

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, February
8, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:10 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Knox
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan acted as the presiding officer.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for construction of Murray Reservoir Pumping Plant and Appurtenant Work, the Clerk reported that one bid had been received, which bid was presented to the Council. On motion duly made and seconded, said Bid was opened and publicly declared.

Said bid was as follows:

The bid of Walter H. Barber and H. R. Breeden, as joint venturers, 7309 El Cajon Boulevard, La Mesa, California, which bid was given Document No. 429252.
(When bids were called for previously, there was then only one bid presented - from the same bidder)

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed Ordinance amending Civil Service Commission Rules, "Military Leave" - Rule X, Subdivision 3, clerk Reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected persons were present who desired to be heard. No one appeared to be heard, verbally, and no written communications on the subject were presented.

ORDINANCE NO. 4689 (New Series), recorded on Microfilm Roll No. 36, approving an amendment to Rule X, Subdivision 3 entitled "Military Leave" of the rules of the Civil Service Commission, to read as follows: "For those officers or employees of The City of San Diego who have been employed for at least one year in regular City employment, who serve either the United States or the State of California in time of emergency or war, and who are not entitled to compensation and vacation under the Military and Veterans' Code of this State, the City shall provide and pay such officer or employee compensation for a period of time not to exceed thirty (30) days", was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The City Manager asked for unanimous consent in connection with a matter which he said was not listed on the Council's agenda, and consent was granted for Roy Cleator to address the Council.

Mr. Cleator, attorney, appeared in behalf of San Diego Economy Line, and spoke about an application for stage service to Fletcher Hills. He said that there are areas which do not have adequate transportation. He pointed out that the line would not be part of the line proposed to go to Campo, under an earlier application under the name of Clayton Eslinger & Freddie L. Allen doing business as San Diego-Campo Bus Line, but would be a separate line under the new company.

The Vice Mayor said that the Public Utilities Commission has to act first, then the City would come into the picture.

The City Attorney spoke at this point. He said that the Company should come to the City to negotiate for a franchise, after the Public Utilities Commission has granted a Certificate of Public Convenience and Necessity. He said that the City would want to know that the Certificate had been granted, before the City would spend funds to advertise for bids for a franchise.

Mr. Cleator said that the Commission would be interested in knowing the City's attitude in the matter.

Steve Fletcher spoke. He said that there are over 2500 people in the Fletcher Hills area, and that more adequate transportation direct to the City of San Diego is needed. Mr. Fletcher said that requests for such service have been turned down twice by the San Diego Transit System. Asked by members of the Council if the residents of the area had petitioned the Public Utilities Commission for establishment of such service through Commission order, he said that he believed no such application had been made.

He stated that the Transit System had refused to even hear a plea of the Fletcher Hills residents for furnishing of transportation.

Asked about type of operation, Mr. Cleator said that he thinks the company cannot operate unless pickups and discharges are made within the City of San Diego.

At this point Alton S. Putnam spoke, but did not identify his connection with the matter. He said there would be no competition in pickups west of Wabash Freeway. He said that competition would be only in the vicinity of 47th and Federal and at 54th and Redwood. He termed the area "virgin territory" except at 2 points on El Cajon Boulevard. Mr. Putnam said, in response to question from Councilman Swan, about routes other than the one proposed, that the route asked for is the best. He said that the company could not consider instituting the service if only pickups were allowed at each end of the line, with none in the City.

Councilman Dail was excused at this time.

Mr. Putnam continued, saying that the line would serve the La Mesa Homelands area, which is proposed to be developed in the near future. He asked for Council authority to advertise for bids. He said that there would be a limited time if they would have to wait for completion of Public Utilities Commission action. He said that the petitioner would be glad to reimburse the City for costs of advertising, etc.; if the permit were not granted by the Commission. He said, further, that it usually takes from 6 to 9 weeks before the State Commission takes final action. However, he said that sometimes it is much less, but may take longer if protest is entered by the "losing bidder".

Clayton Eslinger, one of the applicants, spoke. He told of the equipment proposed to be used, said that Commission representative had inspected it and that there had been no rejection except for the fact that the name had not yet been put on it. He said that the company is incorporated, and has the Commission's O.K. on that point. He said it does not take a lot of money to operate a bus line properly. He said there had been a successful operation on the Campo Line, but upon being questioned said that the line had been discontinued in May of last year. Reason for discontinuance, Mr. Eslinger said, was due to closing of one of the lakes to recreation and a hospital in the area, also that things had gone backward in Tecate (Mexico). He said that there is now only one trip each month, that \$8,000.00 had been lost before abandonment of regular service. Mr. Eslinger stressed the financial ability to operate the proposed line. He said that it is the desire of the applicants to come before the Commission with a showing that cooperation with the City has been had.

RESOLUTION NO. 101220, recorded on Microfilm Roll No. 36, referring the matter of application of Clayton Eslinger & Freddie L. Allen doing business as San Diego Economy Line to the City Manager and to the City Attorney for further report to the Council at the proper time, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Petition of Cecil T. Baker, 4804 University Avenue requesting exchange of easements in Lot 23 Block 22 Fairmount Addition, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said petition was referred to the City Manager.

Petition of Mission Beach Company, signed by Warner Austin, Manager, for amendment to lease covering ceiling prices on hot dogs and hamburgers, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said petition was referred to the City Manager.

Petition of James P. Warren, chairman, 30th Annual Policemen's Ball, for suspension of rentals and fees on the contract with management of the Mission Beach Ballroom for the night of April 28, 1951, in connection with benefit for the Police Relief Association, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said petition was referred to the City Manager.

Petition for improvement of Narragansett Avenue between Chatsworth Boulevard and Warrington Street, by grading, removing curbs and paving, and removal of center strip, at no cost to property owners, on account of hazards involved, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said petition was referred to the City Manager.

Petition of Point Loma Residents for restoration of bus service in the area, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Claim of Ernest R. Brown, 4334 Myrtle Street, for damage to property from broken water main, in an unstated amount, was presented.

RESOLUTION NO. 101221, recorded on Microfilm Roll No. 36, referring claim of Ernest R. Brown to Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Claim of Beatrice A. Mastin, 230 Bon Air Street, La Jolla, in the sum of \$5,000.00, for personal injuries sustained in fall in an alley adjacent to her home, was presented.

RESOLUTION NO. 101222, recorded on Microfilm Roll No. 36, referring claim of Beatrice A. Mastin to Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Claim of Tony Smith, 3056 Imperial Avenue, in the sum of \$240.89, for property damage resulting from City truck running into the entrance of the building located at 3002 Imperial Avenue, was presented.

RESOLUTION NO. 101223, recorded on Microfilm Roll No. 36, referring claim of Tony Smith to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Claim of Raymond F. Young, 4617 Pendleton Ave., San Diego 9, in the sum of \$25.00, for property damage to his automobile from a bullet fired from the pistol of a policeman in pursuit of a stolen car, was presented.

RESOLUTION NO. 101224, recorded on Microfilm Roll No. 36, referring claim of Raymond F. Young to Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing City Manager's Annual Report, 1949-50, was presented.

RESOLUTION NO. 101225, recorded on Microfilm Roll No. 36, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for printing of 3000 copies of the City Manager's Annual Report, 1949-50, in accordance with specifications on file in the office of the City Clerk under Document No. 429213, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101226, recorded on Microfilm Roll No. 36, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the improvement of Chatsworth Boulevard, between Catalina Boulevard and Coronado Avenue, in accordance with Document No. 429211, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Councilman Dail returned to the meeting at this time

Communication from the City Manager reporting upon condition as consideration of granting zone variance to the Safeway Company of a portion of Lot 23 La Mesa Colony, that owners of the property deed to the City a 50-foot strip of land along the westerly boundary of property for extension of Art Street from El Cajon Boulevard to Seminole Drive, recommending acceptance of dedication subject to Art Street being graded full width to grades established by the City Engineer, and that the curbs be installed on the easterly side of the street adjacent to the Safety Company property, was presented.

RESOLUTION NO. 101227, recorded on Microfilm Roll No. 36, adopting recommendation of the City Manager for acceptance of dedication of property to the City of a 50-foot strip of land along the westerly boundary of portion of Lot 23 La Mesa Colony, from Safeway Company for extension of Art Street from El Cajon Boulevard to Seminole Drive, subject to Art Street being graded full width to grades established by the City Engineer, and the installation of curbs on the easterly side of the street adjacent to the Safeway Company property, directing the Property Department to secure deed thereto, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on letter from Park West Civic Association urging attention to need for traffic signals on Laurel Street at First, Fourth, Fifth and Sixth Avenues, and on a petition requesting a signal at Fifth and Laurel, was presented.

Said communication stated that a preliminary draft of priority list indicates Laurel Street, at 5th, No. 25; 6th, No. 32; 4th, No. 34; 1st, No. 60. Further information in the report indicated that before all could be installed it would probably be two years at 1st and Laurel, ^{rather} than those at 4th, 5th and 6th, which would probably be in the 1952-1953 fiscal year.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of Final Map of Bay Park Vista No. 2, subject to posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 101228, recorded on Microfilm Roll No. 36, authorizing and directing the City Manager to execute a contract with Steelcrete Industrial Buildings, Inc., a corporation, for installation and completion of unfinished improvements and setting of monuments required for Bay Park Vista Unit No. 2, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101229, recorded on Microfilm Roll No. 36, adopting Map of Bay Park Vista Unit No. 2, being a subdivision of portion of Lots 15, 16 and 22 of Eureka Lemon Tract, together with portion of Baker Street vacated and closed by Resolution No. 100302 by the Council on November 21, 1950, accepting on behalf of the public Lloyd Street, Lloyd Place, Borreson Street, Baker Street, portion of Ticonderoga Street, unnamed easements, and dedicating said public streets and easements to the public use, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said streets and easements are accepted on behalf of the public, directing the City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of Sections 4A8 and 6 to permit Tentative and Final Maps of Cassey Heights to be filed at the scale of 1 inch equals 50 feet, was presented.

RESOLUTION NO. 101230, recorded on Microfilm Roll No. 36, suspending Sections 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Cassey Heights, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101231, recorded on Microfilm Roll No. 36, approving Tentative Map of Cassey Heights, a subdivision of Lot 65 of Las Alturas Villas Sites into 27 lots, located at the intersection of Santa Isabel Drive and Encina Drive, subject to 10 conditions was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Planning Commission, signed by the Asst. Planning Director, recommending approval of revised Tentative Map of Clairemont Unit No. 3, formerly a portion of Unit 2 of Clairemont, subject to 10 conditions, was presented.

RESOLUTION NO. 101232, recorded on Microfilm Roll No. 36, approving Tentative Map of Clairemont Unit No. 3, revised, formerly a portion of Unit No. 2 of Clairemont, consisting of 82 lots located near Clairemont Boulevard and Fairfield Street, subject to 10 conditions, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of Final Map of Euclid Manor, subject to the posting of an adequate bond to insure required improvements, was presented.

RESOLUTION NO. 101233, recorded on Microfilm Roll No. 36, authorizing and directing the City Manager to execute a contract with Luie B. Butterfield and Edna L. Butterfield, husband and wife, for the installation and completion of the unfinished improvements and the setting of the monuments required for Euclid Manor, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101234, recorded on Microfilm Roll No. 36, adopting Map of Euclid Manor, being a resubdivision of Lots 3, 17, 18, 19, 20, 21, 22, 23, 24, 40, 41, 42 and portions of Lots 1, 2, 44 and 45 of Las Alturas Villa Sites, accepting on behalf of the public La Paz Drive, San Bernardo Terrace, Trinidad Way, San Alberto Way, Auga Vista Way, Santa Rita Way, Mansanares Way, portion of Euclid and unnamed easements, declaring said streets portion of street and unnamed easements to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said streets, portion of a street and unnamed easements are accepted on behalf of the public as hereinbefore stated, directing the City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 4 sections of the Subdivision Ordinance, in connection with the Tentative Map of Redwood Village Unit No. 6, was presented.

RESOLUTION NO. 101235, recorded on Microfilm Roll No. 36, suspending Sections 3E5, 3I2, 4A8 and 6 of the Subdivision Ordinance, in connection with Tentative Map of Redwood Village Unit No. 6, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of Tentative Map of Redwood Village, Unit No. 6, lying south and west of College Avenue, subject to future streets, setback lines and easements shown thereon, and to 10 conditions, was presented.

RESOLUTION NO. 101236, recorded on Microfilm Roll No. 36, approving the Tentative Map of Redwood Village Unit No. 6, a subdivision of 149 lots in Parcel "00" Lot 19 Rancho Ex Mission, lying southwest of College Avenue, subject to 10 conditions, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 4 sections of the Subdivision Ordinance in connection with the Tentative Map of Redwood Village Unit No. 7, was presented.

RESOLUTION NO. 101237, recorded on Microfilm Roll No. 36, suspending Sections 3E5, 3I2, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Redwood Village Unit No. 7, was on motion of Councilman Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Redwood Village Unit No. 7, for the subdivision of 127 lots, of property lying on both sides of Streamview Drive northerly of Redwood Village Unit No. 3, was presented.

RESOLUTION NO. 101238, recorded on Microfilm Roll No. 36, approving Tentative Map of Redwood Village Unit No. 7, subject to 11 conditions, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101239, recorded on Microfilm Roll No. 36, authorizing and directing the City Manager to execute contract with John H. Lovett, Ronald S. Brock, T. J. Lords and Dennstedt Investment Company, a co-partnership, subdividers, and Bank of America National Trust and Savings Association, Trustee, for construction and completion of improve-

ments and the setting of the required monuments and stakes for Talmadge Park Estates Unit 4, directing the City Engineer to present an Ordinance establishing the official grades of all streets within said Subdivision, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Accompanying said Resolution was a communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of said Final Map subject to Council reapproval of the Tentative Map, to minor corrections, to approval by the City Engineer and to the completion or posting of a bond for completion of required improvements. Said communication, forwarded to the Council, was addressed to the Planning Commission.

RESOLUTION NO. 101240, recorded on Microfilm Roll No. 36, adopting Map of Talmadge Park Estates Unit 4, being a subdivision of portion of Lot 23 Rancho Mission of San Diego, accepting on behalf of the public Lucille Drive, Lorraine Drive, Caroline Drive, Janet Place, Patricia Place and unnamed easements shown thereon for public purposes, declaring said streets and unnamed easements to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said streets and unnamed easements are accepted on behalf of the public as hereinbefore stated, directing the City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from George L. Dutton, Katherine B. Hewitt, J. R. Townsend, W. H. Astler, Mabel M. Colby, protesting petition of C. M. Rodefer for improvement of Linwood Street between the easterly line of Old San Diego and the westerly line of Bandini Street closed, for the various reasons set forth in said communication, was presented.

Ferdinand Fletcher, attorney, representing Mr. Rodefer, spoke. He expressed the belief that both sides should be able to get together on the question, and asked for a delay of one week.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was referred to the City Manager.

Communication from Estelle M. Henderson, Chr. San Diego Real Property League, requesting removal of all the dairies from within the city limits of San Diego, stating that the Mayor, a leader in the clean up of the City, will agree that this condition within the City has lasted long enough, and demanding attention, was presented and read.

Said letter had attached to it a copy of letter from Mrs. Henderson on the same subject, dated Nov. 15, 1948, and the current letter contains political references.

Mrs. Henderson addressed the Council on the subject of dairies.

Councilman Wincote asked Mrs. Henderson if she was really interested in the matter of dairies, or if there was a political motive behind her letters.

Mrs. Henderson replied that all dairies should be removed from the City.

The Vice Mayor pointed out that San Diego has a vast territory, that there are dairies in Mission Valley, in Sorrento, etc., and that such a move as she suggested would force all such enterprises out.

The City Attorney said that if a dairy is a public nuisance, it can be abated. He said that to abate a dairy, it would be necessary to prove in court that it is a nuisance to a whole neighborhood.

Mrs. Henderson said that is what she wants - have them declared nuisances - and ruled out of the City.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was ordered filed, over Mrs. Henderson's protest.

RESOLUTION NO. 101241, recorded on Microfilm Roll No. 36, authorizing and empowering the City Manager to execute for and on behalf of the City, a lease with R. E. Collins and Helen Collins covering Lot 4, being the northwest 1/4 of the northwest 1/4 of Section 4 Township 18 South, Range 3 East, containing approximately 40 acres, for stock grazing purposes, for a period of five years beginning February 15, 1951, at a rental of \$50.00 per year, payable in advance, in accordance with form of lease filed in the office of the City Clerk under Document No. 429277, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101242, recorded on Microfilm Roll No. 36, approving Change and Extra Work Order No. 37 dated January 24, 1951, heretofore filed with the City Clerk as Document No. 429218, issued in connection with contract between The City of San Diego and Daley Corporation, for construction of Wabash Freeway, Section A, amounting to an increase in the contract price of \$142.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Petition of Hazel Aker, 7660 Fay Avenue, for permission to install sewer line at 1/8 inch per foot fall, to serve property at 831-33 Kline Street, was presented, together with recommendation for approval from the Health Dept., signed by Strachan, and the City Manager's stamp of approval.

RESOLUTION NO. 101243, recorded on Microfilm Roll No. 36, granting permission to Hazel Aker, 7660 Fay Avenue, La Jolla, to install a four-inch cast iron sewer line to serve Lots 23 and 24 Block 21 La Jolla Park, property located on the southwest corner of Kline Street and Fay Street and designated as Number 831-838 Kline Street, which sewer line shall have a 1/8" grade fall per foot instead of 1/4" grade, upon approval of the City Manager and Department of Public Health, and upon conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Petition of M. H. Golden Construction Company for permit to install 550 gal. gasoline tank under sidewalk at Borden Company Job, Kurtz & Riley Streets, was presented,

together with communication from the Assistant Director of Public Works, addressed to the City Manager, and forwarded with the Assistant City Manager's stamp of approval, recommending granting said request, and specifying conditions therefor.

RESOLUTION NO. 101244, recorded on Microfilm Roll No. 36, granting revocable permit to M. H. Golden Construction Company, 3485 Noell Street, San Diego 1, California, to install and maintain one 550-gallon gasoline tank underneath the sidewalk at Kurtz^{and Alley} Streets, upon various conditions more particularly set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Petition of E. Hutchings, 3512 Euclid Ave., addressed to Sanitation Dept., for permission to run a sewer line with an 1/8 of an inch drop from property located at 3583 - 47th Street to the main sewer, was presented, together with recommendation of approval signed by Floyd Strachan, Health Dept., and the City Manager's stamp of approval.

RESOLUTION NO. 101245, recorded on Microfilm Roll No. 36, granting permission to E. Hutchings, 3512 Euclid Avenue, to install a sewer line to serve property at 3583 - 47th Street (Lots 3 and 4 Block 4 Bungalow Park Addition) which sewer line shall have a 1/8" grade fall per foot instead of 1/4" grade, upon approval of the City Manager and the Department of Public Health, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Petition of Chas. H. Tavel, Palmer's Trailer City, 3500 Kurtz Street, for permission to run the sewer line 1/8 of an inch per foot to connect with City sewer, was presented, together with signature of approval of Floyd Strachan, Dept. of Public Health, and the Assistant City Manager's stamp of approval.

RESOLUTION NO. 101246, recorded on Microfilm Roll No. 36, granting permission to Palmer's Trailer City (by Chas. H. Tavel), 3500 Kurtz Street, to run the sewer line 1/8 of an inch per foot, because of inability to connect to City sewer otherwise, upon approval of The City Manager and the Department of Public Health, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Petition of George Sanders, 1287 Silverado, for permission to install sewer line between the property line and the sidewalk to serve property located at 811 S. Coast, was presented, together with recommendation for approval from Supervisor of Properties, and the Assistant City Manager's stamp of approval.

RESOLUTION NO. 101247, recorded on Microfilm Roll No. 36, granting permission to George Sanders, 1287 Silverado, La Jolla, to install a four inch cast iron sewer line between the property line and the sidewalk, to be placed 2 feet outside the property line and run in a westerly direction, parallel to the property line of Lots 10 and 11 Block 55 La Jolla Park Subdivision, to point of intersection with public sewer, to serve property at 811 South Coast Boulevard, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Petition of S.P.S. Enterprises, by A. C. Snyder, for permission to install concrete transformer vault below the sidewalk, near the SW corner of the property on Front Street approximately 47 feet south of the corner of said property, for new building, being Lots A and B Block F Horton's Addition, 100' frontage on Broadway and 85' frontage on Front Street, vault to be 14 x 15 feet, was presented, together with recommendation for approval from the Assistant Director of Public Works, and the Assistant City Manager's stamp of approval.

RESOLUTION NO. 101248, recorded on Microfilm Roll No. 36, granting revocable permission to S.P.S. Enterprises to install and maintain a 14 x 15 feet concrete transformer vault underneath the sidewalk in front of Lots A and B Block F Horton's Addition, to be located approximately 47 feet south of the north property line, on the several conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Planning Director, reporting on the matter of Zone R-1A, in connection with the proposed rezoning in Pueblo Lot 1774, tabled from the meeting of February 1, 1951, for such a report, pointing out that objections raised at the first presentation of the proposed Ordinance were permissive in Mission Valley, but not apply to said area (Muirlands), was presented.

A Proposed Ordinance incorporating the north one-half of Pueblo Lot 1774 into a "R-1" Zone as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 13294 approved August 31, 1931, insofar as the same conflicted, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, a hearing was set on said proposed Ordinance, for the hour of 10:00 o'clock A.M., Friday, February 23, 1951.

A Proposed Ordinance regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, heights, area, and maintenance of all building and/or structures in The City of San Diego, providing for the issuance of permits and collection of fees therefor, providing penalties for violation thereof, declaring and establishing fire zones, repealing Ordinance No. 13375, Ordinance No. 3674 (New Series) and their respective amendments all as listed therein, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, a hearing was set on said proposed Ordinance, for the hour of 10:00 o'clock A.M., Tuesday, February 27, 1951.

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ORDINANCE NO. 4690 (New Series), recorded on Microfilm Roll No. 36, appropriating the sum of \$1,050.00 from the Unappropriated Balance Fund, for the purpose of providing funds for the removal and installation of the Stadium racing track at the Balboa Park Stadium, was on motion of Councilman Schnekder, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Councilmen None; Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Councilmen None; Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4691 (New Series), recorded on Microfilm Roll No. 36, establishing the grade of the Alley in Block 55 Pacific Beach, between the easterly line of Everts Street and the westerly line of Fanuel Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Knox.

ORDINANCE NO. 4692 (New Series), recorded on Microfilm Roll No. 36, establishing the grade of Arista Street, between the northeasterly line of Congress Street and the westerly line of San Diego Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Knox.

Councilman Godfrey requested, and was granted, unanimous consent, to present the following matter of business, not listed on the Council's agenda:

RESOLUTION NO. 101249, recorded on Microfilm Roll No. 36, accepting deed of Warren L. Mead and Manita A. Mead, bearing date January 2, 1951, conveying an easement and right of way for sewer line and natural gas pipe purposes in portion of Lots 27 and 28 Block 38 Ocean Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Manager requested, and was granted, unanimous consent, to present the following matters of business, not listed on the Council's agenda, each of which matters he explained to the Council:

RESOLUTION NO. 101250, recorded on Microfilm Roll No. 36, authorizing and directing the City Manager to negotiate and enter into an agreement, if possible, with the Bethlehem Pacific Coast Steel Corporation and the Vinson Construction Company, wherein said corporations will permit the City immediately to open traffic across the Midway Drive Bridge (nearing completion), upon the understanding and condition that the City will assume responsibility for any damage to the bridge resulting from said traffic, and for all public liability and property damage resulting from the use of said bridge by vehicular and other traffic, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Said Resolution recites that conditions of traffic in that vicinity are such because of the inability to use the bridge, as to create a continuing public hazard endangering the lives and safety of people using the present detour around the bridge, and that it would be in the interests of the public, and the elimination of the traffic hazard, to open the bridge immediately for travel purposes.

RESOLUTION NO. 101251, recorded on Microfilm Roll No. 36, authorizing and empowering the City Manager to do all the work in connection with the installation of 1400 feet of 6-inch water main and two fire hydrants, the installation of 10 services on the new main, and the transfer of meters from temporary locations, in Albion Street, from Dupont Street to Charles Street, and in Charles Street, from Albion Street to Silvergate Avenue, by appropriate City forces, in accordance with his said recommendation, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution states that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

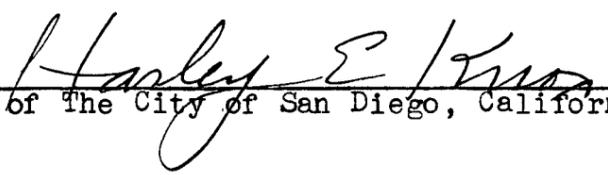
A proposed Resolution, authorizing the City Manager to enter into an agreement with the City of Coronado wherein The City of San Diego will join with the City of Coronado in the employment of an engineer for the purpose of making of preliminary survey as to the feasibility of a proposed public improvement consisting of a tunnel or tube under the Bay of San Diego between the two cities, provided that the cost to The City of San Diego of its share of expenses of securing said services does not exceed the sum of \$2500.00, was presented.

(This is the same matter that the City Manager presented under unanimous consent, upon which no action was taken). - Cont. next page.

RESOLUTION NO. 101252, recorded on Microfilm Roll No. 36, referring proposed Resolution authorizing the City Manager to enter into an agreement with the City of Coronado to make a preliminary survey as to the feasibility of proposed public improvement consisting of a tunnel or tube under the Bay of San Diego between the two cities, to Council Conference, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

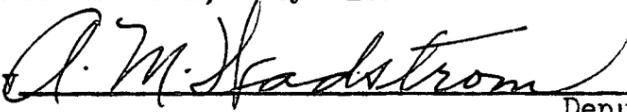
There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 11:10 o'clock A.M.

Upon adjournment, the Vice Mayor announced that the Council would meet in the office of the Mayor immediately.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, February 13, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Knox
Absent---Councilman Kerrigan
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, February 6, 1951, and of Thursday, February 8, 1951, were presented to the Council by the Clerk.

On motion of Councilman Wincote, seconded by Councilman Schneider, said Minutes were approved without being read, after which they were signed by the Mayor.

At this time, Mayor Knox awarded service emblems to the following City employees, honoring each for 25 years of service:

- Richard Kimball, Water Shut-Off Man in the Accounting Division of the Water Department;
- Lester A. Milz, Construction Inspector II with the Inspection Department;
- Clayton Yax, construction and maintenance Foreman III on Street Traffic Sign Painting work for the Division of Streets in the Public Works.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for construction of Pacific Beach Branch Library, at the intersection of Felspar and Ingraham Streets, the Clerk reported that 6 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of R. J. Hortie, accompanied by bond written by American Surety Company of New York in the sum of ten percent of the amount of the bid, which bid was given Document No. 429402; - \$68,273

At this point, the Mayor asked the City Engineer for an estimate of the amount of the job. The Engineer replied that his department did not handle the matter, and that he did not know.

Miss Clara Breed, City Librarian, who was present, answered the question by saying that it was between \$45,000 and \$52,000.

(Bid matter continued on next page)

Councilman Godfrey was excused from the meeting at this time.

The bid opening was resumed, with the following bids:

The bid of Rogers Construction Company, accompanied by bond written by Manufacturers Casualty Company in the sum of 10% of bid, which bid was given Document No. 429403; - \$64,198

The bid of Loring and Boyle Construction Company, accompanied by bond written by Phoenix Indemnity Company in the sum of ten thousand dollars, which bid was given Document No. 429404; - \$70,300.00

The bid of Harold W. Grizzle, accompanied by bond written by Manufacturers Casualty Insurance Company in the sum of 10% of bid, which bid was given Document No. 429405; - \$66,300.00

The bid of O.O. & R.E. Maurer, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of the accompanying bid, which bid was given Document No. 429406; - \$67,984.

The bid of C. A. Larsen, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 429407.- \$60,875.

On motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

Councilman Godfrey returned to the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for the receiving of bids for the paving and otherwise improving of Draper Avenue, within the limits and as particularly described in Resolution of Intention No. 100471, the clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of one thousand three hundred dollars, which bid was given Document No. 429408;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of thirteen hundred dollars, which bid was given Document No. 429409;

The bid of Al E. Riley, accompanied by bond written by Pacific Employers Insurance Company in the sum of one thousand five hundred dollars, which bid was given Document No. 429410.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on Resolution of Intention No. 100895, for the paving and otherwise improving of Sequoia Street, Crown Point Drive, and Pacific Beach Drive, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on Resolution of Intention No. 100896, for the paving and otherwise improving of Wilbur Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Swan, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1981 for the paving and otherwise improving of G Street, within the limits and as particularly described in Resolution of Intention No. 97765, the Clerk reported written appeals had been received from Stella Hughey and Ernest A. Auth, Frank E. Prosutte (who felt the alley should have been included in the improvement), and from Louis H. Nicholas (who requested division of assessment, having sold a portion of his property), which appeals were presented to the Council.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no additional appeals were presented.

The City Engineer made a verbal report in which he said that the request of Mr. Nichols should be granted, and recommended continuance of the matter until Thursday of this week to permit the property division to be made and the assessment thereon re-adjusted.

RESOLUTION NO. 101253, recorded on Microfilm Roll No. 36, sustaining the appeal of Louis H. Nichols, overruling and denying appeals of Frank E. Prosutte, Stella Hughey and Ernest A. Auth, from the Street Superintendent's Assessment No. 1981 made to cover the costs of the paving and otherwise improving of G Street, within the limits and as particularly described in Resolution of Intention No. 97765, continuing the hearing

thereon until the hour of 10:00 o'clock A.M. of Thursday, February 15, 1951, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, for a period of one year from and including September 1, 1950, to and including August 31, 1951, the Clerk reported that no written protests had been presented.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

Councilman Dail was excused from the meeting at this time.

Councilman Kerrigan entered the meeting at this time.

RESOLUTION NO. 101254, recorded on Microfilm Roll No. 36, confirming the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of the ornamental Street Lights located in Pacific Beach Lighting District No. 1, within the limits and as particularly described in Resolution of Intention No. 100062, adopting report of the City Engineer heretofore made and filed with the Clerk of the Council, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 100956 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 323 Reed and Daley's Addition and 29th Street, within the limits and as particularly described in said Resolution, the clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101255, recorded on Microfilm Roll No. 36, determining that the proposed paving and otherwise improving of the Alley in Block 323 Reed and Daley's Addition and 29th Street within the limits and as particularly described in Resolution No. 100956 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 100957 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 253 University Heights, Myrtle Avenue, and Upas Street, within the limits and as particularly described in said Resolution, the clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mrs. George A. Cookson and Mrs. R. W. Acheson entered verbal protests against the improvement. Mrs. R. W. Acheson said that they would have to "give up land" for the improvement, that it was too high in price, and is not needed.

