been received. No other bids were presented.

On motion of Councilman Loftin, seconded by Councilman Landt, the bids were referred to the Evaluation Committee to report back to the Council by 10:00 a.m.

A communication from Mrs. Gladys Galian, representing a group of citizens concerned for South Bay Terraces, relative to requesting a Council Conference to further discuss the recommendations for the implementation of Resolution 195865, regarding the achievement of a balanced community in Bay Terraces, was presented.

Mrs. Gladys Galian appeared to speak regarding this communication. On motion of Councilman Williams, seconded by Councilman Landt, said communication was referred to a Council Conference to be held on December 22, 1970, at 3:00 p.m.

At this time the Council considered Item 14 out of the regular order of business.

A proposed resolution, relative to making a finding that Southern California Terraces, Inc. has complied with Condition 30 of the tentative map of Bay Terraces Unit 6 through 18, was presented.

Mr. Allan Rand of Southern California Terraces, Inc. appeared to speak in favor of the finding.

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

Assistant City Attorney Teaze requested this item be delayed until later in order that he might check this out.

At this time the Council returned to Item 4 and the regular order of business.

RESOLUTION 201353, awarding a contract to Deytime Construction Corporation, for the construction of Torrey Pines Municipal Golf Course Sanitary Facilities for the sum of \$52,000; authorizing the expenditure of \$55,000 out of Capital Outlay Fund 245 Programmed Reserve for this purpose and related costs, was adopted on motion of Councilman Hitch, seconded by Councilman Schaefer.

A proposed resolution, relative to awarding a contract to Cor-O-Van, Inc., was presented.

City Manager Hahn answered questions directed by the Council.

RESOLUTION 201354, awarding a contract to Cor-O-Van, Inc. for the purchase of labor, equipment, and materials to move office furniture and equipment, print shop equipment, and other special equipment to the City Operations Building from the City Administration Building and other City Department locations, and to move City Departments to and within the City Administration Building, for an estimated total cost of \$45,000, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

RESOLUTION 201355, awarding contracts for the purchase of two industrial tractor-loaders for actual costs, including terms, sales tax and trade-in, as follows: (a) Jack's Tractor Equipment, Inc., \$6,298.95; and (b) J. D. Equipment, Inc., \$12,790.94, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

At this time Mayor Curran and City Clerk John Lockwood made the announcement that Item 103, the continued hearing on the appeals regarding Conditional Use Permit No. 251-PC, would be heard at 2:00 p.m.

RESOLUTION 201356, awarding a contract to Blake, Moffitt, & Towne for the purchase of electric lamps for field floodlighting at the San Diego Stadium for the period of one year, ending November 30, 1971, was adopted on motion of Councilman Schaefer, seconded by Councilman Hitch.

RESOLUTION 201357, awarding a contract to Shanks & Wright, Inc. for the purchase of radio tube requirements for the period of one year, ending November 30, 1971, per prices on file in the office of the Purchasing Agent, for an estimated cost of \$7,500, was adopted on motion of Councilman Schaefer, seconded by Councilman Hitch.

A proposed resolution, relative to awarding a contract and accepting an offer for moving Legislative Representative and family and possessions from San Diego to Washington, D. C., was presented.

City Manager Hahn answered questions directed by the Council. On motion of Councilman Loftin, seconded by Councilman Landt, the following resolution was adopted:

RESOLUTION 201358, awarding a contract and accepting an offer for moving Legislative Representative, family, and possessions from San Diego to Washington, D. C., for a total actual estimate of \$2,847.25, as follows:

- a - Accepting the low bid of Central Moving & Storage Co., an agent of U. S. Van Lines, Inc., and authorizing a contract for the service of transporting interstate family household goods, for an estimated cost of \$1,976.25, terms net 30 days;
- b - Accepting the offer of T n' T, Inc. for transporting legislative representative's automobile for an estimated cost of \$459.85, terms net 30 days; and
- c - Authorizing air transportation for City legislative representative family to Washington, D. C.