Councilman Dail returned to the meeting at this time.

Councilman Wincote moved to sustain the protests and abandon the proceedings, which motion was seconded by Councilman Schneider.

The vote was not taken on the motion at this time, further discussion of the matter being had.

Replying to statement of Mrs. Cookson and her son who also spoke for her, the City Engineer said that there would be a deep fill, making access to the alley difficult.

The City Attorney explained to the Council its procedure.

The roll was called on the motion to abandon.

Despite the action to abandon, under the roll call, the discussion continued.

Asked further about the matter, the City Engineer said that it is not a "very sound project". He pointed out that assessment would have to be made to abutting property, although access to the alley would be difficult.

RESOLUTION NO. 101256, recorded on Microfilm Roll No. 36, sustaining the verbal protests of Mrs. George A. Cookson and Mrs. R. W. Acheson against the proposed improvement of the Alley in Block 253 University Heights, Myrtle Avenue and Upas Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 100957, abandoning proceedings heretofore taken under said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of W. B. Musselman, Jr., in the sum of \$20.00, for damage to property due to water overflowing from reservoir, was presented.

RESOLUTION NO. 101257, recorded on Microfilm Roll No. 36, referring claim of W. B. Musselman, Jr., 5024 Windsor Drive to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing bids for lime for Alvarado Filtration Plant, was presented.

RESOLUTION NO. 101258, recorded on Microfilm Roll No. 36, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing of lime for Alvarado Filtration Plant, in accordance with Notice to Bidders, etc., was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing bids for furnishing of Parking Meters, was presented.

RESOLUTION NO. 101259, recorded on Microfilm Roll No. 36, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing of Parking Meters, in accordance with Notice to Bidders, etc., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing bids for Clay Pipe and Accessories for the Public Works Department, was presented.

RESOLUTION NO. 101260, recorded on Microfilm Roll No. 36, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing of Clay Pipe and Accessories, for the Public Works Department, in accordance with Notice to Bidders, etc., was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing bids for 3 Pump Units for Lakeside Pumping Plant, was presented.

RESOLUTION NO. 101261, recorded on Microfilm Roll No. 36, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing of 3 Pump Units for Lakeside Pumping Plant, in accordance with Notice to Bidders, etc., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent reporting on bids for renewal of Fender System along Apron Wharf between "B" Street Pier and Northerly End of Apron Wharf, recommending award to Johnson-Western Constructors of Coronado, despite the fact that although the affidavit in connection with the bid was completed before a Notary Public it was unsigned by the bidder's representative, and on which the City Attorney has rendered an opinion that the bid was not invalidated thereby, stating that the Harbor Commission has approved and concurs in the recommendation, was presented.

RESOLUTION NO. 101262, recorded on Microfilm Roll No. 36, accepting bid of Johnson Western Constructors of Coronado, California, for renewal of fender system apron wharf between B Street Pier and northerly end of apron wharf, awarding contract and authorizing the members of the Harbor Commission to execute the same, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent reporting on bids for construction of Tuna Boat Anchorage Piers at the foot of Grape Street, stating that alternate bids were called for to allow construction of one, two, or three piers, advising the Council that the Harbor Commission has approved the construction of three piers and award to the low bidder, Guy F. Atkinson, was presented.

Councilman Wincote asked "why do we have to do it that way"? Louis Karp, Deputy City Attorney, reviewed the proceedings and told of investigations and study made by the Harbor Commission. The Mayor said that the matter had been investigated by the Harbor Commission, and mentioned the names of Commissioners Borthwick and Frye. He said that the Port Director was unable to attend this meeting, but would be glad to come and discuss the matter with the Council if it desired to postpone decision.

Councilman Wincote indicated that there had been dissent on the part of General Smith, Commission member.

Mr. Karp said that it would be to the City's advantage to accept the bid now, rather than postpone action, inasmuch as the bid provided for increased costs if the matter was not acted upon at an early date. He stressed the fact it would cost more if the bid is not accepted now.

RESOLUTION NO. 101263, recorded on Microfilm Roll No. 36, accepting bid of the Guy F. Atkinson Company, of Long Beach, for construction of Tuna Boat Anchorage Piers at the foot of Grape Street, awarding contract and authorizing members of the Harbor Commission to execute the same, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 101264, recorded on Microfilm Roll No. 36, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expenses necessary or incidental to the grading of parking area adjacent to U.S. Naval Hospital, Balboa Park, in accordance with Document No. 429399, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the City Manager reporting on communication from the Central Labor Council of San Diego County offering assistance in the civilian defense effort, together with a copy of his reply in connection therewith, recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's communication, and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from Mrs. H. Beauchamp for enforcement of the Dog Ordinance, stating that investigations have been made, that the dog complained of had been killed by an automobile, recommending filing, was presented.

Communication from the City Manager reporting on communication from residents in the vicinity of Marlborough and Dwight Streets relative to the dog nuisance, stating that the Pound Dept. employees have patrolled the area without results, that the Health Department has been instructed to contact signers of the communication to ascertain where the dogs live in order to abate the nuisance, recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the City Manager's communication, and the matter upon which it reported, were ordered filed.

Communication from the City Manager recommending that the work week of the Fire Department personnel shall be set, effective March 1, 1951: for fire fighting personnel, 67.2 hours per week, work week previously 72 hours; for non-fire fighting personnel, 40 hours per week, work week previously 44 hours; requesting favorable consideration, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's recommendation was adopted.

Communication from Neil Nettleship, 621 Orph. Theatre Bldg., relating to Council Resolution requesting the State Legislature to pass an enabling Act with reference to the building of a tunnel between San Diego and Coronado, referring to newspaper clipping (attached to Mr. Nettleship's letter) reporting on request of San Diego-Coronado Ferry Co. to Senator Fred Kraft, to attach amendments to the bills which would compensate the company for its investments which would be lost through construction of a tunnel, requesting that the Council request Senator Kraft not to attach any such amendments which would result in defeat of bond issue, was presented.

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

Communication from Pacific Indemnity Company, dated February 6, 1951, signed by J. M. MacConnell, reporting that claim of Shaun P. Ryan in the sum of \$7.79, had been paid in full, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated February 6, 1951, signed by J. M. MacConnell, reporting that claim of Philip Schwartz in the sum of \$7.76, had been paid in full, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated February 7, 1951, signed by J. M. Connell, reporting that claim of Walter W. Ward in the sum of \$35.17, had been paid in full, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Arthur B. Howell, Assistant Field Office Director for Management-Disposition, Housing and Home Finance Agency Public Housing Administration, Los Angeles Field Office, referring to Aztec Terrace CAL-V4568, stating that application appears to be in order, but that all disposition of such projects has been suspended, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from Rev. Geo. H. Smith, 4365 37th Street, referring to newspaper article relative to a very great increase in City taxes under consideration, stating that he and his wife have to live scantily, that the last tax burden was a hard blow, suggesting curtailment of unneeded projects, requesting careful and prayerful consideration before being inaugurated, was presented.

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

Communication from the City Employees' Retirement System, dated February 8, 1951, signed by Fred W. Sick, Secretary, informing the Council that the five-year term of Charles F. Atkinson as the insurance member of the Board of Administration will expire on March 22, 1951, stating that the Charter provides that a resident official of a Life Insurance Company be appointed by the Council, was presented.

RESOLUTION NO. 101265, recorded on Microfilm Roll No. 36, referring communication from the City Employees' Retirement System announcing expiration of term of Charles F. Atkinson as insurance member of the Board of Administration to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101266, recorded on Microfilm Roll No. 36, directing notice of filing of the Street Superintendent's Assessment No. 1985 made to cover the costs and expenses of the work to be done upon the paving and otherwise improving of Santa Barbara Street, Bermuda Avenue, Niagara Avenue, Del Monte Avenue, Orchard Avenue and Venice Street, within the limits and as particularly described in Resolution of Intention No. 97527, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 101267, recorded on Microfilm Roll No. 36, accepting bid of Joseph G. Shea, and awarding contract, for the paving and otherwise improving of the Alleys in Block L Plumosa Park, within the limits and as particularly described in Resolution of Intention No. 100470, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101268, recorded on Microfilm Roll No. 36, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improvement of the Northwesterly and Southeasterly Alley and the Northeasterly and Southwesterly Alley in Block 69 Ocean Beach, approving Plat No. 2190 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said alleys, directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101269, recorded on Microfilm Roll No. 36, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Fortuna Avenue, approving Plat No. 2252 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said avenue, directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101270, recorded on Microfilm Roll No. 36, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Oliver Avenue, approving Plat No. 2240 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said avenue, directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 101271, recorded on Microfilm Roll No. 36, for the paving and otherwise improving of Landis Street, Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 of City Heights Annex No. 1 and Block 3 City Heights Annex No. 2, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 101272, recorded on Microfilm Roll No. 36, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District Number One, for a period of one year from and including November 5, 1950, to and including November 4, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 101273, recorded on Microfilm Roll No. 36, for the closing of portion of 29th Street, as more particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101274, recorded on Microfilm Roll No. 36, for the paving and otherwise improving of the Northwesterly and Southeasterly Alley and the Northeasterly and Southwesterly Alley in Block 69 Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101275, recorded on Microfilm Roll No. 36, for the paving and otherwise improving of Fortuna Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101276, recorded on Microfilm Roll No. 36, for the paving and otherwise improving of portion of Oliver Avenue and portions of Reed Avenue, within the limits and as more particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101277, recorded on Microfilm Roll No. 36, ascertaining and declaring the wage scale for the paving and otherwise improving of Hancock Street and Clayton Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101278, recorded on Microfilm Roll No. 36, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alley in Block 147 and the East and West Alley in Block 126, the North and South Alley in Block 126, all in University Heights, within the limits and as particularly described in Resolution of Intention No. 99967, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101279, recorded on Microfilm Roll No. 36, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 99971, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101280, recorded on Microfilm Roll No. 36, granting petition for the improvement of Dahlia Street, between Poplar Street and Manzanita Drive, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the improvement, directing the City Engineer to consolidate said assessment district with the assessment districts heretofore ordered by Resolutions No'd 98553, 91919 and 97710, all in accordance with the Engineer's recommendation filed under Document No. 429195, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101281, recorded on Microfilm Roll No. 36, acknowledging receipt of notice of intention to circulate a petition for annexation of San Diego County area designated as Kensington Park, together with affidavit of publication, approving the circulation of such petition, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101282, recorded on Microfilm Roll No. 36, authorizing the City Manager to negotiate a modification of contract with Bethlehem Pacific Coast Steel Corporation, wherein the requirement of the contract for painting of Midway Drive Bridge with two field coats of aluminum paint be eliminated, and to further provide that the price to be paid by the City to said Bethlehem Pacific Coast Steel Corporation be modified by deducting therefrom the fair and reasonable cost of the painting work, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the Council is advised that due to delays in completion of contract for said bridge the present weather is unsuitable for placing on the steel work of the bridge the aluminum paint required by the specifications, and that it would be advisable, if the contractor consents, to defer the painting until weather conditions permit a suitable and more satisfactory job, and that the best interests of the City would be served if that portion of the specifications requiring painting be eliminated.

RESOLUTION NO. 101283, recorded on Microfilm Roll No. 36, empowering the City Manager to execute an agreement with Studebaker Broadcasting Company, Inc., for an exchange of lands necessitated by the construction of Wabash Freeway in accordance with terms and conditions as set out in form of agreement filed with the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101284, recorded on Microfilm Roll No. 36, authorizing and empowering the City Manager to do all the work in connection with the installation of 400 feet of 8-inch water main and 725 feet of 6-inch water main and two six-inch fire hydrants, the transfer of 20 services to the new mains, and the renewal of services where necessary, in Broadway, from 39th Street to 40th Street, and in 39th Street, from Broadway to Hilltop Drive, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 101285, recorded on Microfilm Roll No. 36, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of 560 feet of 2-inch W.I. pipe and 25 feet of 4-inch pipe, and the installation of 600 feet of 6-inch water main and one 6-inch fire hydrant, the installation of 560 feet of

2-inch Hi-Line, the transfer of 16 services to the new main, and the renewal of services where necessary, in "J" Street, from 25th Street to 26th Street, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 101286, recorded on Microfilm Roll No. 36, authorizing the Director of the Water Department to expend a sum not to exceed \$150.00 toward expenses of an inspector in Los Angeles for a further period of approximately two weeks, for the purpose of inspecting, during its manufacture by the Consolidated Western Steel Corporation, of pipe and appurtenances for the Murray Reservoir Pumping Plant, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101287, recorded on Microfilm Roll No. 36, approving Change and Extra Work Order No. 1, dated January 26, 1951, heretofore filed with the City Clerk, and which was issued in connection with contract between The City of San Diego and Charles J. Dorfman for the construction of the Chesterton 18" Cast Iron Pipe Line, from Kearny Mesa Pipe Line to Chesterton Tank, changes amounting to an increase in the contract price of \$345.48, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101288, recorded on Microfilm Roll No. 36, approving Change and Extra Work Order No. 9, dated January 31, 1951, heretofore filed with the City Clerk, and which was issued in connection with contract between The City of San Diego and Vinson Construction Company for the construction of Midway Drive Bridge (Project 40), Schedule "C", changes amounting to an increase in the contract price of \$825.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101289, recorded on Microfilm Roll No. 36, approving Change and Extra Work Order No. 10, dated February 9, 1951, heretofore filed with the City Clerk, and which was issued in connection with the contract between The City of San Diego and Vinson Construction Company for the construction of Midway Drive Bridge (Project 40), Schedule "C" amounting to an increase in the contract price of \$130.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101290, recorded on Microfilm Roll No. 36, approving Change and Extra Work Order No. 38, dated January 18, 1951, heretofore filed with the City Clerk, and which was issued in connection with the contract between The City of San Diego and Daley Corporation for the construction of the Wabash Freeway, Section A, changes amounting to an increase in the contract price of \$200.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Manager requested, and was granted, unanimous consent to present the following matters of business not listed on the Council's agenda:

RESOLUTION NO. 101291, recorded on Microfilm Roll No. 36, repealing Resolution No. 69580 adopted June 27, 1939, requiring 51% of the owners of property fronting on proposed improvement of public streets and alleys by grading, paving, construction of sidewalks and curbs, addition of sewer systems and water distribution facilities, formation of light districts; requiring signatures of at least 60% of the owners of the property fronting on said proposed work before proceedings be initiated by the Council, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that because the present world condition and mobilization program of The United States of American have caused a shortage in labor and in materials which go into such improvements, that it is the opinion of the Council that petitions should be filed with at least 60% before proceedings be initiated for the duration of the National Emergency.

RESOLUTION NO. 101292, accepting bid of Walter R. Barber and H. R. Breeden for the construction of the Murray Reservoir Pumping Plant and Appurtenant Work, awarding contract for said work to said lowest, responsible and reliable bidder, authorizing and empowering the City Manager to execute a contract for said work upon the execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Prior to its adoption, the City Manager said that although the bid was high, the work has to be done, and that City forces are "getting thin" to do such work. Also, the Manager said that the City's schedule for equipment rental (used in estimates for cost of work by City forces) is low, and that the schedule will be revised.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Wincote, at the hour of 10:50 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

Fred W. Sick

Deputy

George Kerrigan
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, February 15, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor, at the hour of 10:05 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail
Absent---Councilman Godfrey, Mayor Knox
Clerk-----Fred W. Sick

In the absence of the Mayor, Vice Mayor Kerrigan acted as Chairman.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Earle V. and Marie Gurman from the decision of the Zoning Committee in denying by its Resolution No. 5261 application for a variance to the provisions of Ordinance No. 12989 for permission to construct an 18 ft. by 20 ft. addition to a non-conforming grocery store on Lots 23 and 24, except the East 50 ft. thereof, in Block C Teralta Heights, at 3602 Meade Street, being in Zone R-4, a report from the Zoning Engineer was presented and read.

Vice

The Mayor inquired if any interested persons were present who desired to be heard.

Mr. Gurman spoke, and presented a letter from E. E. Aisenbrey, 4466 Cherokee Avenue, favoring the variance.

The Clerk called to the Council's communications favoring granting of the variance, from Miss Minnie M. Lutz, 4443 Felton Street; Charles E. and Minnie E. Rollins; Mrs. H. L. Albright, 4428 - 36th Street; Earl A. Brenneman, Margaret Brenneman, Lucile Hotchkiss; Leon Westmoreland and Sally Westmoreland, Mr. and Mrs. E. A. Siptroth; P. M. Martin, 4444 36th Street, which were presented but not read.

Mr. Gurman exhibited a drawing of the property, and said that there would still be 100 square feet left if the extension is made. He assured the Council that all neighbors approve.

Councilman Schneider said that he had gone out to look at the property, had found the Planning Department's statements to be correct, but stated that there is need for expansion of the business.

Mayor Knox entered the meeting at this time, and immediately assumed the duties of presiding officer.

RESOLUTION NO. 101293, recorded on Microfilm Roll No. 36, granting appeal of Earle V. Gurman and Marie Gurman from the decision of the Zoning Committee in denying by its Resolution No. 5261 their application for variance to provisions of Ordinance No. 12989 for permission to construct an 18 ft. by 20 ft. addition to a non-conforming grocery store on Lots 23 and 24, except the East 50 ft. thereof, in Block C Teralta Heights, at 3602 Meade Street, in Zone R-4, overruling said Committee action, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Mid-City Heights, Inc., for variance to the provisions of Ordinance No. 12321 to permit construction of a residence with attached garage, with a 6 ft. setback on Milton St., being Lot 85 Clairemont Heights No. 1, on the southeasterly corner of Milton St. and Cecelia Terrace, in Zone R-1, report from the Zoning Engineer was presented and read.

The report stated that there would be no hardship if the required 15-foot setback is maintained, that there have been no other setback suspensions in the new subdivision or in the area around it, granting would shut off view from other lots, that switching locations of house and garage would permit compliance with 15-foot setback, also that under present ordinance the Committee did not have the right to grant the request. Also, it was pointed out that no one appeared for the petitioner.

Councilman Wincote wondered if failure to appear at the Zoning Committee's hearing, or at this hearing, was due to Mr. Travares' absence from the City. He thought it might be well to postpone action for one week. No motion along the lines of Mr. Wincote's suggestion was made.

RESOLUTION NO. 101294, recorded on Mocrifilm Roll No. 36, denying appeal of Mid-City Heights, Inc., from the decision of the Zoning Committee in denying by its Resolution No. 5256 variance to the provisions of Ordinance No. 12321 to permit construction of a residence with attached garage, with a 6 ft. setback on Milton St., being Lot 85 Clairemont Heights No. 1, on the southeasterly corner of Milton St. and Cecelia Terrace, in Zone R-1, sustaining said Committee action, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, being the time to which the hearing on the Street Superintendent's Assessment No. 1981 for the paving and otherwise improving of G Street, within the limits and as particularly described in Resolution of Intention No. 97765 had been continued (certain appeals were granted and overruled at the hearing on February 13, 1951), the City Attorney told the Council that it should adopt a resolution directing the City Engineer to make a split in an assessment, then ~~the~~ confirm the assessment.

RESOLUTION NO. 101253, recorded on Microfilm Roll No. 36, authorizing and directing the Street Superintendent to split assessments upon portions of the northerly 90 feet of Lots 1, 2 and 3 and the easterly 5 feet of the northerly 90 feet of Lot 4 Block

23 Breed & Chase Subdivision, as particularly set forth in appeal of Louis H. Nichols on file in the office of the City Clerk under Document No. 428928, for the paving and otherwise improving of G Street, within the limits and as particularly set forth in Resolution of Intention No. 97765, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 101296, recorded on Microfilm Roll No. 36, confirming the Street Superintendent's Assessment No. 1981 made to cover the costs and expenses of the work of paving and otherwise improving of G Street, within the limits and as particularly described in Resolution of Intention No. 97765, approving the same, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing the Street Superintendent to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Petition of property owners for changing the name of Avenida Comercial, in La Jolla Hermosa Subdivision, was presented; to "Merosa Avenue".

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said petition was referred to the City Manager.

Petition of James E. Young, 4330 Coronado Avenue, for replacement of street sign at the intersection of Chatsworth Blvd. & Coronado Ave., removed by the contractor widening the intersection, about three months or so ago, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said petition was referred to the City Manager.

Claim of Elizabeth Clark Burke, 4754 - 32nd Street, in an unstated amount, for injuries received from fall on the sidewalk on 32nd Street between G and F Streets, was presented.

RESOLUTION NO. 101297, recorded on Microfilm Roll No. 36, referring claim of Elizabeth Clark Burke, by her daughter Loretto Bellis, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Harrison Mercer Kleinschmidt, 130 Hazelwood Avenue, San Francisco, in the sum of \$12,085.00, resulting from unlawful arrest, being held in jail without bail and without being allowed to communicate with anyone, cash taken from car during his detention, damage to car by dog confined therein, was presented.

The City Attorney requested that the claim be referred to his office.

RESOLUTION NO. 101298, recorded on Microfilm Roll No. 36, referring claim of Harrison Mercer Kleinschmidt, by his attorney, Bruce E. Clark, to the City Attorney, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of water piping system at the Encanto Community Center, stating that the low bid of Moffitt and Waddington Irrigation Company was deemed excessive by the City Engineer, that negotiations have been conducted with said firm which has offered to reduce price of work providing changes and deduction are authorized by the City as set forth therein, recommending award as recommended in change, was presented.

RESOLUTION NO. 101299, recorded on Microfilm Roll No. 36, authorizing the City Manager to enter into a contract with Moffitt & Waddington Irrigation Company, wherein the said Company will agree with the City to do all of the work and furnish all materials necessary for the installation of a water piping system at the Encanto Community Center, except to substitute Type L copper tubing for Type K copper pipe, installation of a water meter, termination of the system at H-24 which deletes certain faucets and one drinking fountain together with all pipe, fittings, trenching and labor for installing the same, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 300 Octagonal Stop Signs, was presented.

RESOLUTION NO. 101300, recorded on Microfilm Roll No. 36, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of 300 Octagonal Stop Signs in accordance with specifications on file in the office of the City Clerk under Document No. 429438, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on request from the chairman of the 30th Annual Policemen's Ball requesting suspension of rental fees and percentage payment to City from sale of tickets in connection with use of Mission Beach Ballroom on the evening of April 28, 1951, stating that letter has been received from the Mission Beach Amusement Company agreeing to furnish the ballroom free of charge, and that a letter has been written waiving the requirement of the percentage payment to the City for said occasion, was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, the City Manager's communication, and the matter upon which it reported, were ordered filed.

Communication from the City Manager, reporting on communication from the San Diego Public Safety Committee relative to traffic hazard at the north end of the Ventura Bridge, stating that the alignment of Ventura Boulevard was laid out so that it would fit

future bridge location, and short superelevated transition curves were constructed at the westerly approach to the existing temporary bridge, that the Police Department has reported several accidents upon bridge curves, that consequently a study has been made of the location for the purpose of increasing the safety, was presented.

The report says, further, that from a safety standpoint it would be possible to either relocate the Boulevard to the westerly approach to the bridge or increase the lighting the relocation would be approximately \$13,000.00 and would tend to allow a speed increase, that it is the conclusion of the Traffic Division of the Police Department and the Traffic Engineer that increased lighting at a cost of \$5300.00 would eliminate the hazard in addition to helping the situation upon the bridge, recommending such installation upon the westerly approach to the bridge and that funds be made available therefor.

The City Manager made a verbal report, along the lines of the written report.

Councilman Swan asked for the reason of constructing a curve in the highway, which question was answered by the Mayor and the Planning Director, also mentioned above.

RESOLUTION NO. 101301, recorded on Microfilm Roll No. 36, adopting the City Manager's recommendation on the above-mentioned matter, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Zoning Committee, signed by the Zoning Engineer, reporting upon request of Jerry and Augusta Allen to extend Council Resolution No. 92729 which granted permission to the owner to erect a carpenter shop on the rear of Lots 39, 40, 41, 42 Block 79 Power's Addition, to be operated full-time, five days a week from 8:00 AM to 5:00 PM, no employees, maximum of three horsepower equipment, for a period of two years, date of termination to correspond to City's fiscal year, stating that Mr. Allen appeared before the Committee on February 9, 1949, and explained that the shop would be operated for a maximum of two years, then converted to a residence, that he again appeared on February 7, 1951, and said he was unable to convert the shop into a residence at this time due to financial circumstances, and recommending an extension of two years, date of termination to be June 30, 1953, but that no further extensions be given.

RESOLUTION NO. 101302, recorded on Microfilm Roll No. 36, granting an extension of time until June 30, 1953, to Jerry and Augusta Allen on their permit under Resolution No. 92729 for carpenter shop on the rear of Lots 39, 40, 41, 42 Block 79 Power's Addition, in accordance with recommendation of the Zoning Committee on file in the office of the City Clerk under Document No. 429368.

Prior to adoption of said Resolution, the Planning Director explained the matter to the Council.

Communication from the Zoning Committee, signed by the Zoning Engineer, reporting upon request of Cordie and John Adams to amend Council Resolution No. 97153 which Resolution granted permission to operate a grocery store including incidental sale of packaged beer and wine, recommending that the Resolution be amended to include the sale of packaged pharmaceutical preparations and other incidental items customarily sold in drug stores, and to permit installation and operation of a soda fountain, on condition that all existing signs be painted out or removed from the building and that any new sign conform with the existing regulations, and on condition that all storage be confined within a building or within a fenced enclosure as included in the former Resolution, and that the permit expire June 30, 1951, was presented.

RESOLUTION NO. 101303, recorded on Microfilm Roll No. 36, amending Resolution No. 97153 which granted permission to Cordie and John Adams to operate a grocery store including incidental sale of packaged beer and wine, to include sale of packaged pharmaceutical preparations and other incidental items customarily sold in drug stores, and to permit installation and operation of a soda fountain, all on condition that all existing signs be painted out or removed from the building and that any new sign conform with the existing regulation, and on condition that all storage be confined within a building or within a fenced enclosure as included in said Resolution No. 97153, and that the permit expire June 30, 1951, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from Earl A. Brennerman, no address shown, protesting further proposed taxation for revenue purposes on water meters, use of sewers, etc., was presented.

On motion of Councilman Swan, seconded by Councilman Schneider, said communication was ordered filed.

RESOLUTION ORDERING WORK NO. 101304, recorded on Microfilm Roll No. 36, closing portions of Hendricks Avenue, Vermont Street, Richmond Street and Alleys in Blocks 186 and 187 University Heights, as more particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101305, recorded on Microfilm Roll No. 36, authorizing the City Manager to enter into an agreement with the City of Coronado wherein The City of San Diego will join with said City of Coronado in the employment of an engineer for the purpose of making a preliminary survey as to the feasibility of a proposed public improvement consisting of a tunnel or tube under the Bay of San Diego between the two cities, provided that the cost to The City of San Diego of its share of expenses of securing said services does not exceed the sum of \$2500.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that there is a possibility that the Legislature will appropriate moneys for use of the Department of Public Works of the State of California, and will authorize that body to make loans for public improvements such as the suggested tunnel or tube, and that it would be of considerable assistance and value to have prepared immediately a preliminary survey determining the feasibility of the project in order that the same may be furnished as evidence to the Legislature in support of a bill appropriating money, or any bill which might authorize construction. The Resolution also states that the City of Coronado has appropriated \$2500.00 to be used for the purpose of paying its share of the cost of preliminary survey and that it would be directly in the interests of the City to employ the services of the same engineer for the purpose.

RESOLUTION NO. 101306, recorded on Microfilm Roll No. 36, authorizing and directing the City Manager to enter into and execute the first of the supplemental agreements contemplated in Option Agreement, whereby Fairchild Aerial Surveys, Inc., is employed as consultant for the areal mapping of the portion of The City of San Diego therein described for the sum of \$39,963, all in accordance with terms and conditions of the form of Supplemental Agreement heretofore filed with the City Clerk as Document No. 429451, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution sets out the time for undertaking professional and consulting services during a term ending on the 30th day of June, 1957, for aerial mapping portions of the City when ordered by the City in accordance with option agreement heretofore filed in the office of the City Clerk as Document No. 429450.

Asked for details under the proposed arrangement, the City Manager made a verbal explanation in which he said that this is the cheapest way of the mapping of the City. The Mayor said that it would probably cost ten times as much under any other method.

RESOLUTION NO. 101307, recorded on Microfilm Roll No. 36, approving Change and Extra Work Order No. 2, dated February 8, 1951, heretofore filed with the City Clerk as Document No. 429446, issued in connection with the contract with Charles H. Johnston for construction of a storm drain around Block 195 City Heights and relocation of sewers, the changes amounting to an increase in contract price of \$275.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Attorney recommending that the City file a disclaimer in action of Union Title Insurance and Trust Company brought to have a quiet title, numbered 163722 in the Superior Court of the State of California, and transmitting letter from Union Title Insurance and Trust Company addressed to him explaining that it had to do with conveyance from Charles M. Rodefer and wife by deed dated March 28, 1921, for street purposes, and that it is not clear if a fee title or an easement was conveyed, was presented.

The City Attorney explained the matter, further, verbally. He said that the proposed action is the simplest way of clarifying the matter.

RESOLUTION NO. 101308, recorded on Microfilm Roll No. 36, authorizing and directing the City Attorney, for and on behalf of The City of San Diego, to enter and file a disclaimer of The City in and to a piece of land in the vicinity of Guy Street at its intersection with Bandini Street in connection with re-alignment of View Point Drive heretofore closed by Resolutions Nos. 43631 and 26411, to clear the question of conveyance as to whether or not an easement was created or fee title conveyed, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101309, recorded on Microfilm Roll No. 36, granting permission to The United Spanish War Veterans, Captain Jacob H. Culver Auxiliary No. 94 to sell carnations on the streets of The City of San Diego on May 10 and 11, 1951, for the purpose of raising funds for their welfare work, which includes scholarships for the training of military nurses, relief of dependent widows of veterans, remembrances to veterans in hospitals, and other activities, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Manager recommending installation of 9 600 c.p. overhead street lights, was presented.

RESOLUTION NO. 101310, recorded on Microfilm Roll No. 36, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- La Jolla Boulevard at Archer Street;
- Linda Way at Archer Street;
- Chelsea Street at Archer Street;
- Chelsea Street at Crystal Drive;
- Chelsea Street at Wrelton Drive;
- Crystal Drive at Wrelton Drive;
- South side of Turquoise Street at Electric Avenue;
- La Jolla Boulevard, north of Turquoise Street, at end of curve;
- La Jolla Boulevard, at Turquoise Street, center of curve, outside;

was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101311, recorded on Microfilm Roll No. 36, authorizing the City Manager to attend the Spring Meeting of the City Managers' Department of the League of California Cities, to be held in San Jose February 21 to 23, 1951, ~~and also to attend a meeting of the League of California Cities, to be held in San Jose February 21 to 23, 1951,~~ and also to attend a meeting of the League of California Cities' Major Highway Development Committee to be held in San Francisco February 23, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 4693 (New Series), recorded on Microfilm Roll No. 36, dedicating certain public land as and for portions of highways across portions of Pueblo Lot 1180, and naming the same Comstock Street and Ulric Street, and also changing the name of portions of Sixth Street Extension to Comstock Street and to Ulric Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent---Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan,

said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 4694 (New Series), recorded on Microfilm Roll No. 36, establishing the grade of the Alley in Block 79 Point Loma Heights, and its southeasterly prolongation through portion of Lot 2 Loma Heights, between the southeasterly line of Guizot Street and the northwesterly line of Santa Barbara Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent---Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 4695 (New Series), recorded on Microfilm Roll No. 36, establishing the grade of Franklin Avenue, between the east line of 32nd Street and the west line of Bancroft Street, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent--Councilman Godfrey

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays--Councilmen None. Absent--Councilman Godfrey.

The following matter was withdrawn from Council Conference, on motion of Councilman Schneider, seconded by Councilman Kerrigan, and ordered filed:

Petition of C. M. Rodefer protesting changes in names of portion of La Jolla Avenue to San Diego and portion of San Diego Avenue to Linwood Street and portion of Witherby Street to Linwood Street, together with report from the City Manager in the matter.

Mayor Know told of a visit to San Diego to be made by State Senator George Hatfield, together with a committee and staff, on Monday, February 19. The Mayor requested authorizing for an official dinner to honor Senator Hatfield who had, he said, been responsible for securing large appropriations from the State to the City of San Diego, and return of liquor license fees to cities.

RESOLUTION NO. 101312, recorded on Microfilm Roll No. 36, authorizing the Mayor to arrange for an official dinner honoring State Senator George Hatfield, and a committee, together with staff, to be held on Monday, February 19, 1951, authorizing the incurring of the necessary expenses therefor, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 10:35 o'clock A.M.

George Kerrigan
 Vice Mayor of The City of San Diego, California

ATTEST:
 FRED W. SICK, City Clerk

By *A. M. Hadstrom*
 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, February 20, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:00 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey
Absent----Councilman Dail, Mayor Knox
Clerk-----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, February 13, 1951, and of Thursday, February 15, 1951, were presented to the Council by the Clerk. On motion of Councilman Schneider, seconded by Councilman Wincote, said Minutes were approved without being read, after which they were signed by the Vice Mayor.

In the absence of Mayor Knox, Vice Mayor George Kerrigan acted as presiding officer.

Councilman Dail entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1982 made to cover the costs and expenses of the work done upon the paving and otherwise improving of 48th Street, between Franklin Avenue and Ocean View Boulevard, as more particularly described in Resolution of Intention No. 97597, the clerk reported that a written appeal had been received, bearing thirteen signatures, which appeal was presented to the Council.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

The following persons appeared, and entered verbal appeals:

Mrs. Paul Schneider, 445 So. 48th Street;

Edward D. Keith, 435 So. 48th Street;

Paul W. Schneider, 445 So. 48th Street.

Mrs. Schneider made no statement, other than to say that she appealed.

Mr. Schneider said that a poor job has resulted from the improvement, and because thereof he has had to pull several drivers out of adjacent streets.

Mr. Keith maintained that it is a poor job, and that the assessment is too high. He said that there is a pool of water in front of his house.

The City Engineer, who had not had the opportunity to check the appeals, inasmuch the appeal had been presented to the Clerk immediately preceding the hearing, suggested that the hearing be continued for one week to give him a chance to look at the job.

Mr. Keith spoke again, and said that the improvement is near the residence of Mayor Knox who would not drive his car over either intersection. He contended that the residents need a decent outlet.

RESOLUTION NO. 101313, recorded on Microfilm Roll No. 36, continuing the hearing on the Street Superintendent's Assessment No. 1982 made to cover the costs and expenses of the paving and otherwise improving of 48th Street, between Franklin Avenue and Ocean View Boulevard, until the hour of 10:00 o'clock A.M. of Tuesday, February 27, 1951, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

At this time a majority of the members of the Council executed undertakings for the furnishing of electrical current, by San Diego Gas & Electric Company, in two districts, as follows:

- Mission Beach Lighting District No. 2;
- Ocean Beach Lighting District No. 1.

The application of Roy W. Lein and Wallace G. Moore, for Class A license to conduct public dance (Dine & Dance) at Ye Kopper Kettle, at said address, on premises where intoxicating liquor is sold, was presented, together with recommendations for approval from the City Manager, Director of Social Welfare, and Inspection Department, and the Fire Department.

RESOLUTION NO. 101314, recorded on Microfilm Roll No. 36, granting application of Roy W. Lein and Wallace G. Moore for a Class "A" license to conduct public dance at Ye Kopper Kettle, 2161 Logan Avenue, subject to compliance with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Petition of F. L. McMechen and C. Bell McMechen, 2935 Nutmeg Street, San Diego 4, dated Feb. 15, 1951, requesting return of property heretofore conveyed to the City, in portions of Park Addition and Aurora Heights for the purpose of straightening and grading Lilac Drive from Palm Street to Burlingame Drive, which they contend the City apparently does not intend to improve, was presented and read.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said petition was referred to the City Manager and to the City Attorney for report and recommendation.

Petition of Residents, bearing 22 signatures, in the Point Loma area, requesting restoration of bus service "in this area" (not specified), was presented.

The Vice Mayor said that he understood that the San Diego Transit System had made application to the Public Utilities Commission for permission to operate such service.

On motion of Councilman Schneider, seconded by Councilman Wincote, said petition was referred to the City Manager.

Claim of Dorothy Fielding Bauer, 1100 F Avenue, Coronado, in the sum of \$1,000.00, for personal injury sustained in fall on sidewalk adjoining La Jolla Boulevard, was presented.

RESOLUTION NO. 101315, recorded on Microfilm Roll No. 36, referring claim of Dorothy Fielding Bauer to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of William L. Soong, 1269 - 10th Avenue, San Diego, in the sum of \$6.00, for property damage to automobile resulting from trash barrel having been dropped upon it, was presented.

RESOLUTION NO. 101316, recorded on Microfilm Roll No. 36, referring claim of William L. Soong to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101317, recorded on Microfilm Roll No. 36, approving plans and specifications for the furnishing of all labor, services, equipment, material, transportation and other expense necessary or incidental for the installation of acoustical materials to the walls and ceilings of the Conference Building in Balboa Park, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101318, recorded on Microfilm Roll No. 36, approving plans and specifications for the furnishing of all labor, services, equipment, material, transportation and other expense necessary or incidental for the installation of acoustical materials to the walls and ceilings of the Recital Hall, in Balboa Park, Palisades Building, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Wincote, seconded by Councilman Schneider, adopted.

Communication from the City Manager reporting on communication from Neil Nettleship opposing amendments to enabling act relative to building tunnel between San Diego and Coronado, submitting copy of his reply to Mr. Nettleship stating that suggestions will be brought to the attention of Senator Kraft, and recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the City Manager's communication was ordered filed, together with the matter upon which it reported.

Communication from the City Manager reporting on communication from Rev. Geo. H. Smith protesting proposed increase in City taxes, submitting copy of his reply to Rev. Smith stating that in the event it is necessary for the Council to establish additional revenue measures, it will be only after careful and open consideration of expenditure requirements, and recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the City Manager's communication was ordered filed, together with the matter upon which it reported.

Communication from the City Manager recommending the granting of 3 excess-width driveways to General Petroleum Corporation on Garnet Street and on Mission Boulevard, was presented.

Questions were asked by members of the Council in connection with the recommendation, whereupon the City Manager made a verbal report, reading from his written recommendation.

RESOLUTION NO. 101319, recorded on Microfilm Roll No. 36, granting permission to General Petroleum Corporation, 2619 East 37th Street, Los Angeles 58, California, to install 3 driveways on the northerly side of Garnet Street, between points 12 feet and 42 feet, 66 feet and 96 feet, and 118 and 148 feet, respectively, east of the east line of Mission Boulevard, also one driveway on the easterly side of Mission Boulevard, between points 6 feet and 43 feet north of the north line of Garnet Street, existing driveway on the easterly side of Mission Boulevard approximately between points 86 feet and 119 north of the north line of Garnet Street to remain unchanged, the driveways to serve station located at 4505 Mission Boulevard and Garnet which is being rebuilt and enlarged, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending installation of 3 overhead street lights, was presented.

RESOLUTION NO. 101320, recorded on Microfilm Roll No. 36, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Wrelton Street at Turquoise Street;

17th Street at Commercial Street;

Broadway, east of 65th Street on Pole No. P177491;

was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director recommending re-zoning property in the southerly 1/2 of Lot 41 Horton's Purchase, lying southerly of the S.D. & A. Ry. r/w and westerly of Euclid Avenue, from the existing R-4 Zone to Zone M-1, to permit construction of a manufacturing plant by the Langley Corp. (fishing tackle and probably small sub-assemblies for aircraft companies), was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance, upon which a hearing is to be set.

Communication from the Planning Commission, signed by the Assistant Planning Director recommending zoning Lot 65 Las Alturas Villa Sites (recently annexed to the City), lying westerly of Santa Isabel Drive and Bonita Drive, into R-1 Zone, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance, upon which a hearing is to be set.

Communication from the Planning Commission, signed by the Assistant Planning Director recommending zoning portion of Parcel "00" of Lot 19 Rancho Ex-Mission, (recently annexed to the City), adjoining the Naval Radio Station - which is to be developed by the Hubner Building Co. as Redwood Village - into Zones R-1 and R-4, was presented.

On motion of Councilman Godfrey, seconded by Councilman Swan, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance, upon which a hearing is to be set.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending denial of petition for re-zoning portions of Pueblo Lots 1788 and 1290, lying westerly of the A.T. & W.F. Ry., and easterly of Pacific Highway, northerly of Homeland Villas, from the existing M-1 and C Zones to "M-2" Zone, was presented.

Also presented, was a petition of H. G. Archibald and L. Jane Archibald, requesting reconsideration by the Council of the Planning Commission's action in denying the zone change, was presented.

Fred S. Bunker, 4145 Arista Street, spoke. He asked for a hearing in the matter, rather than a denial of the petition for the change in the zone, as recommended by the Planning Commission. He stated that there was no opposition to the change at the Planning Commission's hearing. He said that there is a company ready to come in and spend a quarter of a million dollars in development of the property, if it is placed in an M-2 Zone. He showed the Council a map indicating that the zone change as requested would be the continuance of an existing M-2 zone adjoining the property in question.

There was some discussion as to the proper procedure, during which the City Attorney recommended that the matter be referred to his office for preparation and presentation of the necessary Ordinance, in the event the Council desired to conduct a hearing thereon.

RESOLUTION NO. 101321, recorded on Microfilm Roll No. 36, requesting the City Attorney to prepare and present an ordinance rezoning portions of Pueblo Lots 1788 and 1209, from the existing M-1 and C Zones to M-2 Zone, setting a hearing thereon for the hour of 10:00 o'clock A.M. of Thursday, March 15, 1951, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

The original motion for hearing was for Tuesday, March 13, but Councilman Dail pointed out that will be the City's primary election, a day when 3 members of the Council will be candidates and very busy with election matters. The motion was withdrawn, and the date changed to the 15th.

After action had been taken, the Vice Mayor stated that he doubted that the area would be re-zoned to M-2 zone, inasmuch as the proposed use would be for a junk yard.

Communication from the Planning Commission, signed by the Planning Director, recommending that annexation that action be taken by the Council to close dedicated street in Mission Bay, to be followed by annexation to the City, after which there would be a closing proceeding, was presented.

The City Manager reported verbally, explaining that it involved old "paper" streets.

The Planning Director told the Council about a suit in connection with the high tide line of Mission Bay, instituted by the State of California. He said that the present line, as established by the Court, is not proper for future street alignment to carry the proposed Sunset Bridge. He said that the street cannot be closed on the water side, but can be on the upper side, the water side being in the County. He pointed out that annexation would put the land into City ownership, providing a means for the City to proceed with preliminary steps leading to needed improvements.

On motion of Councilman Wincote, seconded by Councilman Schneider, the matter was referred to the City Attorney for the necessary proceedings, at the request and suggestion of the City Attorney.

Communication from the City Engineer reporting on petition of C. M. Rodefer for improvement of Linwood Street, between the easterly line of Old San Diego and the westerly line of Bandini Street closed, recommending denial of petition due to protest of affected property owners, and due to severe side slope making it not a sound project, also to the Council's recently-adopted policy of requiring 60% property frontage petition (the petition bears only the signature of Mr. Rodefer, being 53.3% of the frontage), was presented.

RESOLUTION NO. 101322, recorded on Microfilm Roll No. 36, denying petition of C. M. Rodefer, bearing Document No. 427918, for improvement of portion of Linwood Street, more particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer reporting on petition for deletion of one block on San Elijo between Owen Street and Nichols Street; from the improvement project, deletion of sidewalks on San Elijo Street, between Nichols and McCall Streets; recommending that petitions for such deletion be granted, was presented.

RESOLUTION NO. 101323, recorded on Microfilm Roll No. 36, adopting the City Engineer's recommendation for deletion of ~~of~~ improvements on San Elijo Street, as more particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Carl F. Mayer, 3585 Villa Terrace, protesting the almost-constant smoking on board buses, pointing out that the Cities of New York and Philadelphia enforce their "no-smoking" regulations, but that San Diego does not, was presented.

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

Communication from Employees' Council, dated February 16, 1951, signed by Earl A. Wentworth, Chairman Welfare Committee, making suggestion for payment of specified sum to City employees if and when the proposition for salary changes, appearing on the March 13, 1951 ballot, is ratified, was presented.

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

Communication from San Diego Municipal Employees' Association, dated February 14, 1951, signed by Horace V. Lerwill, President, requesting amendment to Section 9-1/2 of City Employees' Retirement System ordinance to permit assignment of interest of employees in retirement system accumulations, in order to provide a quick source of cash (as security for Credit Union Loans), was presented.

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

Communication from South of Broadway Property Owners' and Business Men's Association, dated Feb. 15, 1951, signed by Otis B. Tout, Secy-Mgr., requesting the straightening out of Fifth Avenue below the railroad tracks for direct connection with Harbor Drive, was presented.

Councilman Dail spoke on the communication. He told of the dangerous situation which exists, and said that traffic backs up across the railway tracks awaiting the green traffic lights, in the path of switching trains, and mentioned a bus having been struck by a moving train while the bus had passengers aboard.

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

RESOLUTION NO. 101324, recorded on Microfilm Roll No. 36, directing notice of filing of assessment and of the time and place of hearing thereof, for the paving and otherwise improving of Bayard Street, within the limits and as particularly described in Resolution of Intention No. 98041, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION OF AWARD NO. 101325, recorded on Microfilm Roll No. 36, accepting bid of V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Co., for the paving and otherwise improving of Draper Avenue, within the limits and as particularly described in Resolution of Intention No. 100471, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

By written communication, the City Engineer advised the Council that the low bid was 12.0% below the estimate.

RESOLUTION ORDERING WORK NO. 101326, recorded on Microfilm Roll No. 36, for the paving and otherwise improving of Sequoia Street, Crown Point Drive, and Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 100895, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 101327, recorded on Microfilm Roll No. 36, for the paving and otherwise improving of Wilbur Avenue, within the limits and as particularly described in Resolution of Intention No. 100896, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 101328, recorded on Microfilm Roll No. 36, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, for a period of one year from and including September 1, 1950, to and including August 31, 1951, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 101329, recorded on Microfilm Roll No. 36, for the paving and otherwise improving of Hancock Street and Clayton Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 101330, recorded on Microfilm Roll No. 36, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for a period of one year from and including December 1, 1950, to and including November 30, 1951, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 101331, recorded on Microfilm Roll No. 36, for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1950, to and including November 15, 1951, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 101332, recorded on Microfilm Roll No. 36, for the closing of portion of Washington Street, as more particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101333, recorded on Microfilm Roll No. 36, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 323 Reed and Daley's Addition, and 29th Street, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101334, recorded on Microfilm Roll No. 36, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 13 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 98908, directing the City Clerk at the same time of said approval to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101335, recorded on Microfilm Roll No. 36, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 136 University Heights, within the limits and as particularly described in Resolution of Intention No. 98444, directing the City Clerk at the same time of said approval to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101336, recorded on Microfilm Roll No. 36, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Dalbergia Street, within the limits and as particularly described in Resolution of Intention No. 99397, directing the City Clerk at the same time of said approval to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101337, recorded on Microfilm Roll No. 36, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of 1400 feet of 2-inch W.I. pipe, and the installation of 1000 feet of 6-inch water main, 1450 feet of 8-inch main and 4 fire hydrants; the installation of 600 feet of 2-inch Hi-line and the connection of 15 services to it; the transfer of 16 services to the new main; and the renewal of services where necessary, in Cotocin Drive, from the end of the 6-inch Main (North of Montezuma Avenue) to North Terminus, and in La Dorna Drive, from Montezuma Avenue to North Terminus, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 101338, recorded on Microfilm Roll No. 36, approving Change and Work Order No. 2, dated January 31, 1951, heretofore filed with the City Clerk as Document No. 429554, and which was issued in connection with the contract between The City and P. and J. Artukovich for the construction of Alvarado Canyon Trunk Sewer, amounting to an increase in the contract price of \$201.60, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101339, recorded on Microfilm Roll No. 36, approving Change and Extra Work Order No. 8, dated February 13, 1951, heretofore filed with the City Clerk as Document No. 429566, and which was issued in connection with contract between The City and Vinson Construction Company for the construction of Midway Drive Bridge (Project 40), Schedule "C", amounting to an increase in the contract price of \$1424.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101340, recorded on Microfilm Roll No. 36, approving bill of San Diego-California Club, bearing date February 15, 1951, in the sum of \$3,038.25 for expenses incurred, and allowing the same, as approved by the Advertising Control Committee, authorizing a requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1950-1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4696 (New Series), recorded on Microfilm Roll No. 36, appropriating the sum of \$10,000.00 from the Capital Outlay Fund, for the purpose of providing funds for installation of a new system, known as a Micro Wave Radio Link, on Lyons Peak (which will place the repeater set-up of the system in the micro wave spectrum), was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4697 (New Series), recorded on Microfilm Roll No. 36, appropriating the sum of \$2500.00 from the Unappropriated Balance Fund, for the purpose of providing funds to pay the City's share of the cost of employing Ralph Tudor to conduct a preliminary survey of the feasibility of a tube or tunnel under the Bay of San Diego, which will provide transportation facilities between the cities of Coronado and San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

The Vice Mayor asked that the Resolution authorizing a dinner honoring State Senator George Hatfield and a committee together with staff, be amended to provide for the funds therefor to come from the Council's Entertainment Fund.

Asked if there were sufficient moneys in the fund for that purpose, the Vice Mayor said that there are.

RESOLUTION NO. 101341, recorded on Microfilm Roll No. 36, amending Resolution No. 101312, adopted February 15, 1951, which said Resolution authorized the Mayor to arrange for an official dinner honoring State Senator George Hatfield, a committee, and staff, (held Monday, February 19, 1951), and authorizing the incurring of the expenses therefor, to provide for payment of said dinner from the Council's Entertainment Fund, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The City Manager requested, and was granted, unanimous consent, to present the next matter of business, not listed on the Council's agenda:

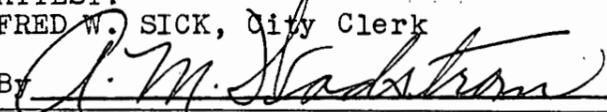
RESOLUTION NO. 101342, recorded on Microfilm Roll No. 36, authorizing the Purchasing Agent to purchase 2 - 960 megacycle terminals with one VHF (very high frequency) Voice and Control Channel with one duplex two-wire telephone channel with signal necessary for installation of micro wave radio link system on Lyons Peak, in the open market, without advertising for bids, at a cost not to exceed \$10,000.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted. (Funds appropriated by Ord. 4696 N.S. shown above).

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 10:35 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:

FRED W. SICK, City Clerk

By  Deputy

101338 - 101342

4696 N.S. - 4697 N.S.

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Friday, February 23,
1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor, at the hour of 10:03 o'clock A.M.

In the absence of the Mayor, Vice Mayor George Kerrigan acted as Chairman.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey
Absent---Councilman Dail, Mayor Knox.
Clerk----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating the north one-half of Pueblo Lot 1774 into "R-1A" Zone as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 13294 insofar as the same conflicts, the clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

At this time the City Attorney said that Burton Wood, whom he described as the sponsor of the move to zone the property, had asked for a continuance of the hearing for a period of two weeks.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the hearing was continued until the hour of 10:00 o'clock A.M., of Thursday, March 8, 1951.

Petition of Frances S. O'Connor for Class A Dine & Dance license at Cobra Cafe, 500 - 6th Avenue, being a change from the existing Class C license, was presented, together with recommendations from the various interested City departments for its granting.

RESOLUTION NO. 101343, recorded on Microfilm Roll No. 37, granting application of Frances S. O'Connor, 500 - 6th Avenue, for a Class A license to conduct public dance at Cobra Cafe, at said address, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Petition of I & S Sales, Inc., by Edwin W. Schlehuder, 5538 University Avenue, for permission to install sewer line between the property line and the sidewalk, to serve property at 4502-4504, 4506-4508-4510-4512 Ohio Street, was presented, together with recommendations from the Supervisor of Properties and the Assistant City Manager, for its granting.

RESOLUTION NO. 101344, recorded on Microfilm Roll No. 37, granting permission to I & S Sales, Inc., to install a six-inch cast iron soil sewer line between the property line and the sidewalk, to be placed one foot outside the property line and run in a westerly direction, parallel to the property line of portion of Lots 25 to 29 Block 59 and portion of Pueblo Lot "G" and portion of Lot 3 of the partition of East Half of Pueblo Lot "G" University Heights Subdivision, to point of intersection with public sewer, to serve property located at 4502, 4504, 4506, 4508, 4510 and 4512 Ohio Street, on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Petition of Roy A. Cook, 4051 Promontory, for permission to install sewer line between the property line and the sidewalk, to serve property at 1715 and 1717 Diamond St., was presented, together with recommendations from the Supervisor of Properties and the Assistant City Manager, for its granting.

RESOLUTION NO. 101345, recorded on Microfilm Roll No. 37, granting permission to Roy A. Cook to install a four-inch cast iron sewer line between the property line and the sidewalk, to be placed two feet outside the property line and run in a southerly direction, parallel to the westerly line of Lot 64 Pacific Beach Subdivision, to point of intersection with the public sewer, to serve property located at 1715 and 1717 Diamond Street, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Petition of Roy A. Cook, 4051 Promontory, for permission to install sewer line between the property line and the sidewalk, to serve property at 1713 Diamond St., was presented, together with recommendations from the Supervisor of Properties and the Assistant City Manager, for its granting.

RESOLUTION NO. 101346, recorded on Microfilm Roll No. 37, granting permission to Roy A. Cook to install four-inch cast iron sewer line between the property line

and the sidewalk, to be placed 2 feet outside the property line and run in a southerly direction, parallel to the westerly line of Lot 64 Pacific Beach Subdivision to point of intersection with public sewer, to serve property located at 1713 Diamond Street, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Erling O. Hilmen for construction of excess width driveway on the north side of Brookes Avenue between Park Boulevard and Herbert Street, to serve tenants of apartment building under construction and provide off-street parking, was presented, together with communication from the City Manager recommending its granting.

RESOLUTION NO. 101347, recorded on Microfilm Roll No. 37, granting permission to Erling O. Hilmen, 4154 Voltaire Street, to remove 40 feet of curb on the north side of Brookes Avenue, between points 62 feet and 102 feet west of the west line of Park Boulevard, for installation of a driveway adjacent to the east 120 feet of Lot 10 Block 243 University Heights, in accordance with City requirements, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

"Verified Claim for Abatement of Nuisance", from C. M. Davis, P.O. Box 752 Westminster, California, by her attorney David H. R. Pain, 1934 Cable Street, San Diego 7, requesting removal of large cypress tree in front of property described as 4831 West Point Loma Boulevard, was presented.

The Assistant City Manager presented a letter from W. Allen Perry, Superintendent of Parks, addressed to the City Manager, reporting upon the matter. The report stated that no previous complaint had been received, that the sidewalk and curb are in excellent condition and above the general standard through the City (it was contended that the sidewalk had buckled from tree roots). Also, it was reported that there are many nicely developed lawns and variety of shrubs growing on West Point Loma Boulevard under similar conditions, that since the City does not assume responsibility for quality or construction of sewer connections no investigation was made regarding repairs, and stated that a work order has been filed to have the tree trimmed.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was ordered filed.

(The Clerk would ordinarily have sent on a copy of said report, and Council's action, but was advised by the Assistant City Manager that he has talked to Mr. Pain about the matter, and stated that further study is being given to the sewer line subject by the Public Works Department)

Claim of Grace R. Canning (address not shown), for property damage to her automobile by a City street sweeper, as per estimates on file with Pacific Indemnity Co., was presented.

RESOLUTION NO. 101348, recorded on Microfilm Roll No. 37, referring claim of Grace R. Canning to Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Claim of Walter H. Lewis, 3123 Poplar Dr., Lynwood, Calif., for damage to automobile by a City rubbish truck, as per 3 different estimates attached, was presented.

RESOLUTION NO. 101349, recorded on Microfilm Roll No. 37, referring claim of Walter H. Lewis to Pacific Indemnity Co., was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Claim of Recreation Dept., U.S. Naval Station, by Lt. N. Poole, Recreation Officer, in the sum of \$29.90, for damage to Navy station wagon by City rubbish truck, was presented.

RESOLUTION NO. 101350, recorded on Microfilm Roll No. 37, referring claim of Recreation Dept., U.S. Naval Station to Pacific Indemnity Co., was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Claim of Fred W. Schutte, 653 Bonair Street, La Jolla, in the sum of \$60.87, for damage to his automobile by a Water Department truck, was presented.

RESOLUTION NO. 101351, recorded on Microfilm Roll No. 37, referring claim of Fred K. Schutte to Pacific Indemnity Co., was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of acoustical materials at 3 Gymnasiums (Pacific Beach, Presidio Park and University Heights), recommending award to Larson Brothers of San Diego, the low bidder, was presented.

RESOLUTION NO. 101352, recorded on Microfilm Roll No. 37, accepting bid of Larson Brothers for installation of acoustical materials to the walls and ceilings of the Gymnasium of the Recreation Buildings at Pacific Beach, Presidio Park and University Heights, awarding contract and authorizing the City Manager to execute the same; directing the City Clerk to return all bid checks submitted, with the exception of the checks submitted by the low bidder and second low bidder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101353, recorded on Microfilm Roll No. 37, approving plans and specifications for the furnishing of all labor, services, equipment, materials, transportation and other expense necessary or incidental for the construction of a storm Drain from 43rd Street and University Avenue to 40th and Landis Streets, and in Block 69 City Heights, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending approval of Redwood Village Unit No. 5, subject to filing of adequate bond to insure completion of improvements and the setting of monuments, was presented.

RESOLUTION NO. 101354, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager to execute a contract with Hubner Building Company, a partnership, for the installation and completion of the unfinished improvements and the setting of the monuments required for Redwood Village Unit No. 5, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101355, recorded on Microfilm Roll No. 37, adopting Map of Redwood Village Unit No. 5, being subdivision of portion of Parcel "00" of Lot 19 of Rancho Mission of San Diego, accepting Jeff Street, portion of College Avenue and unnamed easements shown thereon for public purposes, declaring said streets and unnamed easements to be public streets and dedicated to the public use, directing the City Clerk to endorse upon said map as and for the act of the Council that said streets and easements are accepted on behalf of the public, directing said City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending approval of Richmond Hills, subject to filing of adequate bond to insure completion of improvements and the setting of monuments, was presented.

RESOLUTION NO. 101356, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager to execute a contract with Lowell A. DeWeese and Bernadine A. DeWeese for the installation and completion of the unfinished improvements and the setting of the monuments required for Richmond Hills, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101357, recorded on Microfilm Roll No. 37, adopting Map of Richmond Hills, being subdivision of portion of Lot 11 of Lemon Villa, accepting Trojan Avenue, portion of 54th Street, portion of Orange Avenue, Bernadine Place, Vale Way, Sharoon Place and Unnamed easements shown thereon for public purposes, declaring said streets and unnamed easements to be public streets and dedicated to the public use, directing the City Clerk to endorse upon said map as and for the act of the Council that said streets and easements are accepted on behalf of the public, directing said City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Planning Director, opposing adoption of Section 20 of the proposed Uniform Building Code Ordinance, which would repeal 29 of the architectural control zones in the City, which zones were heretofore established after petition by property owners and public hearings, recommending that architectural control remain in effect in those areas presently covered, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the hearing file on the proposed Ordinance.

Communication from the Planning Commission, signed by the Planning Director, supplementing letter regarding Section 20 of the proposed Ordinance adopting Uniform Building Code, referring to two additional architectural control zones, also stating that Section 8W3 recites the term "City Planning Engineer" and that inasmuch as there is no such title the term should be "the City Planning Commission" or "the City Planning Department", was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was referred to the hearing file on the proposed Ordinance.

The following communications relative to Bus matters, were presented:

F. H. LaBaume (address not given), regarding Fares;

Z. E. Bennett (address not given), regarding inadequate Service, overcrowding of buses, etc.;

Mrs. Pearl Brown, 2951 Marquette, requesting one-year franchise, due to no real service since street cars were taken off;

Frank S. Webster, 4576 - 68th Street, regarding full fares and poor service, standing of passengers, short transfer intervals;

John Wilson, 1136 Edgemont Street, objecting to 13¢ fare for poor service and standing in the aisles;

On motion of Councilman Wincote, seconded by Councilman Godfrey, said communications were referred to the "bus investigator", without having been read.

Communication from Harvey D. Allen, Hemet, Calif., advocating closing of Allen Road, which, the communication, has been considered a private road and is so posted

by the City, and setting forth his reasons therefor, was presented.

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

Communication from Division of Highways, State of California, signed by the Division Engineer, requesting that no modification be granted on Pacific Highway, between West Washington Street and Witherby Street, was presented.

Said communication stated that authorization has been received to proceed with acquisition of setback area.

(The Council has set a hearing on petition for setback removal for Tuesday, March 20, 1951).