At this time the Council considered Item 109 out of the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing on the appeal of Anthony E. Sampo from the decision of the Planning Commission in sustaining the decision of the Subdivision Review Board approving, subject to conditions, the tentative subdivision map of Sampo Subdivision, a one-lot subdivision of a portion of Lot 63, Rancho Mission, located between Mission Gorge Road and the San Diego County line, in the A-1-1 Zone (M-1A Zone on recordation of final map); the Council proceeded with the hearing.

The applicant requested a two weeks continuance.

On motion of Councilman Loftin, seconded by Councilman Landt, the hearing on the appeal of Anthony E. Sampo was continued for two weeks to Thursday, December 17, 1970.

At this time the Council returned to Item 10 and the regular order of business.

RESOLUTION 201359, awarding a contract to King Arthur Inc. for the purchase of 66 combination folding tables at an actual cost of \$2,430.06, including tax and terms, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow.

RESOLUTION 201360, awarding a contract to Ideal Saw & Lawn Mower Shop for the purchase of electric generator pavement breaker set for an actual cost of \$2,383.50, including tax and terms, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow.

The following resolutions inviting bids, were adopted on motion of Councilman Schaefer, seconded by Councilman Hitch:

RESOLUTION 201361, furnishing electric flasher lights, battery operated for the period of one year ending January 31, 1972 in accordance with Specifications Document No. 734104; and

RESOLUTION 201362, trimming of 55 eucalyptus trees at Torrey Pines Golf Course, in accordance with Specifications Document No. 734105.

The following resolutions, relative to final subdivision maps, were adopted on motion of Councilman Hitch, seconded by Councilman Schaefer:

RESOLUTION 201363, authorizing an agreement with Roy G. and Nancy R. Andersen for completion of improvements in Clairemont Park Unit 6A, a 14-lot subdivision located southerly of Mt. Acadia Boulevard;

RESOLUTION 201364, approving the final map of Clairemont Park Unit 6A;

RESOLUTION 201365, authorizing an agreement with Kaiser Aetna for completion of improvements in Kearny Industrial Park Unit 4, a 15-lot subdivision located on the north side of Clairemont Mesa Boulevard easterly of proposed Interstate 805;

RESOLUTION 201366, approving the final map of Kearny Industrial Park Unit 4;

RESOLUTION 201367, authorizing an agreement with Kuebler-Short for completion of improvements in Loma Manor Unit 1, a one-lot subdivision located westerly of Linda Vista Road on the north side of Baltic Street; and

RESOLUTION 201368, approving the final map of Loma Manor Unit 1.

A proposed resolution, relative to making a finding that Southern California Terraces, Inc. has complied with Condition 30 of the tentative map of Bay Terraces Units 6 through 18, which had been discussed earlier, was presented.

Mr. Allan Rand of Southern California Terraces, Inc. appeared to speak in favor of the finding.

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

On motion of Councilman Williams, seconded by Councilman Morrow, the proposed resolution relative to making a finding that Southern California Terraces, Inc. has complied with Condition 30 of the tentative map of Bay Terraces Units 6 through 18, was referred to a Council Conference to be held December 22, 1970, at 3:00 p.m.

Mayor Curran recessed the meeting at 10:00 a.m. Upon reconvening at 10:08, the roll call showed Councilmen Cobb and Martinet absent.

RESOLUTION 201369, authorizing an agreement with Princess Park Estates, Inc. for reimbursement of funds expended for construction of the Dairy Mart Offsite Sewer serving Princess Del Sol Units 9 through 13, was adopted on motion of Councilman Williams, seconded by Councilman Morrow.

At this time it was reported that discussion of Items 2 and 110 would be heard at 2:00 p.m. These were the bids and hearing on the Gas and Electric Franchises.

A proposed resolution, relative to authorizing an agreement with Kenneth Jones for CATV consultant services, was presented.

City Manager Hahn answered questions directed by the Council.

RESOLUTION 201370, authorizing an agreement with Kenneth Jones for CATV consultant services, at a rate of \$25.00 per hour, not to exceed the sum of \$300.00, was adopted on motion of Councilman Hitch, seconded by Councilman Schaefer.