Said communication, read to the Council, was on motion of Councilman Godfrey, seconded by Councilman Schneider, referred to the City Manager for report back to the Council in one week.

Communication from residents of a group of 26 dwelling units situated on Titus Street between Pringle and McKee Streets, near Five Points, known as Hillside Colony, stating that they have received notices of rent increases which in some cases amount to almost 100% effective on or about March 15, 1951, was presented.

Said communication requested that the Council use every means available to it, by recommendation to the Federal government or otherwise, to re-establish rent control in the City with rents rolled back to some base period prior to the present time, in which national emergency has been utilized by some landlords "to their own selfish ends".

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was ordered filed, without being read.

Communication from San Diego County Fair, signed by Paul T. Mannen, Manager, dated February 19, 1951, inviting the City of San Diego to participate in the Fair, to be held June 29 through July 8, was presented.

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

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated February 15, 1951, recommending denial of claim of Forest E. Harris, in the sum of \$622.00, for damage from broken fire hydrant, was presented.

RESOLUTION NO. 101358, recorded on Microfilm Roll No. 37, denying claim of Forest D. Harris, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated February 16, 1951, announcing payment of claim of Miss Lucy Craig, in the sum of \$75.00, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated February 16, 1951, announcing payment of claim of Mrs. Valentine Lewis, in the sum of \$12.50, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated February 16, 1951, announcing payment of claim of J. F. Plachta, in the sum of \$113.33, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated February 19, 1951, announcing payment of claim of Leonard Sherr, in the sum of \$62.62, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was ordered filed.

RESOLUTION NO. 101359, recorded on Microfilm Roll No. 37, authorizing and empowering the City Manager to do all the work in connection with the planting of shrubs and trees along Ventura Boulevard and on Gleason Point, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

Accompanying said Resolution was communication from the City Manager recommending action taken therein.

RESOLUTION NO. 101360, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager to execute an amendment to lease agreement with Roy E. Matheson, Roy J. Hurd and Warner Austin, raising the ceiling price on hot dogs and hamburgers to be sold at Mission Beach Amusement Center, in accordance with terms and conditions as set out in form of agreement on file in the office of the City Clerk as Document No. 429740, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101361, recorded on Microfilm Roll No. 37, authorizing and directing the Mayor and City Clerk to execute and forward to the Division of Public Works of the State of California, supplemental agreement for maintenance of State Highways dated February 5, 1951, (agreement covering one-year period beginning July 1, 1950, has been heretofore executed; it now appears that certain maintenance costs were underestimated and that it is necessary for the State to provide additional maintenance funds), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Petition of W. A. Anderson, 3320 Xenophon St., for permission to install sewer line between the property line and the sidewalk, was presented, together with recommendation for approval from the Supervisor of Properties and the Assistant City Manager.

RESOLUTION NO. 101362, recorded on Microfilm Roll No. 37, granting permission to W. A. Anderson, 3320 Xenophon Street, to install a six-inch cast iron sewer line between the property line and the sidewalk, to be placed 3 feet outside the property line and run in a northerly direction, parallel to the curb and lot lines of Lots 8, 9, 10, 11 and 12 Block 78 (Roseville) to point of intersection with public sewer, to serve property on Jarvis Street, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101363, recorded on Microfilm Roll No. 37, authorizing and empowering the City Attorney to file a disclaimer to the complaint in the action entitled "Nathan W. Berinstein, et al, Plaintiffs vs. Sam Ferry Smith Company, a corporation, et al, Defendants", being designated as No. 162894 for the purpose of quieting title to land described as Lots 1, 2 and 3 Block 38 and Lots 17 and 18 Block 39 Western Addition, against street assessment bonds issued by The City of San Diego under and pursuant to the provisions of the Act of 1911, said bonds being designated as Nos. 126, 127, 128, 140 and 141 Series 1278, the City having no right, title or interest in said land, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101364, recorded on Microfilm Roll No. 37, accepting subordination agreement executed by Chula Vista Building Association, beneficiary, and Chula Vista Investment Company, trustee, bearing date September 21, 1950, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 39 Block 32 Lexington Park, to the right of way and easement for water main purposes heretofore conveyed to The City of San Diego in said property, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101365, recorded on Microfilm Roll No. 37, accepting deed of Raymond B. Talbot as Tax Collector of the County of San Diego, State of California, executed in favor of The City of San Diego, bearing date January 19, 1951, conveying Unnumbered Lots N. of Lots 17 to 22, incl., Block 292 Seaman and Choate's Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101366, recorded on Microfilm Roll No. 37, accepting deed of Ruth A. Ward, bearing date February 19, 1951, conveying a portion of Lot 7 of Palmetto Tract, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101367, recorded on Microfilm Roll No. 37, accepting deed of H. D. Wyatt, Helen Wyatt, Robert George Dunfield, Mable Dunfield, Russell F. Kimball and Frances Dunfield Kimball, bearing date October 19, 1950, conveying an easement and right of way for street purposes in portion of Pueblo Lot 1785, setting aside and dedicating the same to the public use as and for a public street, and naming the same Alta Vista Street, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101368, recorded on Microfilm Roll No. 37, accepting deed of Ruth A. Ward, bearing date February 16, 1951, conveying portion of Palmetto Tract, setting aside and dedicating the same to the public use as and for a public street and naming the same 54th Street, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101369, recorded on Microfilm Roll No. 37, accepting deed of Ruth A. Ward, bearing date February 16, 1951, conveying a portion of Lot 7 of Palmetto Tract, setting aside and dedicating the same to the public use as and for a public street and naming the same 54th Street, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101370, recorded on Microfilm Roll No. 37, accepting deed of Paul T. Walker and Elva G. Walker, bearing date February 14, 1951, conveying an easement and right of way for street purposes in portion of Lot 1 of Pueblo Lot 1782, setting aside and dedicating the same to the public use as and for a public street and naming the same La Jolla Mesa Drive, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101371, recorded on Microfilm Roll No. 37, accepting deed of Robert George Dunfield and Mable Perry Dunfield, bearing date October 19, 1950, conveying an easement and right of way for street purposes in portion of Pueblo Lot 1785, setting aside and dedicating the same to the public use as and for a public street and naming the same Soledad Way, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101372, recorded on Microfilm Roll No. 37, accepting deed of Russell F. Kimball and Frances Dunfield Kimball, bearing date October 18, 1950, conveying an easement and right of way for street purposes in portion of Pueblo Lot 1785, setting aside and dedicating the same to the public use as and for a public street and naming the same Soledad Way, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101373, recorded on Microfilm Roll No. 37, accepting deed of H. D. Wyatt and Helen Wyatt, Robert George Dunfield and Mable Perry Dunfield and Russell F. Kimball and Frances Dunfield Kimball, bearing date October 19, 1950, conveying an easement and right of way for street purposes in portion of Pueblo Lot 1785, setting aside and dedicating the same to the public use as and for a public street and naming the same Soledad Way, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101374, recorded on Microfilm Roll No. 37, accepting deed of McKinley Cummings and Lucy Ann Cummings, bearing date February 5, 1951, conveying portion of Lot 3 Block "C" El Nido, setting aside and dedicating the same to the public use as and for a public street and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101375, recorded on Microfilm Roll No. 37, accepting deed of Ralph Gresham, Jr. and Archielyn Francis Gresham, bearing date February 5, 1951, relinquishing any and all abutters rights to a Freeway lying northwesterly of and contiguous to a portion of Pueblo Lot 1152, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101376, recorded on Microfilm Roll No. 37, accepting deed of Ashley L. Bishop, bearing date February 2, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 39 Block 77 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101377, recorded on Microfilm Roll No. 37, accepting deed of Cecil Endicott and Kathleen N. Endicott, Alfred Krause and Marta Krause, bearing date January 15, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 4 and 5 Block 6 New Roseville, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101378, recorded on Microfilm Roll No. 37, accepting deed of William Gibbs, Jr. and Barbara M. Gibbs, bearing date February 13, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 1 Block 93 Roseville, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101379, recorded on Microfilm Roll No. 37, accepting deed of James V. Green and Gladys B. Green, bearing date February 15, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 24 Block 4 Ironton Addition, together with portion of Armada Terrace closed to public use, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101380, recorded on Microfilm Roll No. 37, accepting deed of William R. Regenhardt and Joanne B. Regenhardt, bearing date January 9, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 9 Block D La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101381, recorded on Microfilm Roll No. 37, accepting deed of James W. Truitt and Grace B. Truitt, bearing date January 11, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 20 Block 256 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101382, recorded on Microfilm Roll No. 37, accepting deed of Richard Voigt and Mary Voigt, bearing date February 2, 1951, conveying an easement and right of way in portion of Lot 3 Block 253 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101383, recorded on Microfilm Roll No. 37, accepting deed of Pre-Mixed Concrete Company, Inc., bearing date January 16, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 54 to 63 inclusive Block 1, D. B. Williams Subdivision, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101384, recorded on Microfilm Roll No. 37, accepting deed of Dale S. Harris and Dorothy G. Harris, bearing date September 13, 1950, conveying an easement and right of way for water main purposes in portion of Lot 39 Block 32 Lexington Park, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4698 (New Series), recorded on Microfilm Roll No. 37, authorizing the City Manager to establish sales prices and service charges in Mount Hope Cemetery comparable to those of a similar type and nature existing in other cemeteries in the vicinity of the City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent--Councilman Dail, Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent--Councilman Dail, Mayor Knox.

The final reading of such Ordinance was in full.

The next matter was withdrawn from Council Conference:

Resolution of Water Pollution Control Board, San Diego Region #9 petitioning the Council for authorization to connect with City sewer system a sewer to serve noncontiguous, unincorporated area being a portion of La Mesa Park Sanitation District.

(A copy of the City Manager's reply to the effect that the same could be accomplished if the area were annexed).

On motion of Councilman Schneider, seconded by Councilman Godfrey, said matter was ordered filed.

The Assistant City Manager requested, and was granted, unanimous consent to present the next matter of business not listed on the Council's agenda:

A communication from San Diego Transit System, dated February 16, 1951, signed by J. L. Haugh and addressed to the City Manager was presented and read.

The communication stated that there is an unusual amount of sickness due to the flue epidemic, that ordinarily 8 or 9 men at a time were on sick leave, but that 46 were off on February 16, resulting in decreased service. The communication said that it is impossible to rapidly employ and train driver personnel in critical emergencies.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said communication was referred to the "Bus Investigator".

The City Attorney requested, and was granted, unanimous consent to present the next matter of business not listed on the Council's agenda:

The City Attorney presented drafts of two Charter amendments proposed for presentation to the voters at the same time as the City General Election on April 17, 1951, which he asked the Council to check. He said that if they are O.K. he will have the Ordinance prepared and ready for presentation to the Council at next Tuesday's meeting.

The City Attorney read to the Council the proposed draft regarding employment of the Chief Building Inspector, and regarding his being placed in the Unclassified Service.

The Vice Mayor thought that discussion was needed regarding the employment through appointment under the Unclassified Service.

Councilman Schneider thought that the City Manager, whose appointment the Chief Inspector would be, could be trusted.

The Vice Mayor agreed on the point, but he said that he was looking to the future with other Councils and other Managers.

Councilman Godfrey said that he liked the "new deal very much".

The Vice Mayor wanted to explore some of the things which might happen. He said that the Charter framers probably put the Chief Inspector into the classified service for a particular reason.

Councilman Schneider felt that no particular pressure could be used on the present management.

The Vice Mayor said that it is a basic matter, and said again that he wondered how it would work under another management and another Council.

Councilman Schneider expressed the belief that any future situation would take care of itself when we got to it.

The Assistant City Manager said that the Chief Inspector falls into the classification of one who has to get along with the public. He said, further, that if such an appointment were made where the individual is unsatisfactory, it is practically impossible to get rid of him under Civil Service. He said, also, that when a department head makes charges with the Civil Service Commission and a hearing is held on dismissal it is usually the department head who goes on trial rather than the individual whom he seeks to remove.

Councilman Schneider moved to instruct the City Attorney to prepare and present the necessary Ordinance, which motion was seconded by Councilman Godfrey.

Before the roll could be called on the motion, there was further discussion.

The City Attorney told the Council of the first defeated Charter, presented to the voters in 1929, under which all the department heads were in the Unclassified Service. He said that his office does better because of the unclassified attorney, and pointed out that the District Attorney cannot remove his deputies unless they "practically commit crimes". He felt that department heads should be unclassified. He said that evils of Civil Service in jobs like that are worse than in the Unclassified Service. He emphasized that all the department heads, except the City Clerk and the City Auditor are now appointed by the City Manager. He said that the Building Inspection Department needs integrity, and that the City Manager should be given free rein in the appointment. He said that the proposed amendments broadens choice by the City Manager.

At this time the roll was called on the motion hereinbefore shown, resulting in RESOLUTION NO. 101385, recorded on Microfilm Roll No. 37, instructing the City Attorney to prepare and present the necessary Ordinance providing for two Charter amendments, at the April 17, 1951, election, having to do with the employment of the Chief Building Inspector and the placing of such position in the Unclassified Service, was adopted.

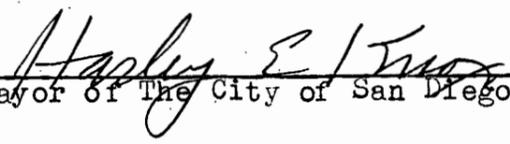
The Vice Mayor announced that a Conference is to be held at the hour of 2:00 o'clock P.M., of Tuesday, February 27, at which time the City Manager is to make a report on driveways and revenue matters, and told of other events for the next week.

No action was taken, none being required.

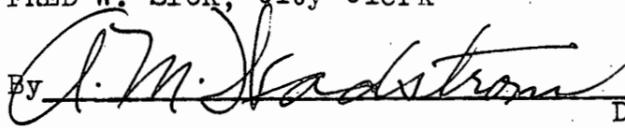
The Vice Mayor spoke about information contained in bulletin issued by the League of California Cities, in its "News Letter dated 14 February, 1951, relation to the Assembly Bill 3217 and Senate Bill 769 introduced, which bills would put an end to taxing city property owners in order to provide municipal services to urban unincorporated areas of the county. He suggested that the Council take action endorsing said bills.

RESOLUTION NO. 101386, recorded on Microfilm Roll No. 37, requesting the City Attorney to prepare and present a Resolution, for Council adoption, endorsing Assembly Bill 3217 and Senate Bill 769, which legislation would put an end to taxing city property owners in order to provide municipal services to urban unincorporated areas of the county, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the meeting was adjourned at the hour of 10:40 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, February 27, 1951

A Regular Meeting of the Council of the City of San Diego, California, was held this date, and was called to order by the Mayor, at the hour of 10:05 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox
Absent---Councilman Godfrey
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, February 20, 1951, and of Thursday, February 23, 1951, were presented to the Council by the Clerk.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said Minutes were approved without reading, after which they were signed by the Mayor.

Councilman Godfrey entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for construction of a structural steel and concrete Highway Bridge on Sunset Cliffs Boulevard, over the San Diego River Flood Control Channel, the Clerk reported that 3 bids had been received, which bids were presented to the Council and on motion duly made and seconded, were opened and publicly declared.

Said bids were as follows:

The bid of M. H. Golden Construction Company, 3485 Noell Street, San Diego 1, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 429916;

The bid of Guy F. Atkinson Company, P.O. Box 259, Long Beach 1, California, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of 10% of the amount of the attached bid, which bid was given Document No. 429917;

The bid of Union Steel Company, 7301 Anaheim-Telegraph Road, P.O. Box 6997, Los Angeles 22, California, accompanied by bond written by Indemnity Insurance Company of Philadelphia in the sum of \$80,000.00, which bid was given Document No. 429918.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the time to which the hearing on the Street Superintendent's Assessment No. 1982, made to cover the costs and expenses of the paving and otherwise improving of 48th Street, within the limits and as particularly described in Resolution of Intention No. 97597, had been continued for report from the City Engineer upon appeals and protests, the City Engineer made a verbal report.

The Engineer said that ~~that~~ complaints were concerned regarding adjoining intersections (which were not a part of the improvement proceedings, and for which no assessment was levied) and that they are being smoothed up. Also, he reported, the Water Department is re-setting meter boxes. The Engineer said that there is no hole, as reported by one of the appellants, based upon personal inspection.

RESOLUTION NO. 101387, recorded on Microfilm Roll No. 37, overruling and denying the written appeal of Paul M. Schneider and others from the Street Superintendent's Assessment No. 1982 made to cover the costs and expenses of the paving and otherwise improving of 48th Street, within the limits and as particularly described in Resolution of Intention No. 97597, overruling and denying all other appeals, confirming and approving the said Assessment, directing him to attach his warrant thereto and issue the same in the manner and form provided by law, directing said Street Superintendent to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1983, for the paving and otherwise improving of Tourmaline Street and Sapphire Street, within the limits and as particularly described in Resolution of Intention No. 98043, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

The following persons appeared, and were heard in verbal appeals:

Wm. H. Deaner, 5127 Cass Street, who said that his property would receive no benefit, lying, as it does, in the middle of the block. The City engineer said that 70% of the assessment is charged to the frontage, 30% on an area basis for one half block back.

Mrs. Adolph Baier, 5115 Cass Street, made the same protest as Mr. Deaner.

Hubert L. Bratton, 1076 Sapphire Street, said he does not receive much benefit, that there is 3" of mud in front of his property. Mr. Bratton said that the paving is in front of his property, but that mud washes down from the higher Dawes Street onto Sapphire Street, which he cannot see for mud.

RESOLUTION NO. 101388, recorded on Microfilm Roll No. 37, overruling and denying the appeals of Wm. H. Deaver, Mrs. Adolph Baier, Hubert L. Bratton, from the Street Superintendent's Assessment No. 1983 made to cover the costs and expenses of the work of paving and otherwise improving of Tourmaline Street and Sapphire Street, within the limits and as particularly described in Resolution of Intention No. 98043, overruling and denying all other appeals thereon, confirming and approving said assessment, directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101047, for the paving and otherwise improving of 51st Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

At this time Mayor Knox recognized the Lincoln School Social Studies Class, Miss Cooper, teacher, and welcomed the group to the meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101048, for the paving and otherwise improving of Loring Street and Lamont Street, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Gilbert C. and Elizabeth Powell Deans, Elizabeth Rae Icardo and Jack Icardo, Gilbert E. Love, Cosette H. and Stanley H. Sessions, and Maynard Vincent, which protests were presented to the Council.

Asked for a report, the City Engineer stated that the written protests represented 28% of the affected property, and outlined the contents of each protest. He said that estimates for the improvement include water main, inasmuch as the Water Department had at first indicated that it would not make the installation. The Department, the Engineer said, is now willing to install the main, which would be cheaper for the property owners than if done by contract.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Jack Icardo said that the improvement would do him no good, and that the cost would be too high;

Elizabeth P. Deans said that she has nothing to do with the street, cannot afford it;

Gilbert E. Love opposed the work, stating that he had already paid for the intersection;

G. C. Deans said that he had paid \$25.00 to the City "to turn the lot around", and he thought he should not have to pay for the improvement on that account.

The City Engineer reported 80% on the original petition. He said that withdrawing names by the protest would still leave 62% of property owners wanting the improvement. He explained that it is a dead-end street, one block long with one intersection. He said that figures given excludes City-owned property. The Engineer showed a plat of the property to the protestants. Figures on the protests were re-checked, and found them to be higher than at first reported: 48% of the frontage.

RESOLUTION NO. 101389, recorded on Microfilm Roll No. 37, sustaining the protests of Gilbert C. Deans and Elizabeth Powell Deans, Jack Icardo and Elizabeth Rae Icardo, Gibert E. Love, Stanley H. Sessions and Cosette H. Sessions, Maynard Vincent, against the proposed improvement of Loring Street and Lamont Street, within the limits and as particularly described in Resolution of Intention No. 101048, abandoning the proceedings heretofore taken for such proposed improvement, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101049, for the paving and otherwise improving of Oliphant Street and Chatsworth Boulevard, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Schneider, seconded by Councilman Swan, the proceedings for said improvement were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101047, for the paving and otherwise improving of 51st Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101050 for the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Mrs. Alice Tillinghast and from L. Hubbell and Harriett J. Hubbell, which written protests were presented to the Council.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

The following persons appeared, and entered verbal protests:

Walter H. Moler, 1220 Reed Avenue, protested the type of paving, maintaining that the proposed cement was too high in price. He contended that the original petition called for asphalt, while the specifications now provide for cement concrete.

The City Engineer reported verbally. He said that the proceeding as a whole did not specify type in the petition, but that a supplementary petition had been filed for additional improvement, specifying cement concrete. Asked by the Mayor about the difference in the cost of the two pavement types, the Engineer replied that it would be between 5¢ and 10¢ per square foot.

Mrs. Alice Tillinghast, 1230 Reed Avenue, said that there is not heavy traffic on the street and that asphalt concrete would be O.K.;

Grace K. Holston said that the estimate is high, and that the completed cost will probably be even higher.

Mrs. L. C. Eccles protested the cement concrete, stating that black top would sufficient for the needs of the street;

John Ogden asked to be heard. He spoke in favor of the cement concrete, and asked that the proceedings be not abandoned. He said that the City had backed up on the proceedings previously, adding more improvement to the project, and was afraid that if it were abandoned again the improvement might not go in at all.

The City Engineer, asked about the percentage of signatures on the original petition, said that it was 55%.

The Mayor expressed the belief that the property owners, who will pay the bill, should have their choice of pavement type - if there is no engineering reason for specifying cement concrete.

The City Engineer said that asphalt concrete would be O.K., but added that he does not want to split the types of pavement under one project.

Councilman Schneider moved to refer the proceedings back to the City Engineer for change in type of to asphalt concrete, which motion was seconded by Councilman Wincote.

There was further discussion, upon which Councilman Schneider moved to abandon the proceedings, which motion was seconded by Councilman Wincote.

Following further discussion, the motion and secondeon were withdrawn.

Mr. Ogden was heard again, at which time he pointed out that the proceedings were begun under the original petition which he sponsored, for cement concrete, that other portions of the improvement had been added. He asked that the matter be not abandoned, and perhaps the work be not done.

RESOLUTION NO. 101390, recorded on Microfilm Roll No. 37, continuing the hearing on Resolution of Intention No. 101050 for the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in said Resolution for one week, directing the City Engineer to poll the affected property owners as to their preference of pavement type (cement concrete asphalt) and giving an estimate based on comparative figures of both types, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

The Mayor explained that the hearing can be continued only week-to-week, and that decision in the matter would probably be reached by the Council two weeks from this date.

Councilman Swan was excused from the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101051, for the paving and otherwise improving of Venice Street, Brighton Avenue and Northeasterly and Southwesterly Alley in Block 91 Point Loma Heights, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Kenneth F. Jones and Betty L. Jones, 4314 Niagara Street, and from Wilbert Reitz, 4304 Niagara, which protests were presented to the Council.

RESOLUTION NO. 101391, recorded on Microfilm Roll No. 37, overruling and denying the protests of Kenneth F. Jones and Betty L. Jones, Wilbert Reitz, against the proposed paving and otherwise improving of Venice Street, Brighton Avenue and Northeasterly and Southwesterly Alley in Block 91 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 101051, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

Councilman Swan returned to the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all building and/or structures in The City of San Diego, providing for issuance of permits and collection of fees therefor, providing penalties for violation, declaring and establishing fire zones, repealing Ordinance No. 13375, repealing Ordinance No. 3674 (New Series) and their respective amendments as listed therein, the Clerk reported that a communication from San Diego Chapter The American Institute of Architects, signed by D. Campbell, dated Feb. 23, 1951, requesting that the architectural control provisions be

retained, and two communications from the Planning Commission signed by the Planning Director making the same plea, which communications were presented to the Council.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard.

Judge Edgar Luce, as attorney for the Hotel Association, spoke. He said that the ordinance provisions involve great expense to the Hotels. He said that adoption of the Uniform Building Code is not objectionable, but protested the "fire" measures of the Ordinance.

The City Manager, Judge Luce said, assured him that he would be consulted before the Ordinance was re-drawn, but that it had been presented without the promised consultation. He contended that stand pipes and fire escapes had been installed in all hotels which he represents, in compliance with the Ordinance. He said that destructive fires in concrete hotels are "very remote". Judge Luce pointed out that the State fire ordinances do not include regulations on buildings already constructed, and neither does any other city. A little time and leniency was asked for by Judge Luce for enclosing stairways, and said those provisions will be met eventually. He suggested added time to permit compliance. He mentioned the matter of substitutions authorized by the Building Inspector regarding stairways in existing buildings. Judge Luce said that sprinkler alternates had been added (he had been speaking about existing ordinance) without his knowledge. Sprinklers said that sprinklers are required where not needed, and not included where needed. He contended that sprinklers are not needed in lobbies, but are in storage rooms. He wanted the section re-written "to make better sense", maybe for only passage-ways and halls. He wanted to go over the matter with the City Attorney and the City Manager, and to add a provision to permit time to catch up.

The City Manager spoke, and pointed out that the matter under hearing was for the purpose of enacting the Uniform Building Code, without any changes in related subjects: fire, zoning, etc. He said he would be happy to work with Judge Luce and with anyone else. He said that only existing provisions are being carried over. The City Manager contended that changes would delay adoption of the Uniform Building Code. He added that there are several buildings in the planning stage which would be affected if the proposed Ordinance is not adopted, which would result in having to ask for revision of plans and starting over. The City Manager said that there is no need to review other Ordinances at this time, that other matters should be brought up separately. He asked for one week to re-word a section. The City Manager said that the Ordinance can be enacted, that amendments, as needed, can be considered separately at a later date.

John Lovett, a building contractor, spoke, and said they "should carry a little farther". He said that Judge Luce would walk into a lot of stuff he doesn't know. He wanted individual survey of wants on affected groups. Mr. Lovett said that all have done a pretty good job for 25 years on a "hodge podge Ordinance". Also, Mr. Lovett asked for answers from individuals and groups in writing upon their reactions to the proposed ordinance.

The City Manager said that, to the best of his knowledge, all the interested groups have been notified and consulted.

Martin Matthias, representing the Associated General Contractors, said that he had received notice of the hearing, and had obtained copies of the Ordinance. He stated that he had advised Charles A. Taylor of the Ordinance and the hearing (Mr. Taylor had contended that he knew nothing of the matter until he read in the newspapers of the hearing). Mr. Matthias expressed the belief that the proposed Ordinance can be adopted without harm, and that amendments, if necessary, can be considered at a later date.

The City Manager called the Council's attention to the need for moving ahead, but said that a one week's delay will not hurt anyone. He wanted to limit consideration, to the Uniform Building Code.

Mr. Matthias said that A.I.A. is vitally concerned.

Jack Lewis, chairman of the San Diego Chapter of the American Institute of Architects, advocated having the Uniform Building Code approved, and inclusion of other matters if needed at a later date.

Stanley Byrne, structural engineer, who identified himself as a long-time member of the City's Board of Examiners and Appeals, said he was speaking for himself and not any group. He said that the City has been operating, generally, under the 1932 Uniform Code, with revisions. Mr. Byrne pointed out that it is not possible to suit everybody and every situation. He said that the Uniform Code is basically a good thing. He pointed out that the Board of Examiners and Appeals can straighten out any minor details and necessary variances. He recommended adoption of the Ordinance, with the minor things to be taken care of at a later date.

The Mayor suggested continuance of the hearing until next Tuesday afternoon. Councilman Dail thought it would be well to consider the matter next Thursday morning.

Mr. Greer (first name or initials not given), of the Building Contractors' Association, spoke. He thought that the Ordinance was a good one, that minor changes can be adjusted later as needed. He said that the group has not met to act officially upon the proposed Ordinance, but that a meeting could be held within a week to secure an expression from the membership.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the hearing on the proposed Ordinance was continued until the meeting of Tuesday, March 6, 1951, for consideration at the hour of 2:00 o'clock P.M.

Mayor Knox left the meeting at the hour of 11:40 o'clock A.M., at which time Vice Mayor George Kerrigan assumed the duties of Chairman.

Councilman Dail moved to recess the meeting until the hour of 2:00 o'clock P.M., this date, but other members of the Council determined to continue, pointing out that the rest of the business could be acted upon within a short time.

Petition of San Diego-California Club, for an allocation of \$30,000.00 in the 1951-52 Budget, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Claim of Mrs. Maude H. Cressman, 818 Pismo Court, for damage to her car by a City rubbish truck, in the sum of \$270.96, was presented.

RESOLUTION NO. 101392, recorded on Microfilm Roll No. 37, referring claim of Mrs. Maude H. Cressman to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Claim of John A. Hassey, Jr., 6924 Ohio Street, for damage to his car by a garbage container being dropped onto it by a City employee, in the sum of \$18.00, was presented.

RESOLUTION NO. 101393, recorded on Microfilm Roll No. 37, referring claim of John A. Hassey, Jr., to Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Claim of Mrs. Florence Abbott, 4033 Ocean Front, Mission Beach, for damage to her residence from cement spray used on refinishing the Sea Wall, was presented.

RESOLUTION NO. 101394, recorded on Microfilm Roll No. 37, referring claim of Mrs. Florence Abbott to Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Claim of Gertrude Bedford (Mrs. Lewis H. Bedford), 4039 Ocean Front, Mission Beach, for damage to her property (Blue Sea Motel) from cement spray used on refinishing the Sea Wall, was presented.

RESOLUTION NO. 101395, recorded on Microfilm Roll No. 37, referring claim of Gertrude Bedford to Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101396, recorded on Microfilm Roll No. 37, approving plans and specifications for the furnishing of all labor, services, equipment, material, transportation and other expense necessary or incidental for furnishing and installing an industrial type chain-link wire fence about 1575 feet in length around Bayview Reservoir, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending the installation of 5 Overhead Street lights, was presented.

RESOLUTION NO. 101397, recorded on Microfilm Roll No. 37, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

California Street at Market Street;

West Street at Logan Avenue;

33rd Street at Madison Avenue;

36th Street at Gillmore Street;

Front Street, 100 feet north of Quince Street,

was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

Communication from Agnes M. Allen, c/o Russell V. Grant, 509-10 Harbor Ins. Bldg., her attorney, offering to exchange easements with the City in Pueblo Lots 1173 and 1174, adjoining portion of Friars Road, was presented.

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

Communication from Mr. & Mrs. A. H. Beckett, 3603 Union Street, requesting information on permitted uses for 5 lots in subdivision of Pueblo Lot 1122, on which they have an option to purchase, was presented.

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

Communication from Bertha L. Moosios (address not shown) regarding need for repairs to broken sidewalk at the southwest corner of First Avenue and Elm Street, stating that she has called the Street Maintenance Department and various departments advising them of the condition, but that the only result is that a sawhorse with red lantern on top are put up daily, but no repairs are made, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said communication was filed, after a verbal report from the City Manager in which he said that the needed repairs have been made.