A proposed resolution, relative to authorizing an agreement with Glenn A. Rick Engineering and Development Co., Inc. for the design of certain portions of the San Diego Wild Animal Park, was presented.

City Manager Hahn answered questions directed by the Council.

RESOLUTION 201371, authorizing an agreement with Glenn A. Rick Engineering and Development Co., Inc. for the design of certain portions of the San Diego Wild Animal Park and the coordination of the engineering services to be done by other architects and engineers; authorizing the transfer of \$200,000 from Capital Outlay Fund 245 to be made available for preliminary costs in connection with the San Diego Wild Animal Park Development, was adopted on motion of Councilman Landt, seconded by Councilman Loftin.

RESOLUTION 201372, authorizing an agreement with the National Cash Register Company for the purchase of a NCR Century 200 Automatic Data Processing System for a total cost of \$354,834.54; and authorizing the City Auditor and Comptroller to transfer \$24,838.54 from the Community Buildings and Improvement Bond Fund 726, \$59,997 from the Water Revenue Fund 502, and \$19,999 from the Sewer Revenue Fund 506 to the Command Control System Special Revenue Fund 2704, for the purchase of the above system, was adopted on motion of Councilman Hitch, seconded by Councilman Schaefer.

RESOLUTION 201373, granting the petition for paving and otherwise improving 39th Street, from Delta Street to approximately 134 feet northerly of Gamma Street; directing the City Engineer to furnish description and plat of the district, was adopted on motion of Councilman Williams, seconded by Councilman Morrow.

The following ordinance was introduced at the meeting of November, 19, 1970.

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 written or printed copies of said ordinance.

ORDINANCE 10453 (New Series), incorporating a portion of Lot 9, Subdivision of Lots 61, 62, and a portion of Lot 63, Rancho Mission, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 8924 (New Series), adopted November 14, 1963, insofar as the same conflicts herewith, was adopted on motion of Councilman Schaefer, seconded by Councilman Morrow by the following vote: Yeas-Councilmen Loftin, Landt, Williams, Morrow, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilmen Cobb and Martinet.

A proposed ordinance, amending Section 1 of Ordinance No. 9858 (New Series), adopted August 15, 1968, incorporating Lots 1 through 6 and 19 through 24, Block J, Imperial Beach Gardens, into C-1A Zone, providing for an extension of time to March 14, 1971, was presented.

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

Introduction of the ordinance, on motion of Councilman Landt, seconded by Councilman Loftin, failed due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen Loftin, Landt, Hitch, and Schaefer. Nays-Councilmen Williams, Morrow, and Mayor Curran. Absent-Councilmen Cobb, and Martinet.

On motion of Councilman Hitch, seconded by Councilman Schaefer, this item was continued to the end of the docket by the following vote: Yeas-Councilmen Loftin, Landt, Morrow, Hitch, Schaefer, and Mayor Curran. Nays-Councilman Williams. Absent-Councilmen Cobb, and Martinet.

At this time the Council considered Item 104 out of the regular order of business.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning Lots 7-10, Block 7, Bay View Homestead, located on the west side of Seventh Avenue between Beech and Cedar Streets, from Zone R-4 to Zone C-1A (Case No. 12-70-4); the Council proceeded with the hearing.

No one appeared to be heard.

The hearing was closed on motion of Councilman Landt, seconded by Councilman Loftin.

A proposed ordinance incorporating Lots 7-10, Block 7, Bay View Homestead, into C-1 Zone, as defined by Section 101.0430.1 of the San Diego Municipal Code, and repealing Ordinance No. 12987, approved October 20, 1930, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Landt, seconded by Councilman Loftin, by the following vote: Yeas-Councilmen Loftin, Landt, Williams, Morrow, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilmen Cobb, and Martinet.

At this time Mayor Curran recognized a group of students from La Presa Junior High, who had just arrived in the Council Chambers.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning Lots 15 and 16, Block 26, Roseville Subdivision, located on the south side of Carleton Street between Scott and Shafter Streets, from Zone R-4 to Zone C-1A; the Council proceeded with the hearing. (Case No. 24-70-2.)