Communications from W. G. Auringer, 4227 - 39th Street, and from Robt. J. Lander, 2410 Boundary Street, complaining about poor Bus service, were presented.

On motion of Councilman Wincote, seconded by Councilman Swan, said communications were referred to the "Complaints" file.

RESOLUTION NO. 101398, recorded on Microfilm Roll No. 37, directing notice of filing of assessment and of the time and place of hearing thereof, Assessment No. 1989, for the paving and otherwise improving of Evergreen Street and Dickens Street, within the limits and as particularly described in Resolution of Intention No. 97693, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101399, recorded on Microfilm Roll No. 37, directing notice of filing of assessment and of the time and place of hearing thereof, Assessment No. 1988, for the paving and otherwise improving of Promontory Street, within the limits and as particularly described in Resolution of Intention No. 98443, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101400, recorded on Microfilm Roll No. 37, directing notice of filing of assessment and of the time and place of hearing thereof, Assessment No. 1987, for the paving and otherwise improving of Upshur Street, within the limits and as particularly described in Resolution of Intention No. 97461, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101401, recorded on Microfilm Roll No. 37, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving of the Alley in Block 175 University Heights, between the northerly line of Lincoln Avenue and the southerly line of Polk Avenue, under Document No. 429678, approving Plat No. 2248 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, authorizing and directing the City Clerk upon the passage of the Resolution of Intention therefor to file said plat in the office of the City Engineer, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101402, recorded on Microfilm Roll No. 37, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving of 33rd Street between the north line of Date Street and the the north line of Ash Street, Beech Street between the east line of Bancroft Street and the west line of Felton Street, Date Street between the east line of Bancroft Street and the west line of 33rd Street, under Document No. 429676, approving Plat No. 2166 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, authorizing and directing the City Clerk upon the passage of the Resolution of Intention therefor to file said plat in the office of the City Engineer, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101403, recorded on Microfilm Roll No. 37, inviting bids for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, for a period of one year from and including September 1, 1950, to and including August 31, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101404, recorded on Microfilm Roll No. 37, appointing time and place for hearing protests, and directing notice of hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, for a period of one year from and including September 15, 1950, to and including September 14, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 101405, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of the Alley in Block 323 Reed and Daley's Addition, and 29th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101406, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101407, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of 33rd Street, Beech Street and Date Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101408, recorded on Microfilm Roll No. 37, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 99 City Heights, within the limits and as particularly described in Resolution of Intention No. 98442, authorizing and directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101409, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager, for and on behalf of the City of San Diego, to make application to the Board of Supervisors of the County of San Diego, and to take all necessary steps to acquire from the State of California tax-deeded lands: South of Chesterton Map 2040 in NW 1/4 (Exc State Hwy) in Lot 1199, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101410, recorded on Microfilm Roll No. 37, approving Change and Extra Work Order No. 7, dated February 21, 1951, heretofore filed with the City Clerk as Document No. 429842, issued in connection with contract between The City of San Diego and Vinson Construction Company for construction of Midway Drive Bridge (Project 40), Schedule "C", changes amounting to increase of \$785.52, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4699 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$11,500.00 from the Capital Outlay Fund for the purpose of providing funds for installation of acoustical materials to the walls and ceilings of the Gymnasiums of the Recreational Buildings at Pacific Beach, Presidio Park and University Heights, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. The final reading of such Ordinance was in full.

ORDINANCE NO. 4700 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$40,000.00 from the General Fund Reserve for improvement projects for the purpose of providing funds to cover the cost of a contract to be negotiated for a topographical survey of portions of the City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. The final reading of such Ordinance was in full.

A proposed Ordinance appropriating the sum of \$50,000.00 from the Capital Outlay Fund for the purpose of providing funds to pay necessary costs involved in construction of the Sewage Treatment Plant, was presented.

The City Manager asked to have the matter referred back to him, without action at this time by the Council.

On motion of Councilman Wincote, seconded by Councilman Dail, said proposed Ordinance was referred back to the City Manager.

ORDINANCE NO. 4701 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$3,500.00 from the General Fund Reserve for the purpose of providing funds to cover the necessary costs for the balance of the Fiscal Year, resulting from the expansion of the Property Division, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

Prior to passage of said Ordinance, the City Manager said that he wished to correct a statement he had made previously in connection with the enlarged Properties Division. The Manager said that he had reported that there would be no added personnel, but that actually there will be 2 added employees, of whom ^{one} is a right of way agent for whose services the City will be reimbursed from Gas Tax funds by the State of California.

ORDINANCE NO. 4702 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$905.00 from the General Fund Reserve for the purpose of providing funds for the purchase of a Coin-Counting Machine for the City Treasurer's Office, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

The City Manager requested, and was granted, unanimous consent to present the following matters of business, not listed on the Council's agenda:

RESOLUTION NO. 101411, recorded on Microfilm Roll No. 37, determining and finding from evidence presented and from reports resulting from investigations made by officers and employees of the Department of Water that there has for some time existed in the County of San Diego, and particularly in that portion of the County providing the drainage area and watershed of the San Dieguito River from which water is secured and supplied to the San Dieguito Water System, a period of continued drought of such character as to create an acute water shortage in said Water System, and as a result The City of San Diego will not be able to obtain sufficient water, either from that stored in Lake Hodges Reservoir, or that which can be obtained from all other sources belonging to the City in said watershed, to supply the maximum need of Del Mar Water, Light and Power Company, as provided under contract heretofore assumed by the City, and that it will be necessary for the City in the immediate future to reduce the amount of water supplied to said Company in the proportions and amounts and to the extent authorized by said contract; authorizing the City Clerk to serve or cause to be served on the officers of the Del Mar Water, Light and Power Company a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

(While the City Clerk was directed to serve the Resolution copy, Miss E. Fraser of the Water Department obtained copies thereof to serve upon the Company).

RESOLUTION NO. 101412, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager to serve or cause to be served, on or before the 1st day of March, 1951, upon the San Diego County Water Company and upon the Vista Irrigation District a notice in writing to the following effect: That, pursuant to and in accordance with contracts set forth in detail in said Resolution, upon the expiration of 4 months from date of service of said notices, The City of San Diego will require delivery of water from Lake Henshaw to Lake Hodges, in accordance with the covenants, terms and conditions contained in said contracts, the estimated amount of 543 acre feet to enable the City to furnish to the Del Mar Water, Light and Power Company the amount of water which said Company is entitled to have delivered to it from said San Dieguito Water System under contracts mentioned therein, and to the further effect that on or before August 1st, 1951, said City will serve upon said San Diego County Water Company and said Vista Irrigation District a further notice in writing, which said further notice will revise the estimate of the quantity of water required to be furnished and delivered in accordance with the provisions of said contracts, executed by the said San Diego County Water Company and the San Dieguito Water Company, for and on behalf of the said corporation herein named as the Del Mar Water, Light and Power Company, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101413, recorded on Microfilm Roll No. 37, requesting the members of the Legislature of the State of California representing this district to vote in favor of SB 769 and AB 3217, authorizing and directing the City Clerk to forward immediately copies of said Resolution to: Fred H. Kraft, State Senator; Katherine T. Niehouse, Frank Luckel, Ralph R. Cloyd, members of the Assembly from this district, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

(Said Bills prohibit counties in the State of California from providing special municipal services to incorporated areas within the counties at the expense of the general county tax payers - taxpayers in the cities paying taxes to cities for the purpose of securing said special municipal services and thereby are compelled to contribute twice for said special municipal services, and that the people within the unincorporated areas of said counties constitute a privileged class receiving said special municipal services within said unincorporated areas at the expense of all of the taxpayers of said counties).

RESOLUTIONS NOS. 101414 and 101415 shown on Page 43

RESOLUTION NO. 101416, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager to send a member of his staff to attend the meetings of the Civil Functions Subcommittee of the House Appropriations Committee in Washington, D.C., for the purpose of testifying before and presenting to said Committee San Diego's case to include in the Budget of The United States of America an additional \$700,000 for the purpose of dredging the entrance and channel to Mission Bay and to incur all necessary expenses therefor, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

ORDINANCE NO. 4703 (New Series), recorded on Microfilm Roll No. 37, proposing and submitting to the electors of The City of San Diego at the Municipal General Election, to be held in said City on Tuesday, the 17th day of April, 1951, propositions to amend the Charter of The City of San Diego, being Section 59 of Article V providing that the Chief Inspector in the Department of Inspection shall be a registered civil engineer licensed to practice his profession in the State of California, versed in building construction, strength and mechanics of materials, installations of all kinds, and having a general knowledge of the State housing laws and the local inspection ordinances, who shall have been engaged in his profession for a period of not less than five years prior to his appointment; also Section 117 of Article VIII entitled "Classification"; to provide for the Chief Inspector in the Department of Inspection to be in the Unclassified Service (in addition to the other officers now provided for in the Charter); providing for all proper notices, printing of notices in the Official Newspaper, was on motion of Councilman Wincote, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

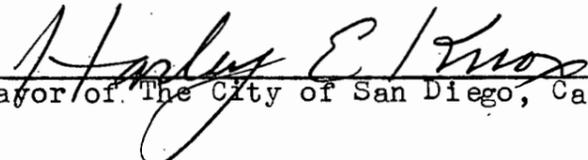
RESOLUTION NO. 101414, recorded on Microfilm Roll No. 37, accepting deed of Bank of America National Trust and Savings Association, bearing date February 23, 1951, conveying an easement and right of way for street purposes in portions of Lots 1265 to 1294, inclusive, Talmadge Park Estates Unit No. 4, setting aside and dedicating the same to the public use and naming the same Lucille Drive, Patricia Place and Janet Place and Lorraine Drive, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101415, recorded on Microfilm Roll No. 37, requesting Members of the Civil Functions Subcommittee of the House Appropriations Committee to include in the Budget the sum of \$1,200,000, including the \$510,000 contained in President Truman's Budget ~~Budget~~ submitted to the Congress of The United States for the purpose of including in said appropriations enough money to dredge and deepen the channel and entrance to Mission Bay and thereby remove the hazardous and treacherous condition which exists at this time, authorizing and instructing the City Clerk to send certified copies of said Resolution to the Chairman and Members of the said Civil Functions Subcommittee of the House Appropriations Committee, to-wit: The Honorable John H. Kerr, Clarence Cannon, Louis C. Rabaut, Glenn R. Davis, G. R. Ford, Jr., was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Said Resolution recites that the amount of money suggested for the work to be done during the current fiscal year was \$1,500,000, that the \$510,000 contained in President Truman's Budget will not provide any funds for the dredging and improvement of the navigation channel connecting said Mission Bay with the sea, that if said work is not done said Bay will not be usable because of the hazardous condition which prevails in the entrance and channel into the Bay, that within the last nine months three persons have lost their lives in the channel due to the hazardous and treacherous condition thereof, also that The United States of America, the State of California and The City of San Diego have within the past five years expended about \$9,000,000 upon the improvement of said Bay and San Diego River Project.

The Vice Mayor announced that a Conference would be held at the hour of 2:00 o'clock P.M., this date, in the office of the Mayor.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Godfrey, at the hour of 11:45 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

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REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, March 1, 1951

A Regular Meeting of the Council of the City of San Diego, California, was held this date, and was called to order by the Mayor, at the hour of 10:05 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox
Absent---Councilman Godfrey
Clerk----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Paul and Ardelle Willis from the Zoning Committee's action in denying application No. 8948 by Resolution No. 5297 for permission to construct a duplex in addition to two existing single-family residences, making a total of 4 living units on the westerly 5 feet of Lot 11 and all of Lot 12 Block 11 Encanto Heights, on the southeasterly corner of Wunderlin Avenue and 68th Street, in Zone R-2, the Clerk reported that he had received a telephone call from Mr. Willis in which he said that he no longer needs the appeal. He stated that Mr. Willis had said that there was a letter in the mails to that effect.

On motion of Councilman Dail, seconded by Councilman Schneider, said hearing was continued until the hour of 10:00 o'clock A.M., of Tuesday, March 6, 1951 (to await arrival of the communication - which the Clerk received in the mail shortly after conclusion of this meeting).

The Mayor requested, and was granted unanimous consent, to present the next matter of business, not listed on the Council's agenda:

Communication from the Harbor Department, signed by the Port Director, recommending adoption of a Resolution authorizing work more particularly set forth therein by City forces, at a total cost of \$8200.00, which work can be accomplished to the advantage of the City, was presented and read.

RESOLUTION NO. 101417, recorded on Microfilm Roll No. 37, authorizing and empowering the Port Director to do all the work in connection with the extension of 12" water mains and the reclamation of existing 6" mains on the Byron Street Mole, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Mayor asked to have the next matter brought up for consideration at this time, out of order:

Communication from the Harbor Department, signed by the Port Director, recommending approval of lease with Union Oil Company, was presented and read.

RESOLUTION NO. 101418, recorded on Microfilm Roll No. 37, ratifying, confirming and approving, in all respects, tidelands lease with the Union Oil Company of California, for a period of five years, with option to renew for an additional five years, upon the terms and conditions contained in form of lease, copy of which is contained in Document No. 429938 on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Claim of Mrs. U. I. Sallenbergh, 637 - 20th Street, San Diego, in an unspecified sum, for personal injuries received in fall on street at intersection of 4th and University Avenue, was presented.

RESOLUTION NO. 101419, recorded on Microfilm Roll No. 37, referring claim of Mrs. U. I. Sollenbergh to Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received for installation of acoustical material to the walls and ceilings in the Gymnasium and corridor of the Ocean Beach Community Center, recommending award to Andrew N. Baird, Building Specialties, of San Diego, the low bidder, was presented.

RESOLUTION NO. 101420, recorded on Microfilm Roll No. 37, accepting bid of Andrew N. Baird, Building Specialties, San Diego, for installation of acoustical material to the walls and ceilings in the Gymnasium and corridor of the Ocean Beach Community Center, awarding contract and directing the City Manager to execute the same, authorizing the City Clerk to return all bid checks submitted, with exception of the checks submitted by the low bidder and second low bidder, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Manager returning communication from the Employees' Council relative to proposed wage increase for City employees, transmitting copy of his reply addressed to Earl A. Wentworth, Chairman, Welfare Committee, stating that he had communicated to all City employees that the City Council had unanimously passed a resolution to the effect that it was the intention of the Council to grant a salary increase of at least 10% to all as soon as it had legal authority to do so, that the Council also indicated that additional increases, where justified, would be made as recommended by the firm of Louis J. Kroeger and Associates, was presented.

The communication addressed to Mr. Wentworth also said that action of the City Council is dependent upon approval of proposed Charter amendment in the March election, that if the amendment is not approved it will not be possible to revise the pay plan until the first of July.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on invitation from the San Diego County Fair to participate in the 1951 Fair, transmitting copy of his reply to Paul Manne, Manager of the Fair, accepting the invitation and reserving space in the Agricultural Tent was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's communication, and the matter upon which it reported, were ordered filed.

Communication from the City Manager returning communication from James E. Young reporting on removal of street name sign at the intersection of Chatsworth Boulevard and Coronado, enclosing copy of his reply stating that the sign and others were removed during work of widening intersection and that they have now been replaced, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's report and the matter to which it referred, were ordered filed.

Communication from the City Manager reporting on communication from Carl F. Mayer which said that the ordinance prohibiting smoking in buses is not being enforced, transmitting copy of his communication addressed to the president of the San Diego Transit System requesting that he emphasize the importance of compliance with the ordinance to the bus drivers, and saying that if they encounter any resistance they should feel free to call upon a police officer to have the offender removed from the bus, and a copy of his letter addressed to Mr. Mayer forwarding a carbon of the letter to the Transit System, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the various papers in the file were ordered filed.

Communication from the City Manager returning petition of Point Loma residents for restoration of bus service in the area, was presented.

Also accompanying the City Manager's report was copy of communication addressed to Caroline E. Chisholm (first signer of the petition), stating that the president of the San Diego Transit System has advised that application is being prepared to the Public Utilities Commission for a bus line from the Electronics Laboratory at the south end of Catalina, northward along Catalina to Narragansett, then easterly over Narragansett, Macauley, Plum, Lowell, Harbor Drive to the Plaza, was presented. It was stated that it had been pointed out that, because of lack of patronage on the particular route in the past, the application would have to be considered as an experiment and if there is not sufficient patronage it will be discontinued. Also, it was pointed out that the application would not provide service on Sundays or evenings after 6:00 P.M. inasmuch as a great portion of the revenue from the route will be from aircraft plant employees.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's communication was referred to the "Bus Service" File, together with the petition and copy of the Manager's reply.

Communication from the Superintendent of Streets recommending denying petition for closing of the westerly 18' of 61st Street, between Estelle Street and Adelaide Street, inasmuch as it would not be in the public interest, was presented.

Councilman Kerrigan moved to deny the petition, which motion was seconded by Councilman Schneider, and the roll called thereon.

The City Manager asked for continuance of the matter for one week, stating that he had received such a request from some of the petitioners.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the action taken to deny the petition was reconsidered.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the matter was continued for one week from this date.

Communications from Lotte B. Porterfield (Mrs. W.H.), 4411 Hermosa Way, San Diego 3; G. Dunbar, 757 - 11th Avenue, San Diego; Elin Margaret Shields Dunbar, 757 - 11th Avenue, San Diego; Mrs. Helen Jacoste, 3929 Texas St., San Diego 4; Louise Ramsey, La Mesa; William Benner, 2155 Columbia St.; David Sea, 948 "D" Avenue, Coronado; Dr. Willis E. Allen, University Club of San Diego, 1333 - 7th Avenue, San Diego 1, all protesting the proposed removal of the fountain from Horton Plaza, to make way for an information booth for service men, were presented.

The City Manager made a verbal report in which he said that the information booth is to supplant the existing fountain. He said, also, that the proposal had been approved by the Park Commission and the Planning Commission, also that approval by the Council had been indicated.

The Mayor told of previous decisions, and of Navy requests for a servicemen's information booth. He said that the fountain is hard to keep clean and expensive to main-

tain.

Councilmen Swan and Schneider both said that they could not recall decisions referred to as having been made in conference on the subject.

Councilman Kerrigan moved to refer the matter to the Horton Plaza file until plans are presented, which motion was seconded by Councilman Schneider.

Asked if the information booth was intended to be a permanent fixture, the City Manager replied that it was.

Councilman Wincote wanted a decision to be made now on removal of the fountain, or abandonment of the plan.

The Assistant City Manager and the Assistant to the City Manager showed drawings of the proposed Plaza redevelopment, saying that it was the same one which had been shown to the Council previously.

The City Attorney said that there is a suit under way to close "Plaza Street" adjoining Horton Plaza on the south (which would be included within the bounds of the redeveloped Plaza).

The roll was called on the motion to refer the matter to the Horton Plaza file until plans are presented.

Communication from Del Mar Civic Association, Del Mar, signed by Stewart A. Bayne, Secretary to the Board of Directors, being a Resolution declaring that the members of Association and others are not pleased with the proposed Freeway as set forth by Mr. Miller of the Planning Commission or the proposed Freeway as set forth by the Highway Engineers; but heartily endorse the proposed Coastal Freeway set forth on the recently completed engineering by Byrl D. Phelps and as proposed by the Highway Selection Committee headed by H. G. Larrick, the immediate four-laning of Highway 101, maintenance in the present highway system as part of State Route 1 of existing Highway 101 when said Freeway is completed, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from Mrs. A. Perkins, 1205 - 12th Avenue, protesting increase of rent in apartments at said address where several old age pensioners reside, regretting the Council's action which led to decontrol of rents, asking that prices be rolled back, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from Wilbur A. Thomas, Box 262 Lakeview Rd., Lakeside, California, asking for the re-opening of Anna Street between Morena Boulevard and Highway 101, closed for several months due to construction, as soon as possible, was presented.

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

RESOLUTION NO. 101421, recorded on Microfilm Roll No. 37, authorizing and directing the Purchasing Agent to advertise for a period of at least 5 days in the official newspaper, the sale at public auction of Lots 22, 23 and 24 Block 45 City Heights (as petitioned for by Harry E. Farb, 2815 - 28th Street, San Diego; \$60.00 deposited in accordance with Sec. 9.03 Ord 258 (N.S.) as amended by Ord 3364 (N.S.), stating that the reason for selling such real property is that the same is no longer needed for City purposes, that the City has heretofore caused an appraisal to be made by a qualified real estate appraiser and that the market value as determined by said appraiser is \$37,500.00, declaring the minimum amount which the Council will consider is \$37,500.00, reserving the right to reject any and all bids at said auction, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101422, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager to enter into an agreement with the Union Title Insurance & Trust Company wherein said Company will agree for the sum of \$3,000.00 to furnish the City with a title report on water rights and riparian rights on lands in the San Pasqual Valley and the San Dieguito River Valley, approximately 3500 acres, exclusive of those in the Fenton Ranch, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City is engaged in a study of further development of the waters of the San Dieguito River system by construction of additional dams and reservoirs, one of which is Sutherland, that in order to determine estimated cost it is cost of additional development it is necessary that the City appraise the value of riparian rights, that the City Manager recommends that an additional survey be made of rights on the system in order that the City may be in a position to appraise the value of rights and determine the necessity for acquisition by the City to complete said development.

RESOLUTION NO. 101423, recorded on Microfilm Roll No. 37, approving Change and Extra Work Order No. 1, dated January 22, 1951, heretofore filed with the City Clerk as Document No. 429991, in connection with contract between The City of San Diego and Walter Barber for improvement of Midway Drive between West Point Loma Boulevard and the San Diego River Floodway, which contract is contained in Document No. 425568, changes amounting to an increase in the contract price of \$562.97, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101424, recorded on Microfilm Roll No. 37, granting request for extension of time for a period of 38 days from and after January 31, 1951 (Change Order No. 1), heretofore filed with the City Clerk as Document No. 429991, issued in connection with contract between The City of San Diego and Walter Barber for improvement of Midway Drive between West Point Loma Boulevard and the San Diego River Floodway, which contract is contained in Document No. 425568, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 101425, recorded on Microfilm Roll No. 37, approving Change and Extra Work Order No. 4, dated February 14, 1951, heretofore filed with the City Clerk as Document No. 429994, issued in connection with contract between The City of San Diego and Nielsen Construction Co. for construction of Linda Vista Branch Library, which contract is contained in Document No. 420415, amounting to an increase in the contract price of \$118.19, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 101426, recorded on Microfilm Roll No. 37, granting request for an extension of time for a period of 60 days from and after March 15, 1951 (Change Order No. 5), heretofore filed with the City Clerk as Document No. 429989, issued in connection with the contract between The City of San Diego and R. E. Hazard Contracting Co. for the landscaping of the area adjacent to the Veterans' Memorial Building in Balboa Park, which contract is contained in Document No. 425402, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending granting request of Callahan Bros. for excess width driveway on Turquoise Street between Bayard Street and Mission Boulevard, the existing driveway providing access to off-street customer parking and the additional driveway area for access to the warehouse area, on conditions set forth in said communication, was presented.

RESOLUTION NO. 101427, recorded on Microfilm Roll No. 37, granting permission to Callahan Bros., 1636 Grand Avenue, San Diego 9, to remove 25 feet of full height curb on the southerly side of Turquoise Street, approximately between points 236 feet and 261 feet east of the east line of Mission Boulevard for the installation of a driveway adjacent to Lots 22 and 23 Block 2 Ocean Villa Tract, said driveway being a westerly extension of existing 19-foot driveway adjacent to Lot 22, providing a continuous 44 foot driveway, curb and sidewalk removal and driveway installation to be in compliance with City requirements, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Petition of Clara J. Breneman, 4837 Sussex Drive, for permission to install sewer line between the property line and the sidewalk, to serve property on the east one-half of Lot 31 and all of Lot 30 Virginia Square, was presented, together with recommendations for approval from the Supervisor of Properties and the Acting City Manager.

RESOLUTION NO. 101428, recorded on Microfilm Roll No. 37, granting permission to Clara G. Breneman, 4837 Sussex Drive, to install a four-inch cast iron sewer line between the property line and the sidewalk, to be placed two feet outside the property line and run in an easterly direction parallel to the southerly line of Lot 29 Virginia Square Subdivision, to point of intersection with public sewer, to serve a duplex located on Lot 30 and the east half of Lot 31 Virginia Square, on conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101429, recorded on Microfilm Roll No. 37, approving bill of San Diego City and County Convention Bureau, bearing date February 23, 1951, in the sum of \$1,761.88 for expenses incurred, as approved by the Advertising Control Committee, authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1950-51 for said sum, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101430, recorded on Microfilm Roll No. 37, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date February 8, 1951, wherein said parties subordinate all their right, title and interest in and to a point on Lot J Mountain View Manor, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101431, recorded on Microfilm Roll No. 37, accepting quitclaim deed of Harry R. Moore, quitclaiming portion of Pueblo Lot 281 of the Pueblo Lands of The City of San Diego, authorizing and directing the City Clerk to file said quitclaim deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101432, recorded on Microfilm Roll No. 37, accepting deed of Fred J. Cicone, bearing date February 20, 1951, conveying an easement and right of way for street purposes in portion of Lot 32 Lemon Villa, setting aside and dedicating the same to the public use as and for a public street, and naming the same Chollas Road, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder,

together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101433, recorded on Microfilm Roll No. 37, accepting deed of Louis Feldman, Ethel Feldman, Nathan Fienberg, Dorothy Feinberg and Bertha Feinberg, bearing date February 8, 1951, conveying an easement and right of way for street purposes in portion of Lot 3 of Partition of the East One-half of Pueblo Lot "G", setting aside and dedicating the same to the public use as and for a public street, and naming the same Illinois Street, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101434, recorded on Microfilm Roll No. 37, accepting deed of Jack H. Seedorf, Jr. and Martha A. Seedorf, Jack H. Seedorf, Jr. and Laura L. Seedorf, bearing date February 14, 1951, conveying an easement and right of way for street purposes in portion of Lot 34 Lemon Villa, setting aside and dedicating the same to the public use as and for a public street, and naming the same Ogden Street, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101435, recorded on Microfilm Roll No. 37, accepting quitclaim deed of San Diego & Arizona Eastern Railway Company, executed in favor of The City of San Diego, bearing date December 28, 1950, quitclaiming portion of Lot 24 Block 289 Seaman and Choate's Addition, being subdivision of the northwest quarter (NW 1/4) of Pueblo Lot 1161, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard, authorizing and directing the City Clerk to file said quitclaim deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101436, recorded on Microfilm Roll No. 37, accepting deed of Charles C. Crouch, bearing date January 31, 1951, conveying an easement and right of way for public walkway purposes in portion of Pueblo Lot 145, setting aside and dedicating the same to the public use as and for a public walkway, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101437, recorded on Microfilm Roll No. 37, accepting deed of Silas E. Gould and Helen Wood Gould, bearing date February 16, 1951, conveying an easement and right of way for public walkway purposes in portion of Pueblo Lot 145 of the Pueblo Lands, setting aside and dedicating the same to the public use as and for a public walkway, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101438, recorded on Microfilm Roll No. 37, accepting deed of Peggy N. Evans, bearing date February 16, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 24 and 25 Block 26 Ocean Beach Park, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101439, recorded on Microfilm Roll No. 37, accepting deed of James A. Milligan, bearing date February 7, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 507 Old San Diego, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101440, recorded on Microfilm Roll No. 37, accepting deed of Sverre Svendsen and Johanna Svendsen, bearing date February 20, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 15 Block 9 Fortuna Park Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101441, recorded on Microfilm Roll No. 37, accepting deed of The Guymon Company, Ltd., bearing date February 20, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 31 Ex-Mission Lands of San Diego, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101442, recorded on Microfilm Roll No. 37, accepting deed of Solon S. Kipp, Della A. Kipp, W. E. Starke and Cecilia G. Starke, bearing date February 9, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 19 and 13 Block "B" Arlington, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101443, recorded on Microfilm Roll No. 37, accepting deed of Daniel C. Robbins and Jeanvee Robbins, bearing date January 26, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot J Mountain View Manor, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4704 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$4,200.00 from the Capital Outlay Fund for the purpose of providing funds for installation of acoustical material to the walls and ceilings in the Gymnasium and corridor of the Ocean Beach Community Center, was on motion of Councilman Swan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent---Councilman Godfrey.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4705 (New Series), recorded on Microfilm Roll No. 37, dedicating public lands in Lot 67 Rancho Mission of San Diego, more particularly set forth in said Ordinance, as and for a portion of a public highway across a portion thereof, and naming the same Catocin Drive, was on motion of Councilman Swan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent---Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent---Councilman Godfrey.

ORDINANCE NO. 4706 (New Series), recorded on Microfilm Roll No. 37, changing the name of a portion of Hyacinth Drive in Plumosa Park to Oleander Place and changing the name of portion of Sigsbee Street to 19th Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent---Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays--Councilmen None. Absent--Councilman Godfrey.

Prior to adoption of said Ordinance, the City Manager explained the matter, stating that the change would result in a more orderly arrangement of street names, particularly where subdivisions coming together had resulted in two names on the same street.

ORDINANCE NO. 4707 (New Series), recorded on Microfilm Roll No. 37, establishing the grade of the Alley in Block 54 Point Loma Heights, between the southeasterly line of Venice Street and the southwesterly boundary line of Point Loma Heights, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent---Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 4708 (New Series), recorded on Microfilm Roll No. 37, establishing the grade of the Alleys in Block C Starkey's Prospect Park: The Easterly and Westerly Alley, between the westerly line of Draper Avenue and the easterly line of La Jolla Boulevard; the Northerly and Southerly Alley, between the northerly line of the Easterly and Westerly Alley in said Block and the southerly line of Nautilus Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays---Councilmen None. Absent---Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 4709 (New Series), recorded on Microfilm Roll No. 37, establishing the grade of Quince Street, between its termination in Columbine Street and the westerly line of Fairmount Avenue, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Knox. Nays--Councilmen None. Absent--Councilman Godfrey.

The City Manager requested, and was granted, unanimous consent to present the following matters, not listed on the Council's agenda:

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Clairemont Unit No. 2, subject to the posting of an adequate bond to insure the installation of the required improvements, was presented.