No one appeared to be heard.

The hearing was closed on motion of Councilman Schaefer, seconded by Councilman Hitch.

A proposed ordinance incorporating Lots 15 and 16, Block 26, Roseville Subdivision, into C-1A Zone, as defined by Section 101.0431 of the San Diego Municipal Code, and repealing Ordinance No. 32 (New Series), adopted September 12, 1932, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Schaefer, seconded by Councilman Hitch by the following vote: Yeas-Councilmen Loftin, Landt, Williams, Morrow, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilmen Cobb, and Martinet.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning Lot "A", Block 23, Horton's Addition, located on the south side of "B" Street between Tenth and Eleventh Avenues, from Zone C to Zone C-1 (Case No. 15-70-1); the Council proceeded with the hearing.

No one appeared to be heard.

The hearing was closed on motion of Councilman Hitch, seconded by Councilman Schaefer.

A proposed ordinance incorporating Lot A, Block 23, Horton's Addition, into C-1 Zone, as defined by Section 101.0430.1 of the San Diego Municipal Code, and repealing Ordinance No. 12942, approved September 4, 1930, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Hitch, seconded by Councilman Schaefer by the following vote: Yeas-Councilmen Loftin, Landt, Williams, Morrow, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilmen Cobb, and Martinet.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning a portion of the Southwest 1/4 of Section 26, and a portion of the Northeast 1/4 of the Northwest 1/4, Section 35, Township 18 South, Range 2 West, S.B.B.M., located on both sides of Del Sol Boulevard between National Avenue and Del Sur Boulevard from Interim Zone A-1-10 to Zones R-1-5, R-2A and C-1A (Case No. 48-70-15); the Council proceeded with the hearing.

Mr. Alan Perry, Attorney, appeared to speak in favor of the rezoning.

Mr. Robert Carter, President of Otay Mesa Homeowner's Association, appeared to withdraw his protest to the rezoning.

The hearing was closed on motion of Councilman Loftin, seconded by Councilman Landt.

A proposed ordinance incorporating a portion of the Southwest 1/4 of Section 26, Township 18 South, Range 2 West, S.B.B.M., into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 7606 (New Series), adopted September 26, 1957, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Loftin, seconded by Councilman Landt, by the following vote: Yeas-Councilmen Loftin, Landt, Williams, Morrow, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilmen Cobb and Martinet.

The hour of 9:30 a.m. having arrived, time set for the hearing on the matter of rezoning Lots "L" and "K" and the easterly 12.00 feet of Lots "A" and "B", Block 228, Horton's Addition, located on the west side of Sixth Avenue between Elm and Fir Streets, from Zone R-4 to Zone RP (Case No. 12-70-5); it was reported that one written protest had been received.

Mr. William Rick appeared to request that the matter be filed.

The hearing was closed on motion of Councilman Loftin, seconded by Councilman Landt.

RESOLUTION 201374, denying the request to rezone Lots "L" and "K" and the easterly 12.00 feet of Lots "A" and "B", Block 228, Horton's Addition, from Zone R-4 to Zone RP, located on the west side of Sixth Avenue between Elm and Fir Street, and sustaining the Planning Commission's decision to deny, was adopted on motion of Councilman Loftin, seconded by Councilman Landt.

Under unanimous consent granted to the City Manager, the Council considered a proposed resolution awarding a contract to Bo-Mar Construction Company for the construction of Belt Street Sewer.

There was discussion on a possible conflict of interest. The item was continued until 2:00 p.m. for the City Manager to investigate this matter.

Mayor Curran recessed the meeting at 10:55 a.m. Upon reconvening at 2:05 p.m., the roll call showed Councilman Martinet absent.

The Council again considered the unanimous consent item relative to awarding a contract to Bo-Mar Construction Company.

City Manager Hahn reported the ownership had been checked and there was no conflict of interest.

RESOLUTION 201375, awarding a contract to Bo-Mar Construction Company for the construction of Belt Street Sewer; authorizing the expenditure of \$142,100 out of Sewer Revenue Fund 506, was adopted on motion of Councilman Schaefer, seconded by Councilman Hitch.

At this time the Council considered Item 110 out of the regular order of business.

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for hearings on the intention of the City Council to grant franchises for

a - Transmitting and distributing Gas in the streets of the City of San Diego; and

b - Transmitting and distributing Electricity in the streets of the City of San Diego.

Assistant City Attorney Teaze read the report of the Evaluation Committee on the bids received and opened at 9:00 a.m. by the City Council:

December 3, 1970

REPORT TO THE HONORABLE MAYOR
AND CITY COUNCIL

BIDS FOR FRANCHISES FOR TRANSMITTING AND DISTRIBUTING GAS
AND ELECTRICITY IN THE CITY STREETS

Pursuant to your request, we have reviewed the bids submitted by San Diego Gas and Electric Company for

- (a) A franchise to construct, maintain, and use pipes and appurtenance for transmitting and distributing gas in the City streets; and
- (b) A franchise to construct, maintain and use poles, wires, conduits, and appurtenances for transmitting and distributing electricity in the City streets.

Our review of the bids indicates that they conform to the form of bid document which was attached at Exhibit D to Resolutions Nos. 201319 and 201320 which you adopted on November 24, 1970.

The bids are in proper form and are responsive to your invitation to bid.

This office has also reviewed performance bonds filed with the City Clerk at approximately 9:16 a.m. this date by San Diego Gas and Electric Company. They are in proper form and meet the requirements of the resolutions and the form of ordinance and franchise upon which San Diego Gas and Electric Company has bid.

Ordinances in the form set forth as Exhibit A to Resolution No. 201319 for the gas franchise and No. 201320 for the electric franchise have been prepared by this office and filed with the Clerk. They are ready for your consideration at the public hearing which has been set for today in accordance with the provisions of Section 103 of the City Charter.

Respectfully submitted,

Robert S. Teaze
Assistant City Attorney

Mayor Curran again asked if there was anyone who wished to offer a bid for more than 10% of the bid received on either franchise. No one appeared to offer a higher bid on either of the franchises.

Mr. Walter Zitlau of the San Diego Gas and Electric Company answered questions directed by the Council.

The hearings were closed and the following ordinances introduced on motion of Councilman Hitch, seconded by Councilman Loftin, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Hitch, Schaefer, and Mayor Curran. Nays-Councilmen Williams and Morrow. Absent-Councilman Martinet.

A proposed ordinance granting to San Diego Gas & Electric Company, its successors and assigns, the franchise (1) to use for transmitting and distributing gas suited for lighting but for use by consumers for any and all lawful purposes other than lighting, all pipes and appurtenances which are now or may hereafter be lawfully placed and maintained in the streets within the City of San Diego under that certain franchise of grantee acquired pursuant to Section 19 of Article XI of the Constitution of the State of California, as said section existed prior to its amendment on October 10, 1911, (2) to construct, maintain and use in said streets all pipes and appurtenances whenever and wherever said constitutional franchise is not now nor shall hereafter be available therefor, necessary to transmit and distribute gas suited for, and for use by consumers for, any and all lawful purposes, and (3) to utilize said pipes and appurtenances in said streets for transmitting gas for use outside the boundaries of the City for any and all lawful purposes, and providing the terms and conditions of the franchise so granted; and

A proposed ordinance granting to San Diego Gas & Electric Company, its successors and assigns, the franchise (1) to use, for transmitting and distributing electricity suited for lighting but for use by consumers for any and all lawful purposes other than lighting, all poles, wires, conduits and appurtenances which are now or may hereafter be lawfully placed and maintained in the streets within the City of San Diego under that certain franchise of grantee acquired pursuant to Section 19 of Article XI of the Constitution of the State of California, as said section existed prior to its amendment on October 10, 1911, (2) to construct, maintain and use in said streets all poles, wires, conduits and appurtenances whenever and wherever said constitutional franchise is not now nor shall hereafter be available therefor, necessary to transmit and distribute electricity suited for, and for use by consumers for, any and all lawful purposes, and (3) to utilize said poles, wires, conduits and appurtenances in said streets for transmitting electricity for use outside the boundaries of the City for any and all lawful purposes, and providing the terms and conditions of the franchise so granted.