RESOLUTION NO. 101444, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with the Clairemont Land Company, a partnership consisting of Carlos Tavares and Louis C. Burgener for the installation and completion of the unfinished improvements and the setting of the monuments required for Clairemont Unit No. 2, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 101445, recorded on Microfilm Roll No. 37, adopting Map of Clairemont Unit No. 2, being a subdivision of a portion of Pueblo Lot 1191 together with a portion of Stough Avenue vacated and closed to public use October 27, 1950 by Decree Quiet-ing Title of the Superior Court in Case No. 161604, more particularly described in said Res-olution, accepting on behalf of the public Grandview Street, Burgener Boulevard, Deerpark Street, Jellett Street, Lister Street, portion of July Street and unnamed easements shown thereon for public purposes, declaring said streets and unnamed easements to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said streets and easements are accepted on behalf of the public, directing the City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of La Jolla Cliffs, subject to the posting of an adequate bond to insure the installation of the required improvements, was presented.

RESOLUTION NO. 101446, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Joseph Avoyer and Stephanie Avoyer, husband and wife, for the installation and completion of the unfinished improvements and the setting of the monuments required for La Jolla Cliffs, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 101447, recorded on Microfilm Roll No. 37, adopting Map of La Jolla Cliffs, being subdivision of portion of Lot "I" according to Referees' Partition Map of Pueblo Lots 1312 and 1313, more particularly described in said Resolution, accepting on behalf of the public Azul Street, Ruiz Street, portion of La Jolla Shores Drive and unnamed easements shown thereon for public purposes, declaring said streets and unnamed easements to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said streets and easements are accepted on behalf of the public, directing the City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

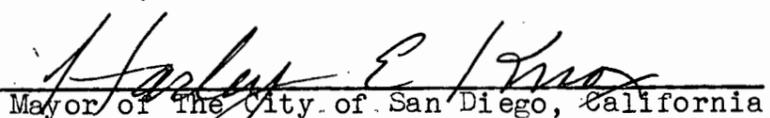
RESOLUTION NO. 101448, recorded on Microfilm Roll No. 37, declaring the bid of C. A. Larson for the construction of the Pacific Beach Branch Library, at the intersec-tion of Felspar Street and Ingraham Street, to be the lowest responsible and reliable bid, rejecting all other bids, except said bid of C. A. Larson at the lump price set forth in his bid with Alternates Nos. 1, 2 and 3, to-wit: \$59,913.00; awarding contract and directing the City Manager to execute the same upon the execution by said C. A. Larson of said contract and upon the execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Prior to adoption of said Resolution, the City Manager explained the matter to the Council.

The Mayor announced that a Conference would be held in his office immediately following this meeting.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 10:35 o'clock A.M., on motion of Councilman Dail, seconded by Councilman Schneider.

ATTEST:
FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By  Deputy

101444 - 101448
4709 N.S.

REGULAR MEETING
Chamber of the Council of The City of San Diego, California,
Tuesday, March 6, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Mayor Knox
Absent----Councilmen Dail, Godfrey
Clerk-----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, February 27, 1951, and of Thursday, March 1, 1951, were presented to the Council by the Clerk. On motion of Councilman Kerrigan, seconded by Councilman Schneider, said Minutes were approved without being read, after which they were signed by the Mayor.

Councilman Godfrey entered the meeting at this time.

ORDINANCE NO. 4710 (New Series), recorded on Microfilm Roll No. 37, repealing Ordinance No. 4703 (New Series) entitled "An Ordinance Proposing and Submitting to the Electors of The City of San Diego at the Municipal General Election, to be held in said City on Tuesday, the 17th day of April, 1951, certain propositions to amend the Charter of The City of San Diego," adopted February 27, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilman Dail.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilman Dail. The final reading of such Ordinance was in full.

ORDINANCE NO. 4711(New Series), recorded on Microfilm Roll No. 37, proposing and submitting to the electors of The City of San Diego at the Municipal General Election, to be held on Tuesday, the 17th day of April, 1951, two propositions to amend the Charter of The City of San Diego, (Section 59 of Article V and Section 117 of Article VIII) both having to do with the Chief Inspector in the Department of Inspection, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilman Dail.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilman Dail. The final reading of such Ordinance was in full.

Councilman Kerrigan requested, and was granted, unanimous consent to present the following matter, not listed on the Council's agenda:

RESOLUTION NO. 101449, recorded on Microfilm Roll No. 37, determining that the public interest and necessity demand improvements of and additions to the water distribution system, including the construction of reservoirs, pumping plants, water pipe lines and other distribution facilities, and including the acquisition of all land, rights of way, equipment, pipe, apparatus, materials and other property necessary therefor, the estimated cost of which is the sum of \$2,000,000, declaring that the Council intends to submit to the qualified voters at a special election to be consolidated with the General Municipal Election to be held on April 17, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Kerrigan requested, and was granted, unanimous consent to present the following matter, not listed on the Council's agenda:

Bob Wilson, president of the San Diego Junior Chamber of Commerce spoke to the Council. He introduced individually the entire board of directors of the organization. At this time he asked Mayor Knox if he would leave the meeting, stating that the matter he and his group desired to present, affected the Mayor personally, and did not wish to cause him any embarrassment.

The Mayor left the meeting, and Vice Mayor George Kerrigan took over the duties of chairman.

Councilman Dail entered the meeting at this time.

Mr. Wilson continued speaking, mentioning the fact that Mayor Knox was

to retire from office shortly, and expressed regret at his decision to do so.

Mr. Wilson told of the glowing tribute paid to the Mayor at a recent Chamber of Commerce meeting, and said that the Junior Chamber of Commerce had voted Mayor Knox "The Boss of the Year".

The following petition was presented by Mr. Wilson, who also read its text to the Council.

"PETITION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF SAN DIEGO:

Pursuant to a resolution duly passed at a regularly scheduled meeting of its Board of Directors on the 1st day of March, 1951, the San Diego Junior Chamber of Commerce hereby petitions as follows:

WHEREAS, the Honorable Harley E. Knox has faithfully served for eight years as Mayor of the City of San Diego in accordance with the highest traditions of public service, and

WHEREAS, during his tenure of office the Honorable Harley E. Knox has endeared himself to the citizens of San Diego through his tireless devotion to the civic welfare and improvement of the community, and

WHEREAS, the Honorable Harley E. Knox is about to retire from public service, and

WHEREAS, there is under construction within the city limits of the City of San Diego a freeway now known and designated as Wabash Freeway, and

WHEREAS, it is fitting and proper that this freeway be named after the Honorable Harley E. Knox in recognition of his many during contributions to the civic betterment and general welfare of the City of San Diego,

NOW, THEREFORE, The San Diego Junior Chamber of Commerce hereby respectfully petitions that the name of the freeway now known and designated as Wabash Freeway be changed to Knox Freeway.

Respectfully submitted this 6th day of March, 1951.

SAN DIEGO JUNIOR CHAMBER OF COMMERCE

By. (SIGNED) ROBERT C. WILSON, President"

Mr. Wilson said that it has been the custom of this area to name its freeways after prominent men, and asked the Council to take the action as set out in the petition.

Vice Mayor Kerrigan indicated that it would be well to refer the matter to Conference for consideration.

Councilman Wincote said that he would like to have Mr. Wilson present at the discussion of the matter, pointing out that there are often obstacles in the way of decisions such as the one proposed. He asked the Vice Mayor to notify Mr. Wilson of the date of the conference.

RESOLUTION NO. 101450, recorded on Microfilm Roll No. 37, referring petition of San Diego Junior Chamber of Commerce, pursuant to a Resolution passed by its Board of Directors on the 1st day of March, 1951, requesting that the name of Wabash Freeway be changed to Knox Freeway in honor of Mayor Harley E. Knox, who is soon to retire from public life, to which conference Mr. Robert C. Wilson, president of said Chamber is to be invited, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted. - Conf

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing had been continued for paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention, for report from property owners on type of paving desired, a motion was made by Councilman Schneider, seconded by Councilman Wincote, resulting in

RESOLUTION NO. 101451, recorded on Microfilm Roll No. 37, continuing the hearing on the proposed improvement of Reed Avenue until the hour of 10:00 o'clock A.M. of Tuesday, March 13, 1951, was adopted.

After the roll had been called on said Resolution, Mrs. Logan (initials or first name were not given) spoke. She asked that there be no further delay, and said property owners want the work done as soon as possible. Councilman Schneider and Councilman Wincote explained the reason for the week-to-week continuance, pointing out that the City Engineer is to make a report thereon one week from this date.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101110 for the paving and otherwise improving of the Alley in Block 245 Mission Beach, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Daisy Hollingshead and George Hollingshead, Annie Wood Wilson, Grace E. Howlett and A. J. Howlett, which protests were presented to the Council.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

Patricia Dennstedt spoke. She said that the grade is too low where it joins Mission Boulevard, and expressed the opinion that water would stand there.

The City Engineer showed grade plat to Mrs. Dennstedt. He said that although the property is low, and very flat, the water will flow from the alley into Mission Boulevard. He said that the City has been putting in drains at various points on the Boulevard. Also, the Engineer advised Mrs. Dennstedt that he can show details on the drainage in his office, and invited Mrs. Dennstedt to see them there. He said that there is a heavy protest: 27.9%, regarding the cost. He pointed out that the cost will be high because the sewer lies so close to the surface that it is necessary to encase it. He said that if the cost is too high, the work can be done by City forces (the sewer, that is), or under contract with the City contributing to the cost. He said that the original petition bore 83.9% signatures of frontage owners.

RESOLUTION NO. 101452, recorded on Microfilm Roll No. 37, overruling and denying protests of George Hollingshead and Daisy Hollingshead, Annie Wood Wilson, Grace E. Howlett, and all other protests, against the proposed paving of the Alley in Block 245 Mission Beach, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Swan, the pro-

ceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101111, for the paving and otherwise improving of Dawes Street, Emerald Street, Evergreen Street, Everts Street and Felspar Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard in protest, and no written protests were presented.

On motion of Councilman Schneider, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Gresham Street and Graham Street, within the limits and as particularly described in Resolution of Intention No. 101112, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard in protest, and no written protests were presented.

On motion of Councilman Schneider, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1984 made to cover the cost and expenses of the paving and otherwise improving of Yosemite Street, between Moorland Drive and La Playa Avenue, within the limits and as particularly described in Resolution of Intention No. 98198, the Clerk reported that no appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 101453, recorded on Microfilm Roll No. 37, confirming and approving the Street Superintendent's Assessment No. 1984, made to cover the cost and expenses of the paving and otherwise improving of Yosemite Street, within the limits and as particularly described in Resolution of Intention No. 98198, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Paul Allen Willis, 841 - 68th Street, from decision of the Zoning Committee in denying application for variance to provisions of Ordinance 116 N.S. to permit construction of a duplex at the southeasterly corner of Wunderlin Avenue and 68th Street, on the westerly 5 feet of Lot 11 and all of Lot 12 Block 11 Encanto Heights, in Zone R-2, which hearing had been continued from the meeting of March 1, the Clerk reported that a letter had been received from Mr. Willis confirming telephone conversation in which he informed the Clerk's office that he no longer finds it necessary or feasible to appear before the Council, which letter was presented to the Council.

A motion was made and seconded to file the matter, but upon advice from the City Attorney, to clear the record, the appeal was denied, by the following action:

RESOLUTION NO. 101454, recorded on Microfilm Roll No. 37, denying appeal of Paul Allen Willis from the decision of the Zoning Committee in denying application for variance to Ordinance 116 N.S. to permit construction of a duplex upon the westerly 5 feet of Lot 11 and all of Lot 12 Block 11 Encanto Heights, in Zone R-2, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The City Manager requested, and was granted, unanimous consent, to present the next matter, not listed on the Council's agenda:

ORDINANCE NO. 4712 (New Series), recorded on Microfilm Roll No. 37, submitting to the electors of The City of San Diego at the Municipal General Election to be held on the 17th day of April, 1951, the proposition of whether a certain portion of Collier Park (more particularly set forth in said Ordinance) be designated as a boulevard, street or highway and made a part of the public street and road system of The City of San Diego under the supervision of the City Manager, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

Prior to adoption of said Ordinance, Councilman Swan wanted to know if there would be a hearing upon it, giving interested persons an opportunity to express themselves. It was pointed out that there is no necessity for such a hearing, inasmuch as all interested voters will be able to determine the question at the polls.

Accompanying the matter were communications addressed to the City Manager from the Supervisor of Properties, Superintendent of Parks, and the Asst. Planning Director making recommendations thereon.

The City Manager requested, and was granted, unanimous consent, to present the next two matters, not listed on the Council's agenda:

RESOLUTION NO. 101455, recorded on Microfilm Roll No. 37, repealing Resolution No. 101415, adopted February 27, 1951 (having to do with request to U.S.A. for funds for Mission Bay Project and for San Diego River), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101456, recorded on Microfilm Roll No. 37, requesting Members of the Civil Functions Subcommittee of the House Appropriations Committee to include in the Budget the sum of \$1,200,000, including the \$510,000 herinbefore stated (in the original Resolution) as being contained in the Budget of the President heretofore submitted to the Congress of the United States for the purpose of including enough money to dredge and deepen the channel and entrance to Mission Bay and thereby remove the hazardous and treacherous condition which exists, instructing the City Clerk to send certified copies thereof to Members of said Subcommittee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Manager requested, and was granted, unanimous consent, to present the next matter, also, which was not listed on the Council's agenda:

RESOLUTION NO. 101457, recorded on Microfilm Roll No. 37, declaring it to be the sense and opinion of the Council that the need of the people of The City of San Diego for better transportation service will be served by having the San Diego Transit System change the present Catalina Boulevard bus line from shuttle service to a through bus line to the downtown business section of San Diego, and that the application to the Public Utilities Commission of the State of California to make such change should be granted, authorizing and directing the City Clerk to cause a certified copy of said Resolution to be forwarded to said Commission, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communications, in the form of postal cards, requesting that "Old Mission Bay Bridge" be replaced, some suggesting that the Sunset Cliffs Bridge be not built, were presented from: W. J. Farrell, 4904 Voltaire St.; Louis Cottrell, 7131 Monte Vista; Mrs. Paul Campbell, 4852 Voltaire St.; Earl L. Hale, 4948 Cape May Ave.; Paul H. Campbell, 4976 Long Branch; Fred M. Barner, 4452 Muir Ave.; Violet F. Martin, 4525 Del Monte Ave.; Robert Hoover, 4660 Long Branch Ave.; Michaele E. Mitchell (no address given); Victor E. Cole, 3530 Bayonne; Mrs. W. H. Lee, 5018 Voltaire; and a letter from Hugh V. Knox, 5074 Mission Blvd.; were presented.

On motion of Councilman Dail, seconded by Councilman Schneider, said postal cards and letter were ordered filed.

Petition of W. A. Anderson, 3320 Xenophon Street, San Diego 6, for special sewer line permit to serve property located at 2809 to 2831, incl., Jarvis Street, was presented, together with recommendations for approval from the Dept. of Public Health, and the Assistant City Manager.

RESOLUTION NO. 101458, recorded on Microfilm Roll No. 37, granting permission to W. A. Anderson, 3320 Xenophon Street, to install a four-inch cast iron soil sewer line to run from properties designated as numbers 2809 to 2831 inclusive Jarvis Street, being Lots 8, 9 and 10 Block 78 Roseville, and connect with the public sewer line at the intersection of Jarvis Street and Scott Street, said line to have a 1/8" grade fall per foot instead of 1/4" grade fall, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Petition of Jose Medina, 517 So. Gregory Street, requesting that portions of property in Block D El Nido, owned by the City, be put up for sale at public auction (agreeing to enter bid of \$200.00, appraised value), also transmitting \$60.00 deposit as required by Ordinance, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said petition was referred to the City Manager.

Claim of Nada Martin, 3651 Pringle Street, in the sum of \$25.00, for personal injury sustained in car which struck cement island in Midway Street, was presented.

RESOLUTION NO. 101459, recorded on Microfilm Roll No. 37, referring claim of Nada Martin to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Claim of A. Phillip Martin, 3651 Pringle Street, in the sum of \$343.41, for damage to automobile and for loss of the use thereof when it struck cement island in Midway Street, was presented.

RESOLUTION NO. 101460, recorded on Microfilm Roll No. 37, referring claim of A. Phillip Martin to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Claim of Mrs. Catherine Connor, 4103 Wabash, in the sum of \$40.00, resulting from injuries sustained in fall on Columbia Street sidewalk, between E and F Streets, was presented.

RESOLUTION NO. 101461, recorded on Microfilm Roll No. 37, referring claim of Mrs. Catherine Connor to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the furnishing of 3000 copies of The City Manager's Annual Report, recommending acceptance of the bid of Frye and Smith, Ltd., the low bid, of which there were two bidders, was presented.

RESOLUTION NO. 101462, recorded on Microfilm Roll No. 37, accepting bid of Frye and Smith, Ltd., of San Diego, to furnish 3000 copies of the City Manager's Annual Report, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Dail asked that the next matter be taken out of order and considered at this time:

Proposed Ordinance incorporating portion of the southerly 1/2 of Lot 41 Ex-Mission Lands of San Diego into M-1 Zone, was presented.

Frank Nottbusch, attorney, spoke. He said that the Langley Corporation, which he represents, is anxious to get its building started as soon as possible, and asked the zoning be expedited.

The Vice Mayor told Mr. Nottbusch that under state law, the Council is required to hold a hearing in the matter, and must give at least 10 days notice of publication thereof.

On motion of Councilman Godfrey, seconded by Councilman Schneider, a hearing on said proposed Ordinance was set for the hour of 10:00 o'clock A.M., of Tuesday, the 20th day of March, 1951.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the improvement of Chatsworth Boulevard between Catalina Boulevard and Coronado Avenue, recommending acceptance of the bid of Griffith Company, the low bid, of which there were four bidders, was presented.

RESOLUTION NO. 101463, recorded on Microfilm Roll No. 37, accepting bid of Griffith Company for the improvement of Chatsworth Boulevard between Catalina Boulevard and Coronado Avenue, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 3 sections of the Subdivision Ordinance, in addition to suspensions heretofore made by Resolution No. 98424 adopted June 27, 1950, for the revised Tentative Map of Clairemont Heights Unit No. 2, was presented.

RESOLUTION NO. 101464, recorded on Microfilm Roll No. 37, amending Resolution No. 98424 adopted June 27, 1950, in connection with the revised Tentative Map of Clairemont Heights Unit No. 2, to include suspensions to Sections 3H3, 3I2, 3J2, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of Clairemont Heights Unit No. 2 (Revised), subject to 10 conditions, was presented.

RESOLUTION NO. 101465, recorded on Microfilm Roll No. 37, approving revised Tentative Map of Clairemont Heights Unit No. 2, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the Subdivision Ordinance, in connection with the Tentative Maps of Linda Vista Units 1 and 2, was presented.

RESOLUTION NO. 101466, recorded on Microfilm Roll No. 37, suspending Sections 3E5, 3J6, 3I1, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Maps of Linda Vista Units Nos. 1 and 2, located at Linda Vista Road and Ulric, Comstock and Glidden Streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

from
Communication/the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Linda Vista Unit No. 1 for the subdivision of five blocks or portions of the property owned by the Federal Government in the Linda Vista Housing Project near the intersections of Comstock, Ulric Streets and Linda Vista Road, stating that it is not a normal Tentative Map in that the property is now primarily all developed and is an attempt to divide for future sale of business areas and does create abnormal lots, easement, dedications and a number of problems in the matter of the reconstruction of existing streets and utilities installed or to be installed, making detailed report of existing conditions, and recommending acceptance and approval subject to 9 conditions (certain commercial buildings will need to be remodeled or altered in accordance with requirements of the Health Department and the Building Inspector), was presented.

RESOLUTION NO. 101467, recorded on Microfilm Roll No. 37, approving Tenta-

tive Map of Linda Vista Unit No. 1, a subdivision of 5 blocks or portions thereof, of property owned by the Federal Government, on conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of Tentative Map of Linda Vista Unit No. a, for subdivision of Blocks 6 and 7 located at Linda Vista Road and Glidden Street, and reporting conditions similar to those for Unit No. 1, on 9 conditions, was presented.

RESOLUTION NO. 101468, recorded on Microfilm Roll No. 37, approving Tentative Map of Linda Vista Unit No. 2, a subdivision of Blocks 6 and 7, located at Linda Vista Road and Glidden Street, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Planning Commission recommending approval of petition of San Diego Unified School District for the re-zoning, from R-1 to R-2, of property in Twp 16S 42W and in Rancho Mission, located on 54th Street and Blackton Drive (location for Oak Park Elementary School), and reference to the City Attorney for preparation of the necessary Ordinance, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the papers were referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Director reporting on petition of residents in the vicinity of 3814 El Cajon Boulevard for abatement of nuisance created by the business operated under the name of Furniture Mart, stating that the Planning Commission is of the opinion that matters set out in the petition are not subject to control under Zoning Ordinance, the property being in Zone C, referring the matter to the Council for its attention, was presented.

The Planning Director made a verbal report, along the lines of the written report.

The City Manager suggested that the matter be referred to him.

The City Attorney requested that the matter be referred jointly to his office and to the City Manager so that both might give it study.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the matter was referred to the City Manager and to the City Attorney.

Communication from the City Manager reporting on communication from California Division of Highways, signed by E. E. Wallace, District Engineer, regarding removal of setback on the northeasterly side of Pacific Highway between Washington and Witherby Streets, upon which the Council has set a continued hearing for Tuesday, March 20, was presented.

A motion was made and seconded to refer the matter to the March 20 hearing. The motion was changed, resulting in the matter of the original communication and the City Manager's report being filed, on motion of Councilman Godfrey, seconded by Councilman Schneider.

Communication from the City Manager reporting on communication from Clifford S. Maher, 1663 Sixth Avenue, regarding his proposal to construct Bomb Shelter at the southwest corner of Balboa Park, stating that the matter has been referred to the Park Commission, that the Commission has recommended that until such time as the City is officially considering construction of shelters that the communication be filed, was presented. On motion of Councilman Dail, seconded by Councilman Swan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on C. M. Barker, P.O. Box 1114, Long Beach, for Pony Ring Concession in Balboa Park, stating that the matter had been referred to the Park Commission and that it had been denied because of previous experience with a ride of the type proposed in the Park, was presented.

On motion of Councilman Dail, seconded by Councilman Swan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on offer of Louis Feldman and others to dedicate land for the extension of Illinois Street in the east half of Lot 3 Pueblo Lot G, stating that the property has been acquired by the City, was presented.

On motion of Councilman Swan, seconded by Councilman Dail, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager recommending granting of excess-width driveways permit to H. L. Sams on Biona Drive between Adams Avenue and Alder Drive, to serve two double garages and surfaced parking area, in connection with 6-unit court under construction, was presented.

RESOLUTION NO. 101469, recorded on Microfilm Roll No. 37, granting permission to H. L. Sams, 2014 Winnett Street, to remove 20 feet of curb on the east side of Biona Drive, between points 5 feet and 25 feet north of the north line of Adams Avenue, and to remove 28 feet of curb on the north line of Adams Avenue, between points 57 feet and 85 feet east of the intersection of Adams Avenue and Biona Drive, for the installation

of two driveways adjacent to Lots 1 and 2 Block B Kensington Park Annex, curb and sidewalk removal and driveway installation to be in accordance with City requirements, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending installation of 5 Overhead Street lights, was presented.

RESOLUTION NO. 101470, recorded on Microfilm Roll No. 37, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Albatross Street, at Fir Street;
Denby Street, at F Street;
Evergreen Street, at Dickens Street;
San Miguel Avenue, at Ocean View Blvd.;
42nd Street, at Ocean View Boulevard;

was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings be amended for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, to include the concrete encasement of sewer mains as required, was presented.

RESOLUTION NO. 101471, recorded on Microfilm Roll No. 37, adopting the City Engineer's recommendation, contained in Document No. 429935, for amendment to proceedings for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, to include the concrete encasement of sewer mains as required, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings be amended for the paving and otherwise improving of Oliver Avenue, to include the removal of existing walks and driveways as required, was presented.

RESOLUTION NO. 101472, recorded on Microfilm Roll No. 37, adopting the City Engineer's recommendation, contained in Document No. 429934, for amendment to proceedings for the paving and otherwise improving of Oliver Avenue, to include the removal of existing walks and driveways as required, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Verl Smurthwaite, referring to order from the City Planning Commission directing removal by Mrs. Maude Erwin, 2131 Emerald Street of her cat shelter, expressing "hope that the City Planning Commission will have the decency to pay the moving costs when Mrs. Erwin succeeds in finding a new cat shelter on the outskirts of the city, was on motion of Councilman Schneider, seconded by Councilman Godfrey referred to the City Manager.

Communication from Pacific Indemnity Company, dated February 27, 1951, signed by J. M. MacConnell, reporting payment of San Diego Seat Advertising Co. claim in the sum of \$56.00, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was ordered filed.

RESOLUTION ORDERING WORK NO. 101473, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of 51st Street, within the limits and as particularly described in Resolution of Intention No. 101047, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 101474, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Oliphant and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 101049, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 101475, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Venice Street, Brighton Avenue, and the Northeasterly and Southwesterly Alley in Block 91 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 101051, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 101476, recorded on Microfilm Roll No. 37, for the furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District Number One, for a period of one year from and including December 16, 1950, to and including December 15, 1951, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 101477, recorded on Microfilm Roll No. 37, for the closing of the westerly 16.00 feet of portion of Front Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101478, recorded on Microfilm Roll No. 37, approving diagram of the property affected or benefited by the work of improvement to be done on Westland Avenue, Commonwealth Avenue, Pentucket Avenue and Ivy Street, within the limits and as more particularly described in Resolution of Intention No. 99002, directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101479, recorded on Microfilm Roll No. 37, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Thomas Avenue, within the limits and as more particularly described in Resolution of Intention No. 99971, directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101480, recorded on Microfilm Roll No. 37, approving diagram of the property affected or benefited by the work to be done on the paving and otherwise improving of Opal Street, within the limits and as particularly described in Resolution of Intention No. 99508, directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101481, recorded on Microfilm Roll No. 37, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alleys in Blocks 187 and 188 Mission Beach, and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 99700, directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101482, recorded on Microfilm Roll No. 37, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 52 Fairmount Addition to City Heights, and Polk Avenue, within the limits and as particularly described in Resolution of Intention No. 98713, directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101483, recorded on Microfilm Roll No. 37, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Quimby Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 100061, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101484, recorded on Microfilm Roll No. 37, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Oliphant Street, Poe Street and Locust Street, within the limits and as particularly described in Resolution of Intention No. 100060, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101485, recorded on Microfilm Roll No. 37, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Landis Street, Roselawn Avenue and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 99970, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101486, recorded on Microfilm Roll No. 37, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Emerald Street, within the limits and as particularly described in Resolution of Intention No. 100058, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101487, recorded on Microfilm Roll No. 37, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Copley Avenue, within the limits and as particularly described in Resolution of Intention No. 99968, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101488, recorded on Microfilm Roll No. 37, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alley in Block 19 Fairmount Addition to City Heights, and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 100056, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101489, recorded on Microfilm Roll No. ³⁷ granting petition contained in Document No. 429623, for the paving and otherwise improving of the Alley in Block 40 Resubdivision of Blocks H and I Teralta, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the paving and otherwise improving of said Alley, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101490, recorded on Microfilm Roll No. 37, granting petition contained in Document No. 429045, for the paving and otherwise improving of Ingraham Street, within the limits described in said Resolution, directing the City Engineer to furnish a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101491, recorded on Microfilm Roll No. 37, granting petition contained in Document No. 427735, for the paving and otherwise improving of La Palma Street, within the limits described in said Resolution, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101492, recorded on Microfilm Roll No. 37, expressing the opinion of the Council that the adoption of proposed amendments to the Government Code, Sections 35303, 35303.1, 35307 and 35311, having to do with annexation of uninhabited territory contiguous to the boundaries of an incorporated city by such city, as more particularly described in said Resolution, will be to the best interests of the people of The City of San Diego, requesting that the Assemblymen and Senator from this district to take all of the steps reasonably necessary to secure the adoption of the proposed amendments, directing the City Clerk to mail a certified copy of said Resolution to each said Assemblyman and the Senator, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101493, recorded on Microfilm Roll No. 37, requesting the Board of Supervisors of the County of San Diego, State of California, to annex to and incorporate within The City of San Diego certain, more particularly described in said Resolution, in The County of San Diego, contiguous to and owned by The City of San Diego, and being all of the Tidelands and Submerged Lands lying and being below the Mean High Tide Line of Mission Bay or its entrance within the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Prior to adoption of said Resolution, Councilman Swan asked various questions, which were answered by the Planning Director, as he had answered them at the meeting of February 20.

RESOLUTION NO. 101494, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager to enter into an agreement with Madge Blunt Waring, by the terms of which Mrs. Waring will deed to The City of San Diego, for dedication to the public use, an easement and right of way 30 feet in width on either side of Alvarado Canyon Road where said road passes through portion of Lot 67 Ex-Mission Rancho owned by Mrs. Waring, within the limits of the City of San Diego, for widening and using the road as a freeway or limited access highway, access rights to and from said Road as widened, together with portion of land in said lot to be used as a future segregation structure, to be delivered to the City if and when that road easement as shown on Road Easement Map No. 904 from Alvarado Canyon Road to the City water main easement has been closed, and not before; the City to pay costs incidental to the closing, in consideration for which the City shall do the things more particularly set forth in said Resolution, all being in the form of agreement filed in the office of the City Clerk on March 5, 1951, as Document No. 430230, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101495, recorded on Microfilm Roll No. 37, authorizing and empowering the City Manager to enter into a contract for and on behalf of The City of San Diego with the Griffith Company for construction of Trunk Sewer Crossing under and across Camino del Rio (Mission Valley Road), from the existing Mission Valley Trunk Sewer to connect with future Murray Canyon Sewer, as shown on Engineer's Drawing No. 4204-B, for the price of \$2,562.00, in accordance with the recommendation of the City Engineer on file in the office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101496, recorded on Microfilm Roll No. 37, authorizing and empowering the City Manager to enter into contract of employment with J. H. Masters to act as Chief Warden of San Diego Disaster Council, for a term commencing on the 5th day of February, 1951 and ending on the 30th day of June, 1951, at a monthly compensation of \$400.00 month, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101497, recorded on Microfilm Roll No. 37, authorizing and empowering the City Manager to enter into a contract of employment with Frederick C. Whitney to act as Director of Public Relations and Public Education of the San Diego Disaster Council, for a term commencing on the 26th day of February, 1951 and ending on the 30th day of June, 1951, at a monthly compensation of \$400.00 per month, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101498, recorded on Microfilm Roll No. 37, adopting Map of Resubdivision of I.O.O.F. Division of Mount Hope Cemetery, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said map was approved, directing the City Clerk to transmit said map to the County Recorder for recordation, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101499, recorded on Microfilm Roll No. 37, adopting Map of Resubdivision of G.A.R. Section, Division 1, 2 and 3 and Block 4 of Mount Hope Cemetery, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said map was approved, directing the City Clerk to transmit said map to the County Recorder for recordation, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101500, recorded on Microfilm Roll No. 37, adopting Map of Resubdivision of Section 15, Division 7 of Mount Hope Cemetery, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said map was approved, directing the City Clerk to transmit said map to the County Recorder for recordation, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101501, recorded on Microfilm Roll No. 37, adopting Map of Resubdivision of Sections 1 to 12 inclusive, and Section 14 of Division 7 of Mount Hope Cemetery, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said map was approved, directing the City Clerk to transmit said map to the County Recorder for recordation, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101502, recorded on Microfilm Roll No. 37, adopting Map of Resubdivision of Section 8, Division 6 of Mount Hope Cemetery, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said map was approved, directing the City Clerk to transmit said map to the County Recorder for recordation, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101503, recorded on Microfilm Roll No. 37, adopting Map of Resubdivision of Sections 1 to 8 inclusive, Division 5 of Mount Hope Cemetery, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said map was approved, directing the City Clerk to transmit said map to the County Recorder for recordation, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101504, recorded on Microfilm Roll No. 37, adopting Map of Resubdivision of Sections 2, 5 and 6 Division 6 of Mount Hope Cemetery, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said map was approved, directing the City Clerk to transmit said map to the County Recorder for recordation, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Proposed Ordinance incorporating Lot 6 Las Alturas Villa Sites into "R-1" Zone and amendments thereto, was presented.
On motion of Councilman Schneider, seconded by Councilman Wincote, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., of Tuesday, March 20 1951.

Proposed Ordinance incorporating portion of Parcel "00" Lot 19 Rancho Ex-Mission into "R-1", "R-4" and "C" Zones, was presented.
On motion of Councilman Schneider, seconded by Councilman Dail, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., of Tuesday, March 20 1951.

ORDINANCE NO. 4713 (New Series), recorded on Microfilm Roll No. 37, authorizing the leasing for a period in excess of 15 years, or the sale, of portions of Pueblo Lots 1193 and 1210, lands lying north of the San Diego River being more particularly described in said Ordinance, said Ordinance to become effective only after it is affirmatively approved by a majority vote of the qualified electors of The City of San Diego voting at an election at which such proposition of ratifying the Ordinance is submitted, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

Prior to adoption of said Ordinance, the City Manager explained its provisions, verbally, to the Council.

ORDINANCE NO. 4714 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$15,200.00 from the Capital Outlay Fund, for the purpose of providing funds for the improvement of Chatsworth Boulevard, between Catalina Boulevard and Coronado Avenue, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

The final reading of such Ordinance was in full.

Councilman Dail spoke to the City Manager at this time, and asked him to prepare plans and specifications for the improvement of National Avenue, full width, between 41st and 43rd Streets.

The City Manager replied that it is a big project to prepare plans and specifications for such an improvement.

Councilman Wincote said that action had been taken at this morning's Conference, which he believed would be adequate.

The City Manager said that he would prepare the necessary matters as agreed upon in Conference.

Councilman Dail said that if what the City Manager was to do would accomplish what is wanted, that would be O.K. with him.

At the hour of 10:50 o'clock A.M. the Council, on motion of Councilman Dail, seconded by Councilman Schneider, took a recess until the hour of 2:00 o'clock P.M. this date.

Upon reconvening, at the hour of 2:07 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey.
Absent---Mayor Knox
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan acted as chairman.

The hour of 2:00 o'clock P.M. having arrived, the time set for hearing on proposed Ordinance - having been continued from the meeting of February 27, 1951 - regulating the erection, construction, enlargement, alteration, repair, moving, removal, equipment, use, height, area, and maintenance of all building and/or structures in The City of San Diego, providing for issuance of permits and collection of fees, providing penalties for violation, declaring and establishing Fire Zones, repealing Ordinance No. 13375 and Ordinance No. 3674 (New Series) and their respective amendments as listed therein, the Vice Mayor inquired if anyone was present who desired to be heard.

It was observed that Judge Edgar Luce, attorney, who had appeared in behalf of the hotel association at the previous hearing, and had requested continuance until this date, was not present. The City Manager advised the Council that he had met with Judge Luce and stated that he did not wish to be heard further in the matter.

H. B. Greer, president, Building Contractors' Association, said that the Association had gone into the matter. He said that there are problems regarding materials, and that some requirements add to construction costs. He referred, particularly to thickness of foundations, garage plastering, and nailing of laths where not needed. He spoke regarding requirement for 1"x6" sub-floor, pointing out that such lumber may not always be available. Mr. Greer said that there is need for a good, but flexible building cost. He stressed that cost for construction under the proposed code is more, in many instances than needed. He said that costs to the home owner are already high enough, if not too high on account of many requirements. Mr. Greer said that he felt, in general, that the proposed Code is correct.

Chester D. Kirkpatrick, representing Sam Hamill, architect, asked the Clerk to read the first 4 lines of Section 10. Deputy City Attorney Louis Karp, who had worked on the Ordinance read, instead, the first 6 lines, and told of words deleted from the first draft. Mr. Kirkpatrick said that Sections D and 10 need clarification. He suggested

He suggested sprinkler alternates by use of the words "new or".

William S. Chamness, representing the City Building Inspection Department, said that all references are to new buildings should not be in "this Ordinance", but are covered in the Uniform Building Code. He said (Mr. Kirkpatrick) if no combustible materials are stored, in new buildings, provisions should not apply. He referred, also to escalators. Mr. Kirkpatrick said that if stairways adjoin escalators, the stairways have to be enclosed, and suggested that escalators need not be enclosed under certain conditions.

Mr. Chamness said that Mr. Kirkpatrick's point was well taken regarding stairways and escalators.

Mr. Kirkpatrick asked for positive assertions, rather than individual later interpretations.

R. S. Brock, Contractors' Association member, said that not enough time had been allowed for full study of the matter. He pointed out such matters as location of building upon a lot regarding the 1-hour fire resistant walls inside and out, stating that adds an unnecessary expense. He spoke about foundation bolts in concrete, on page 8, that 10" bolts are required, but often not available, but that 8" bolts are required throughout the State. He started to refer to something on page 10, but was interrupted.

Asked if he thought the matter could be gone into thoroughly by the Contractors' Association in 2 weeks, Charles A. Taylor replied that he believed it could.

Mr. Wincote said that changes and amendments can be made as needed.

Mr. Brock said that it has been the experience that it is harder to get amendments made to an ordinance than to get proper provisions written in at first.

Mr. Swan wanted to have plenty of time to do the thing right the first time.

Others expressed the view that it would not be possible to satisfy everybody either on the first, or any subsequent drafts or amendments.

Mr. Schneider wondered if it would hurt to have a 2 weeks' delay.

Mr. Brock said it would be the contrary, referring to anyone's being hurt by the brief delay. He said, further, that the Code should be for minimum, not maximum, standards.

The City Manager suggested going through the Code, without debate, then let Mr. Andrus, whose services had been lent by the County of Los Angeles, and who was present at the hearing answer questions, together with Mr. Chamness.

Mr. Godfrey asked, also, if any delay of 2 weeks would injure anyone.

The City Manager said that several buildings have been authorized for design under the new Code, rather than under the present Ordinance, and that builders had been unofficially authorized to proceed. He made specific reference to the proposed new Sears store. He said that permits cannot be issued, in some instances, until the Code is adopted.

Mr. Brock pointed out that the permits could not be issued until 31 days after the Code's adoption, it being a 31-day Ordinance. He said that he is for it in principle, but said that all should be clarified before adoption. He expressed the belief that 2 weeks delay would be all right. He said that the matter needs a lot of study. Also, Mr. Brock said that a triplex is now classified as an apartment house, under the State housing act. He said, too, that costs should not be increased if not necessary. Mr. Brock pointed out that no large cities are operating under the Uniform Building Code.

An unidentified man in the audience said that Salt Lake City operates under the Code.

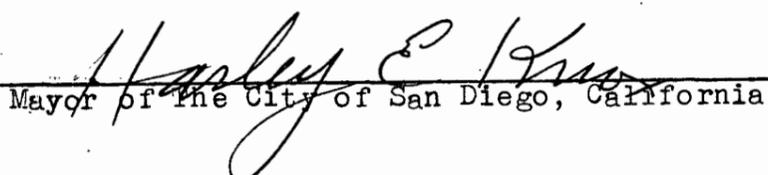
Mr. Wincote said that the Council has to be buided by the administrative experts, and that the members of the Council do not know the technical details of construction, there being no builder or architect on the Council.

Councilman Schneider moved to continue the hearing for a period of 2 weeks from this date, to allow interested persons to get together with the City Attorney and with Mr. Chamness, which motion was seconded by Councilman Dail.

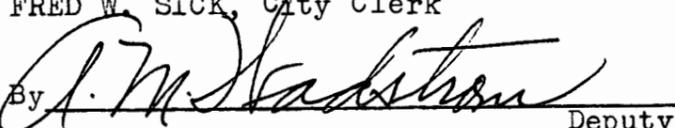
Before the roll should be called, Martin Matthias, representing the Associated General Contractors spoke. He said that his Association is in favor of adoption of the Code, with necessary changes. He said he felt that changes should be submitted in writing within the 2-week period, otherwise the Council and others will have to go through the same thing again at the next hearing.

At this time the roll was called on the motion to continue the hearing until the hour of 2:00 o'clock P.M., of Tuesday, March 20, which motion carried unanimously.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Schneider, at the hour of 2:59 o'clock P.M.


Mayor of the City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING
Chamber of the Council of The City of San Diego, California,
Thursday, March 8, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:07 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent----Mayor Knox
Clerk-----Fred W. Sick.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating the north one-half of Pueblo Lot 1774 into "R-1A" Zone as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 13294 approved August 31, 1931 insofar as the same conflicts, which Ordinance hearing had been continued from the meeting of February 23, 1951 upon verbal request of the City Attorney who said that Burton Wood had asked for such postponement, it was pointed out that Mr. Wood was not present.

The Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

The City Planning Director made a verbal report, in which he said that Mr. Wood had made no further request for continuance. He said that reason for postponement was the question of possible commercial chicken raising in the area and the construction of a school. He said that chicken raising would probably not come up, it being a high class area, and pointed out that there is not enough room for a school, which also had been questioned. The Director expressed the opinion that commercial chicken raising could not be done in Zone R-1A, pointing out that provisions for such activities in that zone in Mission Valley had been specifically written into the Ordinance zoning that territory.

Members of the Council, who had questioned the matter, offered no further objections.

ORDINANCE NO. 4715 (New Series), recorded on Microfilm Roll No. 37, incorporating the north one-half of Pueblo Lot 1774 into "R-1A" Zone as defined by Ordinance No. 8924 of the Ordinances of the City of San Diego and amendments thereto, repealing Ordinance No. 13294 approved August 31, 1931, insofar as the same conflicts, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox
The final reading of such Ordinance was in full.

Petition of property owners, for annexation to the City of portion of Lot 53 of Horton's Purchase, Rancho Ex-Mission, southerly of Imperial Avenue and Churchward, westerly of Euclid Avenue, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said petition was referred to the City Manager.

Petition of Harold C. Cochran, 413 W. 29th Street, National City, being application for permit to operate two automobiles for hire, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Petition of O. D. Hedrick, 2019 Chicago Street, San Diego, being application for permit to operate two automobiles for hire, was presented.

Petition of Councilman Godfrey, seconded by Councilman Dail, said petition was referred to the City Manager.

Claim of Pioneer Truck Co., Inc., 2560 California Street, in the sum of \$404.00, in connection with furnishing of labor and equipment to C. B. Saunders, general contractor under contract with the City of San Diego for construction of Bayview Reservoir, was presented.

RESOLUTION NO. 101505, recorded on Microfilm Roll No. 37, referring claim of Pioneer Truck Co., Inc., to the City Attorney, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

Claim of Roland J. Smith, in the sum of \$100 to \$125, for damage to his automobile by automobile driven by a member of the Fire Department, was presented.

RESOLUTION NO. 101506, recorded on Microfilm Roll No. 37, referring claim

claim of Roland J. Smith, Box 107, Julian, Calif., to the Pacific Indemnity Company, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the grading of the parking area adjacent to U.S. Naval Hospital, Balboa Park, recommending rejection of bid of V. R. Dennis Construction Company, the sole bidder, was presented.

The City Manager made a verbal report in which he said it was estimated by the City that said work should be about \$7,000.00, whereas the bid was \$12,180.40.

The written report says, further, that following rejection, the City Engineer will prepare new specifications and request that a new be authorized.

RESOLUTION NO. 101507, recorded on Microfilm Roll No. 37, rejecting bid received by the Purchasing Agent on March 1, 1951, for the grading of the parking area adjacent to U.S. Naval Hospital, Balboa Park, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101508, recorded on Microfilm Roll No. 37, approving plans and specifications for the furnishing of all labor, services, equipment, material, transportation and other expense necessary or incidental for the construction of a sewer replacement in Cleveland Avenue and Richmond Street, to serve Block 184 University Heights, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, in accordance with Document No. 430337, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on communication from Municipal Employees' Association, signed by Horace V. Lerwill, President, requesting an ordinance amendment to permit use of retirement contributions to secure loans from the Credit Union, stating that the matter was referred to the Retirement Board and that he has been advised by the Board's secretary that the Board feels that the provisions of the ordinance should not be broadened to permit members to assign their money in the retirement system as security to repay loans to the Credit Union, was presented.

Horace Lerwill, M.E.A. president, signer of the letter hereinbefore referred to, spoke. He said that the Board of Representatives of the Association had discussed the matter, and had concluded that the arrangement proposed would be both a convenience and a service to the City employees. He said that now funds can be withdrawn only upon leaving the service, or upon retirement.

A question arose as to the contents of the original Association letter, which was read to the Council by the Clerk.

The letter from the Secretary of the Retirement Board, addressed to the City Manager, was presented and read. (Said letter, addressed to the City Manager is part of the City Manager's file, and not a part of this file).

The Clerk, being the hereinbefore mentioned Secretary of the Retirement Board, outlined what has occurred up to this point insofar as the Board was concerned.

Mr. Lerwill spoke again, and asked that funds be permitted to be used as collateral for loans, pointing out a great need on the part of many employees to borrow, resulting in benefit to the employees.

Councilman Dail pointed out that individuals in the City employ, who have been in a position to do so, have made loans to other employees, at high interest rates.

Councilman Wincote said that if City employees were permitted to use their funds as collateral, the City could assign its interest in the fund also, which could jeopardize the fund.

Councilman Schneider expressed the belief that loans should be made only for pressing needs.

Councilman Wincote thought that the system could be abused regarding the making of improper loans.

Mr. Lerwill said that loans are now made, on the basis of salaries received.

Councilman Wincote said that there is need for much investigation into the matter.

George Krieg, office manager of the Credit Union appeared to offer information. He said that "no outsiders" are allowed in the Credit Union. He pointed out that retirement funds had been permitted to be used for 15 years as pledges for loans. He said that requests had been made upon the Retirement Board for funds assigned as pledges only upon employees leaving the City service.

Councilman Kerrigan asked Mr. Krieg if he had been before the Pension Board. The reply was that he had not been informed of any such meeting, did not know of it, had not been invited. He said, further, that the legal rate is charged, being 1% per month on the unpaid balance. He stated that the Bank of America had refused a \$500.00 loan to a low-salaried employee, application having been made for the employees' wife to have necessary surgery. He said that the Credit Union, upon receiving proper collateral, made the loan.

Councilman Wincote asked if 1% per month is proper in a full security collateral. Mr. Krieg said that it is the maximum as provided for and allowed by State law. He said that money has been lost on one retired man, which cannot be recovered.

Councilman Wincote said that the rate charged is usuary.

The Clerk explained regarding ~~regarding~~ questions of Councilman Wincote on regulations to retire, relative to age and length of service.

Councilman Wincote suggested a 4% per month interest, on proper collateral, if the Credit Union really wants to help the employees.

Mr. Krieg said that the Credit Union cannot operate that way. He said that they had been caught with too many debts, and that many of those employees are attempting to clear their debts through Credit Union loans. He pointed out that there had been increased expense regarding having to move the offices from the Civic Center. He said that an attempt is being made to decrease interest charges. Asked about outside activities, Mr. Krieg replied that as a convenience for employees money orders are written. He said that in the past he had done some insurance business, but that under current regulations he conducts no outside activity. In reply to a question, Mr. Krieg said that he is paid out of interest and earnings. Mr. Krieg was asked if he owns stock in the Credit Union, to which he

replied that under the by-laws he is allowed to have stock. He said that it considered good form to buy. Councilman Schneider wanted to know how much interest Mr. Krieg had recovered from his stock, to which reply was "none", there being no dividend due inasmuch as he had bought the same recently under changed by-laws. He agreed with a statement that the Credit Union is an employees' bank, and pointed out that there are 27 in the City of San Diego. He said that it is a state-wide and a nation-wide organization. Mr. Krieg mentioned employees' credit unions with Walker's and with the San Diego Gas and Electric Company. Asked about their interest rates, Mr. Krieg said that they vary from .6% to 1%. In reply to a question, Mr. Krieg said that an employee has to own one share of stock to borrow. Mr. Krieg was asked questions as to the Credit Union's overhead, the unloaned amount, which he answered by saying that overhead was \$9,700.00 last year, and \$9,000.00 unloaned as of the morning. He pointed out that 20% guarantee fund has to be maintained under law for bad debts. He said all that information is contained in the annual statement, which the Council receives. He said, also, that it could not be determined, just now, what reduction can be made in interest payments, if any.

Councilman Schneider moved to refer the matter back to the City Manager to present to the Retirement Board for hearing from the Credit Union.

Before the vote was called on the motion, wondered why the Retirement Board should be burdened, further. Councilman Dail said he has received reports on cases of destitution.

Councilman Schneider said that destitution at 12% per year is kind of difficult to take.

Councilman Wincote moved to amend the motion to instruct the Retirement Board to go into meeting immediately, which motion was seconded by Councilman Schneider.

Before the roll could be called on the motion to amend, Councilman Wincote asked the Clerk the vote on the recommendation of the Retirement Board to deny the request. The reply was that it was unanimous of those present.

Councilman Asked Otto Hahn, business representative of City & County Employees Local 127 if he would make a statement on the number of cases of destitution that could be helped by the Credit Union. He said that he preferred not to get involved in the matter, it having been decided by the Local that it is one that is being handled by the M.E.A., but did state that many employees are quitting in order to draw their accumulated retirement funds. He said that there are many hardship cases. Asked if any of the union members who may not be MEA members have borrowed from the Credit Union have borrowed, he said that there are, and pointed out that they need only be employees. He said he does not know the number of cases. He said that he is aware of cases of evictions on account of employees being unable to pay their rent. He said that subpoenas are served, every pay day, on employees who cannot pay their bills.

At this time the roll was called on the amendment.

The roll was then called on the original motion, resulting in

RESOLUTION NO. 101509, recorded on Microfilm Roll No. 37, referring back to the City Manager the matter of the request from the Municipal Employees' Association for his taking up with the Board of Administration of the City Employees' Retirement System, to provide for an immediate meeting and hearing, for amendment to the ordinance to permit use of retirement contributions to secure loans from the City Employees' Credit Union, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on communication from E. L. Bartlett suggesting removal of compulsory provisions of pay deductions for City retirement fund, transmitting copy of reply from Fred W. Sick, Secretary of the Board of Administration City Employees' Retirement System addressed to Mr. Bartlett, stating that the Board finds no valid reason in his communication for a change in the compulsory membership feature of the of the retirement system, was presented, and ordered filed.

Communication from the City Manager reporting on petition for annexation of portions of Lots 37 and 40 in Rancho Mission, more particularly set forth in said communication, was presented. Said report states that the proposed annexation meets with the approval of the affected City departments and is therefor recommended.

RESOLUTION NO. 101510, recorded on Microfilm Roll No. 35, granting petition of property owners for the annexation of portions of Lots 37 and 40 in Rancho Mission, as recommended by the City Manager, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on communication from the South of Broadway Association relative to need for straightening of the lower end of Fifth Avenue, between the railroad tracks and Harbor Drive, stating that the area is under jurisdiction of the Harbor Department and leased to American Products Company, advising that the South of Broadway has been apprized of said fact and will take the matter up with the Port Director, was presented.

The City Manager made a verbal report on actions heretofore taken, at the request of Councilman Dail. He then read from a report of the City Engineer, which report was not a part of the file presented to the Council.

On motion of Councilman Schneider, seconded by Councilman Wincote, the City Manager's communication and the matter upon which is reported, were ordered filed.

Councilman Dail continued to discuss the matter, after action had been taken to file. As a result, the South of Broadway letter, which started the matter, was read.

Communication from the City Manager recommending granting excess-width driveway to F. E. Young Construction Company, on Front Street and on First Avenue, both between Broadway and C Street, to serve Pacific Greyhound Lines, was presented.

RESOLUTION NO. 101511, recorded on Microfilm Roll No. 37, granting permission to F. E. Young Construction Company, P.O. Box 2872, San Diego 12, to install two driveways on the east side of Front Street between points 72 and 92 feet and points 136 feet and 220 feet north of the north line of Broadway, adjacent to Lots B, C and D Block G Horton's Addition, also one driveway on the west side of First Avenue between points 127

feet and 220 feet north of the north line of Broadway, adjacent to Lots J and K Block G Horton's Addition, all driveway widths to be measured at the top of the full-height curb, to serve Pacific Greyhound at 102 Broadway and to be made subject to conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Manager recommending that no parking be permitted on the east side of Zoo Drive, which has a 35-foot roadway between curbs, creating a serious hazard for the many pedestrians crossing from between parked cars along the length of the street, was presented. It was pointed out that the large new parking lot east of Zoo Drive has been opened for public use and that it is no longer necessary to attempt to cred as many cars as possible into both sides of the Drive.

RESOLUTION NO. 101512, recorded on Microfilm Roll No. 37, prohibiting the parking of automobiles at all times on the east side of Zoo Drive in Balboa Park, between Village Place and the southerly line of Veterans Memorial Building Grounds, authorizing and directing the installation of the necessary signs and markings, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending establishment of additional through streets, based upon accident record or lack of protection, security and freedom of movement along heavily traveled streets, was presented.

RESOLUTION NO. 101513, recorded on Microfilm Roll No. 37, establishing as "Through Highways", the following streets, or portions thereof, as more particularly set forth in said Resolution: 31st Street; 35th Street, 38th Street, 43rd Street, 47th Street, Boundary Street, Broadway; Cedar Street; Chollas Reservoir Road; Churchward Street; Crown Point Drive; Eleventh Avenue; Euclid Avenue; Fanuel Street; Fay Avenue; Forward Street; Imperial Avenue; La Jolla Mesa Drive; Lamont Street; Las Flores Terrace; Linda Rose Avenue; Logan Avenue; Muirlands Drive; Olvera Street; Poplar Street, Redwood Street, Riviera Drive, Streamview Drive, Tenth Avenue, Trinidad Way, Vesta Street; also establishing the following "Intersection Stops": 26th Street Road, at Golf Course Drive, affecting traffic on Golf Course Drive; 31st Street, at Grape, affecting westbound traffic on Grape Street and northbound traffic on 31st Street; 31st Street, at Juniper Street affecting eastbound traffic on Juniper Street and southbound traffic on 31st Street; 32nd Street, at Juniper Street, affecting westbound traffic on Juniper Street and northbound traffic on 32nd Street; 38th Street at Acacia Street, affecting southeasterly bound traffic on Acacia Street; 47th Street, at Market Street, affecting traffic in all directions - 4-way stop; 58th Street, at Mira Flores Drive, affecting traffic on Mira Flores Drive; Cable Street, at Narragansett Street, affecting traffic on Narragansett Street; Calhoun Street, at Mason Street, affecting traffic on Mason Street; Illinois Street, at Lincoln Avenue, affecting traffic on Lincoln Avenue; Imperial Avenue, at Eleventh Avenue, affecting traffic on Eleventh Avenue; Las Flores Terrace, at Churchward Street, affecting westbound traffic on Churchward Street; Las Flores Terrace, at Trinidad Way, affecting eastbound traffic on Trinidad Way, and northbound traffic on Las Flores Terrace; Lincoln Avenue, at Iowa Street, affecting traffic on Iowa Street; Lincoln Avenue, at Kansas Street, affecting traffic on Kansas Street; Lincoln Avenue, at Ohio Street, affecting traffic on Ohio Street; Polk Avenue, at Illinois Street, affecting traffic on Illinois Street; Riviera Drive, at Pacific Beach Drive, affecting westbound traffic on Pacific Beach Drive; Vesta Street, at Acacia Street and Delta Street, affecting northeasterly bound traffic on Acacia Street and westbound traffic on Delta Street; authorizing and directing that the installation of the necessary signs and markings be made on said streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Superintendent of Streets, continued from the meeting of March 1, 1951, at the request of the City Manager (after motion had been made and seconded to deny, later changed) recommending denial of petition for closing the westerly 18 feet of 61st Street between Estelle Street and Adelaide Street, was presented.

The Vice Mayor requested a continuance of the matter for another two weeks, but gave no explanation of the request.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was continued until the meeting of Thursday, March 22, 1951.

Communications requesting the replacement of the Mission Bay-Ocean Beach Bridge, in the form of postal cards, from Chester J. Kelly, 4756 Cape May Ave.; Jack T. Smallwood, 4916 Voltaire; J. L. Hite; 4558 Longbranch; Jean & Fred Palmer, 5046 Brighton; S. G. Folsom, 5160 Cape May Ave.; Victor E. Lind (no address given), were presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said postal cards were ordered filed.

Communications regarding poor bus service, crowding of passengers in the aisles, etc., from Mrs. Paulene Calvert, 2220 Adams Ave., and from Loren E. Sutton, 1503 Frankfort St., were presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communications were referred to the Bus Investigator.

Communication protesting the removal of the fountain from Horton Plaza, and making suggestions for the Plaza's renovation, etc., were received from Mr. and Mrs. R. C. Fegan, 4764 Ibis Street; Mrs. L. E. Meredith, 4784 - 34th Street, Mrs. Marie Baker, 932 West University; Mrs. Paul J. Hartley, 955 Harbor View Dr.; R. P. Benner, 2165 Columbia St., were presented.

On motion of Councilman Dail, seconded by Councilman Schneider, said communications were ordered filed.

At this time the City Manager said he wished to make a statement for the record, in connection with the controversy which has arisen over renovating Horton Plaza, and the possible removal of the fountain given to the City by former Mayor Louis J. Wilde. The Manager said that reference is being made to "the Manager's plan", and disclaimed sponsorship of the plan, saying that it had been developed considerably before his arrival in San Diego.

Communication from P. P. Posey, La Mesa, Calif., 7589 El Cajon Blvd., calling the Council's attention to dangerous condition of El Cajon Boulevard for pedestrians crossing the boulevard, was presented.

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

Communication from Sterling S. Winans, Director of Recreation, in behalf of Recreation Commission State of California, thanking the City for its warm welcome to the California Recreation Conference, held February 13-16 in Balboa Park, enhanced by smooth working arrangements under direction of Leo Calland, Park and Recreation Director, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated March 2, 1951, signed by J. M. MacConnell, advising the Council that claim of Mrs. Ella Wyatt (in an unstated amount), had been paid in the sum of \$13.50, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was ordered filed.

RESOLUTION NO. 101514, recorded on Microfilm Roll No. 37, approving Change and Extra Work Order No. 39, dated February 14, 1951, filed with the City Clerk as Document No. 430356, issued in connection with contract between The City of San Diego and Daley Corporation for construction of Wabash Freeway, Section A, which contract is contained in Document No. 414553, changes set forth amounting to an increase in the contract price of \$994.50, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101515, recorded on Microfilm Roll No. 37, permitting the County of San Diego to use the City of San Diego Pound facilities during the dog emergency, upon condition that the County pay to the City 50¢ per day for each dog confined, that the officers of the County bring said dogs to the Pound in such number as to maintain no more than 20 County dogs within the Pound at any one time, said dogs be in such a condition of health that they are not rabid nor are suspected of having rabies or likely to develop rabies, that the County of San Diego provide authorization to the officers of The City of San Diego operating the Pound that all County dogs may be disposed of by City personnel, agreement to be in effect from January 23, 1951 and terminate 60 days thereafter, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101516, recorded on Microfilm Roll No. 37, granting revocable permit to Consolidated Vultee Aircraft Corporation, San Diego Division, to install and maintain a two-inch conduit and metering installation on the vehicular pass at Barnett Avenue and Rosecrans Street, as shown on Drawing No. 4PE-14607 accompanying the application therefor, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101517, recorded on Microfilm Roll No. 37, accepting deed of Frances Marguerite Bernick, bearing date February 19, 1951, conveying Lot 7 Block 4 Lakeside, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101518, recorded on Microfilm Roll No. 37, accepting deed of Russell Segel and Stephanie Segel, bearing date February 26, 1951, conveying an easement and right of way for street purposes in portions of Lot 16 Ex-Mission Lands, setting aside and dedicating the same to the public use as and for public streets, naming the same Euclid Avenue and Federal Boulevard, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101519, recorded on Microfilm Roll No. 37, accepting deed of Elmer V. Schneider and Ruby O. Schneider, bearing date February 26, 1951, conveying an easement and right of way for street purposes in portion of Lot 1 of Pueblo Lot 1782, setting aside and dedicating the same to the public use as and for a public street, and naming the same La Jolla Mesa Drive, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101520, recorded on Microfilm Roll No. 37, accepting deed of Elbert, Ltd., a corporation, and Arnold E. Ascherfeld and Eleanor Ascherfeld, as purchasers under sales agreement from Elbert, Ltd., bearing date February 8, 1951, conveying an easement and right of way for water main purposes in portion of Pueblo Lot 196 of the Pueblo Lands of the City of San Diego, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101521, recorded on Microfilm Roll No. 37, accepting deed of Elbert, Ltd., a corporation, and Arnold E. Ascherfeld and Eleanor Ascherfeld, as purchasers under sales agreement from Elbert, Ltd., executed in favor of The City of San Diego, bearing date February 8, 1951, conveying an easement and right of way for water main purposes in a portion of Pueblo Lot 197 of the Pueblo Lands of the City of San Diego, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The City Attorney said that the Purchasing Agent had asked him to make a request to the Council that he be authorized to delay opening of bids for the furnishing of Parking Meters, until March 16, 1951.

RESOLUTION NO. 101522, recorded on Microfilm Roll No. 37, authorizing and directing the Purchasing Agent to delay opening of bids for the furnishing of Parking Meters, heretofore authorized by Council Resolution, until the 16th day of March, 1951, was on motion of Councilman Godfrey, seconded by Councilman Dail, by the following vote, to-wit: Yeas---Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilman Wincote. Absent---Mayor Knox.