At this time the Council considered Item 103, out of the regular order of business.

The hour of 2:00 p.m. having arrived, time set for the hearing, continued from the Meeting of November 19, 1970, on the appeal of Malcolm O. Whitt, Robert E. Carter as President of The Otay Mesa Homeowner's Association, and others, from the decision of the Planning Commission approving the application of San Diego Consolidated Company and Consolidated Rock Products Company under Conditional Use Permit

No. 251-PC, to construct and operate a natural resource facility for the extraction of sand, gravel and rock, located on Monument Road, west of the extension of Hollister Street, being portions of Sections 4 and 9, Township 19 South, Range 2 West, S.B.B.M., in the A-1-10, R-1-20 and FC Zones; it was reported that written protests had been received, and that this hearing had been continued to allow the opponents of the Conditional Use Permit 35 additional minutes of testimony and each side would be allotted 15 minutes for rebuttal.

Mr. Norman Seltzer, Dr. Bill Autio, Mrs. Mary Forsythe, Mr. Malcolm Witt, Dr. Byrne, and Mr. Burt Forsythe appeared to speak in favor of the appeal.

Mayor Curran recessed the meeting at 3:10 p.m. Upon reconvening at 3:14 p.m., the roll call showed Councilman Martinet absent.

Senor Ybarra, representative of the Mayor of Tijuana, Mexico, appeared to speak in favor of the appeal.

Mr. Paul Peterson, presented rebuttal in opposition to the appeal.

Mr. Norman Seltzer presented rebuttal in support of the appeal.

Deputy City Attorney Fred Conrad answered questions directed by the Council.

Mayor Curran recessed the Meeting at 4:00 p.m. Upon reconvening at 4:05 p.m., the roll call showed Councilman Martinet absent.

Planning Director James Goff, John Fowler of the Engineering Department, and Assistant City Manager Wilhelms answered questions directed by the Council.

The hearing was closed and the following resolution adopted on motion of Councilman Morrow, seconded by Councilman Landt, by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Schaefer, and Mayor Curran. Nays-Councilman Hitch. Absent-Councilman Martinet.

RESOLUTION 201376-A, granting the appeals of Malcolm O. Whitt, Robert E. Carter as President of The Otay Mesa Homeowner's Association, and others, and overruling the decision of the Planning Commission granting Conditional Use Permit No. 251-PC to San Diego Consolidated Company and Consolidated Rock Products Company because the Council could not make the four findings of fact required to grant the Conditional Use Permit.

Mayor Curran recessed the Meeting at 4:45 p.m. Upon reconvening at 4:55 p.m., the roll call showed Councilman Martinet absent.

At this time the Council considered Item 102 out of the regular order of business.

A proposed ordinance, amending Section 1 of Ordinance No. 9858

(New Series), adopted August 15, incorporating Lots 1 through 6 and 19 through 24, Block J, Imperial Beach Gardens, into C-1A, providing for an extension of time to March 14, 1971, was presented.

Marshall Saunders appeared to speak.

Deputy City Attorney Conrad and Mr. Klein of the Planning Department answered questions directed by the Council.

A proposed ordinance, amending Section 1 of Ordinance No. 9858 (New Series), adopted August 15, 1968, incorporating Lots 1 through 6, and 19 through 24, Block J, Imperial Beach Gardens, in the City of San Diego, into C-1A Zone, as defined by Section 101.0431 of The San Diego Municipal Code, was introduced on motion of Councilman Morrow, seconded by Councilman Hitch by the following vote: Yeas-Councilmen Cobb, Loftin, Landt, Williams, Morrow, Hitch, Schaefer, and Mayor Curran. Nays-None. Absent-Councilman Martinet.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Schaefer, seconded by Councilman Loftin, at 5:05 p.m.

Sam J. Loftin

Acting Mayor of The City of San Diego, California

ATTEST:

John R. Roberts

City Clerk of The City of San Diego, California