ORDINANCE NO. 4716 (New Series), recorded on Microfilm Roll No. 37, amending Section 9.03 of Ordinance No. 258 (New Series) - Administrative Code - adopted June 28, 1933, as amended, and repealing Section 1 of Ordinance No. 3364 (New Series) adopted February 25, 1947, relating to Sales of Real Property, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox

The final reading of such Ordinance was in full.

Prior to adoption of said Ordinance, the City Manager explained the matter, verbally, to the Council, saying that the amendment was needed due to the setting up of the City's new Properties Division, land sales having previously been handled through the Purchasing Department.

ORDINANCE NO. 4717 (New Series), recorded on Microfilm Roll No. 37, changing the name of a portion of Estelle Street to Estelle Place, within the limits more particularly set forth in said Ordinance, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox

ORDINANCE NO. 4718 (New Series), recorded on Microfilm Roll No. 37, changing the name of a portion of Mandalay Road to Manchester Road, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox

The City Manager requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

RESOLUTION NO. 101523, recorded on Microfilm Roll No. 37, declaring it to be the sense and opinion of the Council that because of the existence of an acute drought and a shortage of water available to the inhabitants of the City and the residents of the County of San Diego, and the necessity to supply additional water for the use of the United States Government and its agencies in the National war emergency, an additional supply of water from the Colorado River is immediately necessary, and that it will be in the interests of the City to actively support the Directors of the San Diego County Water Authority in their effort to secure the approval of Congress of a program to authorize the United States Navy to forthwith construct a second aqueduct connecting with the distribution lines of The Metropolitan Water District of Southern California, for the use of that agency in supplying additional water to the inhabitants of the City and County of San Diego, requesting the Congressional representatives of the State of California to aid and assist in securing Congressional approval of authority for the construction of said second aqueduct, authorizing and directing the City Clerk to furnish certified copies of said

Resolution to the Board of Directors of the San Diego County Water Authority and to cause to be forwarded certified copies thereof to the member of Congress from this Congressional District and to the Senators representing the State of California in the United States Congress, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

At this time the City Manager introduced Robert E. Cassin, City Attorney of San Jose, a former colleague of his.

Mr. Cassin responded in acknowledging the introduction, and expressed his pleasure at having attended the Council session. (Following adjournment, the Manager introduced the visitor to each member of the Council and to others).

Councilman Dail requested, and was granted, unanimous consent, to present the next matter of business, not listed on the Council's agenda:

Mr. Dail asked the Council to take action in connection with the jogs at the Mission Bay Bridge approaches, resulting in

RESOLUTION NO. 101524, recorded on Microfilm Roll No. 37, declaring it to be the sense of the Council that the jogs at the Midway Drive Bridge approaches be straightened by the widening thereof on both sides, and requesting the City Manager to take the necessary action to accompanish such work, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted, by the following vote, to-wit: Yeas---Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilman Swan. Absent--Mayor Knox. (See further reference to this matter following the next Resolution).

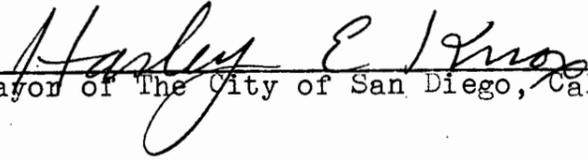
Councilman Wincote requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

RESOLUTION NO. 101525, recorded on Microfilm Roll No. 37, referring to the City Manager the matter of eliminating the wavy surface on the newly-constructed Midway Drive, Mission Bay Bridge, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

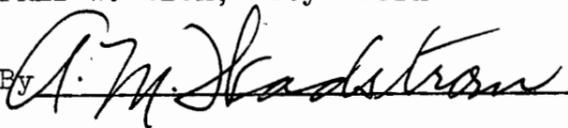
At this time Councilman Swan explained his vote of "no" on Resolution No. 101524 hereinbefore shown in these Minutes, stating that it was because the Resolution did not include the need for straightening on the Ventura Bridge.

No action was taken further in the matter.

On motion of Councilman Dail, seconded by Councilman Schneider, the meeting wad adjourned, at the hour of 11:15 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By  Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, March 13, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Mayor at the hour of 10:10 o'clock A.M.

Present---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox
Absent---Councilman Schneider
Clerk-----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, March 6, 1951, and of Thursday, March 8, 1951, were presented to the Council by the Clerk.

On motion of Councilman Godfrey, seconded by Councilman Swan, said minutes were approved without reading, after which they were signed by the Mayor.

At this time the Mayor presented service award emblems to the following City employees, honoring their long service with the City, and offering each his congratulations as he made the presentations:

- Salvador Jauregui, construction and maintenance Foreman II for the Water Department - 25 years completed on March 23;
- Fred W. Sick, City Clerk - 30 years completed on March 7;
- M. N. Donnan, Engineer III in the Harbor Department - 40 years completed on March 1.

Mayor Knox acknowledged the presence of 25 students of San Pasqual Union Elementary School (San Diego County), together with their instructor, Mr. Wilson, and welcomed them to the meeting.

At the invitation of the Mayor, the group arose to be recognized.

The hour of 10:00 o'clock A.M. having arrived, the time set for the opening of bids for the paving and otherwise improving of Sequoia Street, Crown Point Drive and Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 100895, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of four thousand dollars, which bid was given Document No. 430570;

The bid of V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Co., in the sum of four thousand six hundred dollars, which bid was given Document No. 430571;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of four thousand dollars, which bid was given Document No. 430572;

The bid of Cox Brothers Construction Company, accompanied by bond written by Great American Indemnity Company of New York in the sum of four thousand dollars, which bid was given Document No. 430573;

Councilman Godfrey was excused from the meeting at this time.

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of thirty eight hundred dollars, which bid was given Document No. 430574.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for the opening of bids for the paving and otherwise improving of Wilbur Avenue, within the limits and as particularly described in Resolution of Intention No. 100896, the Clerk reported that 2 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by the Continental Casualty Co. in the sum of fifteen hundred dollars, which bid was given Document No. 430575;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of one thousand two hundred fifty dollars, which bid was given Document No. 430576.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote,

said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for the opening of bids for the construction of a Storm Drain from 43rd Street and University Avenue to 40th and Landis Streets, and in Block 69 City Heights (not a 1911 improvement act proceeding), the clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of 10% of the aggregate sum of the bid, which bid was given Document No. 430577;

The bid of Charles J. Dorfman, accompanied by bond written by General Casualty Company of America in the sum of ten percent of the amount of the bid, which bid was given Document No. 430578;

The bid of Walter H. Barber, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of ten percentum of the amount of the accompanying bid, which bid was given Document No. 430579;

The bid of Carroll & Foster, accompanied by bond written by Maryland Casualty Company in the sum of 10% of amount of bid, which bid was given Document No. 430580;

The bid of J. S. Barrett, accompanied by bond written by American Surety Company of New York, in the sum of ten percent of the total amount of bid, which bid was given Document No. 430581.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for continued hearing on the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101050, the City Engineer's written report upon his questionnaire about paving types desired was presented and read.

The report showed the following results:

- 30.0% want Portland cement paving
- 31.7% want asphalt concrete paving
- 10.8% want the job abandoned
- 27.5% have not returned their cards.

Mrs. Logan, who spoke at the previous hearing, asked "what will happen now"?

The Mayor replied that the Council had not had time to consider the report of the Engineer, but would do so at this time.

The City Engineer was asked about the wording used on the cards which he had mailed. He showed it to the Council.

John Ogden told of the various requests for cement concrete and asphalt concrete, pointing out that there was not an appreciable difference, especially not enough to justify the change resulting in holding up the work.

Councilman Godfrey returned to the meeting at this time.

Mr. Ogden continued speaking. He exhibited a plat showing comparison of signers for asphalt concrete and for cement concrete. He asked that the work be not delayed, pointing out that delays might increase the price or that government freeze might prohibit the work being done.

Mrs. Logan spoke again, saying that she wants the job to go ahead.

Mrs. Eccles, 1214 Reed Avenue, who spoke at the previous hearing, asked about the difference in cost. She said that if the differential is not too great, she would not oppose cement concrete.

The City Engineer replied that cement concrete would be about 7-1/2¢ per square foot higher. Also, he said that about 4 months delay would result from change in type, covering abandonment and re-engineering of the job, that it would be about 7 months before work could be started. He agreed that costs are going up.

The City Attorney detailed the steps which would have to be taken and the delays which would result from the change.

RESOLUTION NO. 101526, recorded on Microfilm Roll No. 37, overruling and denying the protests of Mrs. Alice Tillinghast, L. Hubbell and Harriett J. Hubbell, against the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101050, overruling and denying all other protests thereon, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

On motion of Councilman Swan, seconded by Councilman Godfrey, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Waverly Avenue and Colima Street, within the limits and as particularly described in Resolution of Intention No. 101200, the clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1985, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Santa Barbara Street, Bermuda Avenue, Niagara Avenue, Del Monte Avenue, Orchard Avenue and Venice Street, within the limits and as particularly described in Resolution of Intention No. 97527, the Clerk

reported that written appeals had been received from Violet T. Martin and W. J. Martin, Robert K. Burdette, D. H. Preece, R. W. Porter, Dale W. and Mary Lou Loper, V. E. Willander, Wm. T. Reiff, Evelyn Ryder and Charles H. Ryder, Kay R. Duee, which appeals were presented.

The City Engineer made a verbal report, in which he said that several of the appeals had been filed just before the hearing and that he had not had the opportunity to evaluate them.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

William T. Reed, 1763 Catalina Boulevard, said that one half of the street and the curb were already in. He said he had been told by the City Engineer that he would be charged for sidewalk only. Looking at the assessment roll and its accompanying plat, the Engineer said that the assessment is \$288.19, part of which is for sidewalk and part for street termination (intersection). The Engineer showed the plat to Mr. Reed.

D. H. Preece asked what made up the assessment upon his property.

Harold Horn asked the same question.

Vern Willander, 4404 Saratoga Avenue, spoke about installation of the sidewalk. He said that he did not want the sidewalk, but that it had been put in at his property.

The Mayor said that it would be difficult for the Council to answer each individual question, and asked the appellants to go with the City Engineer to the Council's office across the hall, which they did.

The hearing was continued, temporarily, and will appear later in these minutes. (Other appeals were received in the mail after the hearing had been concluded, so will not be listed as part of the hearing).

The hearing on Resolution of Preliminary Determination No. 101274 for the paving and otherwise improving of the Alleys in Block 69 Ocean Beach, was continued temporarily, and will appear later in these minutes.

The hearing on Resolution of Preliminary Determination No. 101275 for the paving and otherwise improving of Fortuna Avenue, was continued temporarily, and will appear later in these minutes.

The hearing on Resolution of Preliminary Determination No. 101276 for the paving and otherwise improving of Oliver Avenue and Reed Avenue, was continued temporarily, and will appear later in these minutes.

Application of Burney O. Allgood for cabaret license at Palomar Club, 3001 El Cajon Boulevard, was presented, together with recommendations for approval from the interested City departments.

RESOLUTION NO. 101527, recorded on Microfilm Roll No. 37, granting permission to Burney O. Allgood to conduct a cabaret with paid entertainment at Palomar Club, 3001 El Cajon Boulevard, where liquor is sold but no dancing conducted, subject to regular license fee and to compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Application of Harold R. Moore for Class A Dine & Dance License at Don's Place, 1116 So. 43rd Street, was presented, together with recommendations for approval from the interested City departments.

RESOLUTION NO. 101528, recorded on Microfilm Roll No. 37, granting permission to Harold R. Moore to conduct public dance at Don's Place, 1116 South 43rd Street, under a Class "A" license, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Claim of Aubrey M. Fogle, 4279 - 48th Street, San Diego, by Cecil F. Holley attorney, 603 Scripps Building, in the sum of \$175.00 for personal injury sustained in stepping into an unlighted ditch in an alley, was presented.

RESOLUTION NO. 101529, recorded on Microfilm Roll No. 37, referring claim of Aubrey M. Fogle to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing Clay Pipe and accessories, for the Sewer Department, recommending award to Industries Supply Company, one of the two identical low bids. It was pointed out that the other low bidder has had the City's business for the past 6 months.

RESOLUTION NO. 101530, recorded on Microfilm Roll No. 37, accepting bid of Industries Supply Company of San Diego for the furnishing of the City's requirements of Clay Sewer Pipe, Fittings and Couplings, for a period of six months beginning March 1, 1951, awarding contract and directing the City Manager to execute the same, authorizing the City Clerk to return all bid checks submitted, with the exception of the checks submitted by the low bidder and second low bidder, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending granting excess-width driveways to H. L. Sams on Biona Drive, north of the north line of Adams, and repeal of Resolution No. 101469 adopted March 6, 1951 which granted driveways on Biona Drive and on Adams Avenue, was presented.

RESOLUTION NO. 101531, recorded on Microfilm Roll No. 37, granting permission to H. L. Sams, 2014 Winnett Street, San Diego 14, to remove curb on the east side of Biona Drive, between points 85 and 105 feet and points 137 and 165 feet north of the north line of Adams Avenue for the installation of two driveways adjacent to Lots 1 and 2 Block B Kensington Park Annex, to provide access to two double garages and parking area in connection with six-unit court now being constructed, in compliance with City regulations, repealing Resolution No. 101469 adopted March 6, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director recommending dedication of a 40-foot service road across a portion of City-owned Pueblo Lot 212 in connection with land exchanges between the City and W. W. Prickett, to be a continuance of the road acquired through easements from Chang and Radar, was presented.

RESOLUTION NO. 101532, recorded on Microfilm Roll No. 37, adopting the recommendation of the City Planning Commission, bearing Document No. 430515, for the dedication of a 40-foot service road across a portion of City-owned Pueblo Lot 212, authorizing and directing the City Attorney to prepare and present the necessary papers therefor, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Zoning Engineer, recommending amendment to Council Resolution No. 99047 covering construction of automobile parking lot on Lots 1 and 2 Block 98 Roseville, so that planting strip along the northwesterly line of Lot 3 will not be a requirement, in view of the fact that it will be a continuous parking lot from Rosecrans to Locust Street, and that the Zoning Committee has required a 3-foot planting strip and 6-foot hedge to be planted and maintained along Keats Street and along the northwesterly line of Lot 1 on Locust Street, was presented.

RESOLUTION NO. 101533, recorded on Microfilm Roll No. 37, amending Resolution No. 99047 in connection with zone variance granted to Caesar F. and Helen Pastore, so that the planting strip along the northwesterly line of Lot 3 in block 98 Roseville will not be a requirement, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Superintendent of Streets recommending approval of petition for closing of portions of Placer and Plumas Streets in Lemona Subdivision, subject to omission of portions necessary for 100-foot width of Linda Vista Road, submitted by Public Housing Administration, was presented.

RESOLUTION NO. 101534, recorded on Microfilm Roll No. 37, granting petition for the closing of portions of Placer Street and Plumas Street in Lemona Subdivision, in accordance with the recommendation of the Superintendent of Streets, directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer recommending amendment to proceedings for improvement of Brooklyn Avenue, 63rd Street and other streets, to include Storm Drain in 62nd Street, was presented.

RESOLUTION NO. 101535, recorded on Microfilm Roll No. 37, amending proceedings for the improvement of Brooklyn Avenue, 63rd Street and other streets, to include the installation of a storm drain in 62nd Street between Brooklyn Avenue and the westerly prolongation of the south line of Lot 5 Block 3 Encanto Heights, as recommended by the City Engineer, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from Ocean Beach Woman's Club, signed by Mrs. M. Steverding, Civic Publicity Chairman, stating that the Club is passing out a petition at its next meeting in favor of restoring the old bridge spot if and when they start building the bridge across the bay, stating that it is felt it will benefit so many more people than the present proposed new site, and favoring the return to the old location, was presented.

On motion of Councilman Swan, seconded by Councilman Kerrigan, said communication was ordered filed.

Postal card from James Dougherty, P.O. Box 128 Oceanside, expressing the belief that the bridge should be built at the location for the several reasons set forth in the card, was presented.

On motion of Councilman Swan, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from Mrs. Marley H. Shipes, 3820 National Avenue, San Diego 13, asking the Council to do all it can to see that there is better bus service on the No. 11 route, and setting forth detailed complaints, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Swan, the communication was referred to the Bus Service File.

Communication from George A. Scott, Chairman, San Diego USO Committee, dated March 6, 1951, stating that establishment of proposed USO information booth in the downtown Horton Plaza now being considered would do much in helping the many thousands of service personnel in becoming better acquainted with our community, stating that no particular place in the Plaza for the information center is recommended as it is felt that it is the Council's judgment as to its location which will be acceptable to all, was presented. On motion of Councilman Wincote, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from Mrs. Agnes Iske, 326 Juniper Street, dated March 8, 1951, asking that her name be added to those protesting the removal of the fountain from the Plaza, was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, said communication was ordered filed.

Communication from James R. Brownell, 4147 Tennyson Street, San Diego 7, dated March 6, 1951, again protesting operation of stables at Catalina and Tennyson Streets, referring to report made by the City Manager when the matter was previously before the Council, stating that there are certain points left to be cleared up, and asking various questions, was presented.

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

Communication from San Diego Council of Registered Civil Engineers and Licensed Land Surveyors, by Wayne W. Smith, secretary, stating that none of the Civil Engineers in private practice in the San Diego area had been consulted on the design or construction of the Mission Bay development, making specific reference to "faulty alignment and poor workmanship" on the bridge, inviting the City to call on the group or one of the group in the future when assistance or service is needed, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Swan, said communication was referred to the City Manager for report.

RESOLUTION NO. 101536, recorded on Microfilm Roll No. 37, directing notice of filing of the Street Superintendent's Assessment No. 1991 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 53 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 98909, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101537, recorded on Microfilm Roll No. 37, directing notice of filing of the Street Superintendent's Assessment No. 1990 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley lying easterly of and contiguous to Block B South La Jolla, North Lane, Westbourne Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 98255, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101538, recorded on Microfilm Roll No. 37, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Franklin Avenue, between the easterly line of 32nd Street and the westerly line of Bancroft Street, approving Plat No. 2251 showing the exterior boundaries of the district to be included in the assessment for said work and improvement, directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101539, recorded on Microfilm Roll No. 37, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Jewell Street, between the southerly line of La Playa Avenue and the northerly and the northerly line of Moorland Drive, approving Plat No. 2247 showing the exterior boundaries of the district to be included in the assessment for said work and improvement, directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101540, recorded on Microfilm Roll No. 37, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Poplar Street, Manaznita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, Glenfield Street, Heather Street, Manzanita Place, Marlborough Avenue, Pepper Drive, Snowdrop Street, Tuberosa Street, Violet Street, Fairmount Avenue, the Northwesterly and Southeasterly Alley in Block 37 Lexington Park, the Alley lying northeasterly of and contiguous to Lot 31 Block 38 Lexington Park, Hollywood Park, Quince Street, and Public Rights of Way, within the limits set forth in said Resolution, approving Plat No. 2203 showing the exterior boundaries of the district to be included in the assessment for said work and improvement, directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 101541, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of the Alley in Block 245 Mission Beach, and Mission Boulevard, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 101542, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Dawes Street, Emerald Street, Everts Street and Felspar Street, within the limits and as particularly described in Resolution of Intention No. 101111, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 101543, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Gresham Street and Graham Street, within the limits and as particularly described in Resolution of Intention No. 101112, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 101544, recorded on Microfilm Roll No. 37, for the closing of portions of Charlotte Street and Torrey Pines Road, as more particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 101545, recorded on Microfilm Roll No. 37, for the closing of portions of Illion Street, Cecelia Terrace and Milton Street, as more particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101546, recorded on Microfilm Roll No. 37, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1950, to and including October 12, 1951, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101547, recorded on Microfilm Roll No. 37, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1, for a period of one year from and including October 1, 1950, to and including September 30, 1951, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 101548, recorded on Microfilm Roll No. 37, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District Number One, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 101549, recorded on Microfilm Roll No. 37, for the furnishing of electric current ~~for the furnishing of electric current~~ for the lighting of the ornamental street lights located in Seventh Avenue Lighting District Number One, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101550, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Franklin Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101551, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Jewell Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101552, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, Glenfield Street, Heather Street, Manzanita Place, Marlborough Avenue, Pepper Drive, Snowdrop Street, Tuberosa Street, Violet Street, Fairmount Avenue, the Northwesterly and Southeasterly Alley in Block 37 Lexington Park, the Alley lying northeasterly of and contiguous to Lot 31 Block 38 Lexington Park, Hollywood Park, Quince Street, and Public Right of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101553, recorded on Microfilm Roll No. 37, granting petition for the paving and otherwise improving of the streets in Balboa Vista Subdivision, contained in Document No. 424551, directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101554, recorded on Microfilm Roll No. 37, granting petition for the deletion of sidewalks from the proceedings heretofore ordered by Resolution No. 100684 for the paving and otherwise improving of Jamacha Road, directing the City Engineer to modify the assessment district and plat heretofore ordered to conform to said deletion, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition for construction of a sanitary sewer in Hobart Street and Public Rights of Way in Lot 39 Oakemere, by private contract, was presented.

RESOLUTION NO. 101555, recorded on Microfilm Roll No. 37, granting permission to Willard G. Smith to construct a sanitary sewer in Hobart Street and public rights of way in Lot 39 Oakemere, by private contract, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer on file in the office of the City Clerk under Document No. 430232, in accordance with conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101556, recorded on Microfilm Roll No. 37, ratifying and approving employment by the City Manager of Griffith Company for the paving of portion of Chollas Station Road, to cover claim therefor inadvertently addressed to the Traffic Safety Fund, resulting in its not being presented to the City Auditor and Comptroller within the 90 days prescribed by the Charter, finding that said work was authorized and performed, and that in equity and good conscience said Company should be paid, ~~that~~ that it is unjust to urge that the Company failed to properly present its claim, authorizing and directing the Auditor and Comptroller to issue and deliver to said Griffith Company a warrant for said sum in full payment of the claim, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101557, recorded on Microfilm Roll No. 37, authorizing and directing the Supervisor of Properties to file a petition with the Board of Supervisors of the County of San Diego requesting that all taxes against property set forth in said Resolution, together with all penalties and other expenses in connection therewith be cancelled, and that all deeds to the State for delinquent taxes of said property be cancelled, directing said Supervisor to take whatever steps he may deem necessary otherwise to secure cancellation of said taxes and deeds, said property being various parcels of land located in Wetmore & Sanborn's Addition, Pueblo Lot 1152, Point Loma Villas, El Nido, Western Addition, Paradise Hills, Las Alturas No. 3, Pueblo Lot 1288, Seaman and Choates Addition, Logan Park Addition, McLaren's "H" Street, Central Homestead, J. H. Orcutt's Subdivision, Central Homestead, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending granting excess-width driveways to M. H. Golden Construction Company, for Langendorf United Bakers on Kurtz Street, was presented.

RESOLUTION NO. 101558, recorded on Microfilm Roll No. 37, granting permission to M. H. Golden Construction Company, 3485 Noell Street, San Diego 1, to install two driveways on the northerly side of Kurtz Street, between points 20-1/2 feet and 80-1/2 feet and also points 100-1/2 and 122-1/2 feet west of the westerly line of Riley Street, adjacent to Lot 24 Resubdivision of Block 340 Old Town, all driveway widths to be measured at the top of the full-height curb, to serve Langendorf United Bakeries at Kurtz Street, between Riley and Greenwood Streets, in accordance with City requirements, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending granting excess-width driveways to George and Lucretia A. Sanders on Coast Boulevard South, was presented.

RESOLUTION NO. 101559, recorded on Microfilm Roll No. 37, granting permission to George Sanders and Lucretia A. Sanders, 1287 Silverado Place, La Jolla, to install a 31-1/2 foot driveway as measured at the top of the full-height curb, on the easterly side of Coast Boulevard South, approximately between points 81-1/2 feet and 113 feet north of the north line of Eads Avenue, adjacent to the northwesterly 38 feet of Lot 11 Block 55 La Jolla Park, subject to utility pole at the northerly side of the driveway being moved so as to be centered at a point at least 115 feet north of the north line of Eads Avenue, and installation to be in compliance with City requirements, was on motion of Councilman

Petition of Harold Stephens, Plumbing Contractor, 5625 El Cajon Blvd., for permission to install sewer to serve Atlantic and Pacific Company at 5385 El Cajon Blvd. at 3/16" per ft. grade, instead of 1/4" per foot, was presented, together with recommendations for approval from the Health Department and the Assistant City Manager.

RESOLUTION NO. 101560, recorded on Microfilm Roll No. 37, granting permission to Harold Stephens, 5625 El Cajon Boulevard, San Diego, to install a house sewer to serve Atlantic and Pacific Company building at 5385 El Cajon Boulevard, which sewer line shall have a 3/16" grade, per foot, instead of 1/4" per foot as required in Code - inasmuch as City sewer elevation will permit but the 3/16" fall, on conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending granting excess-width driveway to Coast Electric Company, on Eighth Avenue between F & G Streets, was presented.

RESOLUTION NO. 101561, recorded on Microfilm Roll No. 37, granting permission to Trepte Construction Company, Inc., P.O. Box 1231, San Diego 12, to install a 45-foot driveway as measured at the top of the full-height curb, on the west side of Eighth Avenue between points 102 and 147 feet north of the north line of G Street, adjacent to Lot I Block 72 Horton's Addition, to serve new construction for Coast Electric Company, upon payment of \$10.00 for removal of two parking meters, sidewalk removal and driveway installation to be in compliance with City regulations, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101562, recorded on Microfilm Roll No. 37, accepting deed of Elbert, Ltd., a corporation, and Arnold E. Ascherfeld and Eleanor E. Ascherfeld as purchasers under sales agreement from Elbert, Ltd., bearing date February 23, 1951, conveying an easement and right of way for street purposes in portions of Lots 196 and 197 of the Pueblo Lands of the City of San Diego, setting aside and dedicating the same to the public as and for public streets, and naming various parcels thereof Catalina Boulevard, Chatsworth Boulevard, and Point Loma Avenue, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

ORDINANCE NO. 4719 (New Series), recorded on Microfilm Roll No. 37, proclaiming a Municipal General Election to be held in the City of San Diego on Tuesday, the 17th day of April, 1951, for the purpose of electing the following municipal officers, to-wit:

- For Mayor:
 - One to be elected;
- For Member of the Council from District No. 2:
 - One to be elected;
- For Member of the Council from District No. 5:
 - One to be elected;
- For Member of the Council from District No. 6:
 - One to be elected;
- For City Attorney:
 - One to be elected;
- For Member of the Board of Education:
 - Two to be elected;
- For Judge of the Municipal Court, Department No. 3:
 - One to be elected;
- For Judge of the Municipal Court, Department No. 5:
 - One to be elected;
- For Judge of the Municipal Court, Department No. 6:
 - One to be elected;

declaring that the election precincts are designated and determined to be those established by the Board of Supervisors of the County of San Diego for general state and county elections; setting out said polling places and officers of election in said election precincts as designated by the City Clerk pursuant to the Election Code; specifying the times during which the polls shall remain open; directing the City Clerk to procure and have printed the requisite number of ballots and sample ballots and other printed matter; authorizing the City Clerk to make arrangements with the Board of Education for use of school buildings throughout the City as central depositories for ballot boxes and bags from precincts adjacent thereto, and to arrange for conveyance of said ballot boxes and bags, authorizing him to employ a sufficient number of custodians to take charge of said ballot boxes and bags when the same are delivered by the election boards to the school buildings; directing publication of said Ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--- Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilman Schneider. The final reading of such Ordinance was in full.

ORDINANCE NO. 4720, (New Series), recorded on Microfilm Roll No. 37, proclaiming a Municipal General Election in that portion of the San Diego Unified School District lying outside the corporate limits of The City of San Diego, for the purpose of voting on the election of candidates for Members of the Board of Education, to be elected at the Municipal General Election to be held in The City of San Diego on the 17th day of April, 1951, for the purpose of electing two members of the Board of Education, pursuant to Ordinance No. 4719 (New Series) proclaiming said General Election, referring to the polling places and officers, etc., as set forth in said Ordinance No. 4719 (New Series), was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilman Schneider.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilman Schneider. The final reading of such Ordinance was in full.

ORDINANCE NO. 4721 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$247.50 from the Unappropriated Balance Fund, for the purpose of providing funds for the payment of the claim of Griffith Company for paving work done on Chollas Station Road, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilman Schneider.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4722 (New Series), recorded on Microfilm Roll No. 37, authorizing the execution of a lease of Pueblo Lots 1269 and 1272 and portion of 1293 with Sawday & Sexson, Inc., being 285 acres of land, at a rental of \$250.00 per year, for a period of 5 years beginning March 1, 1951, in form of lease filed in the office of the City Clerk under Document No. 430532, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox.

The final reading of such Ordinance was in full.

The City Clerk requested, and was granted, unanimous consent to present the next two matters of business, not listed on the Council's agenda; pointing out that it was necessary to adopt the two ordinances at this meeting:

ORDINANCE NO. 4723 (New Series), recorded on Microfilm Roll No. 37, ordering, calling, providing for and giving notice of a special Municipal Election to be held on Tuesday, April 17, 1951, for the purpose of submitting to the qualified voters a proposition of incurring a bonded indebtedness in the principal sum of \$2,000,000 for the acquisition and construction by the City of a municipal improvement, consisting of improvements of and additions to the water distribution system of the City of San Diego, including construction of reservoirs, pumping plants, water pipe lines and other distribution facilities, and including acquisition of all land, rights of way, equipment, pipe, apparatus, materials and other property necessary therefor, consolidating said special Municipal Election with the Municipal General Election to be held said date, in accordance with Resolution No. 101449 entitled "A Resolution of the Council of The City of San Diego, California, determining that the public interest and necessity demand the acquisition and construction of a certain municipal improvement, and making findings relating thereto, declaring that the maximum rate of interest to be paid on the indebtedness shall not exceed four per cent (4%) per annum, payable semiannually, polling places, precincts, and names of election officers shall be as set forth in Ordinance No. 4719 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilman Schneider.

The final reading of said Ordinance was in full.

ORDINANCE NO. 4724 (New Series), recorded on Microfilm Roll No. 37, submitting to the electors of The City of San Diego at the Municipal General Election to be held on the 17th day of April, 1951, Ordinance No. 4713 (New Series) adopted March 6, 1951, entitled "An Ordinance Authorizing the Leasing for a Period in Excess of 15 Years, or the Sale, of Portions of Pueblo Lots 1193 and 1210 of the Pueblo Lands of The City of San Diego, California," was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilman Schneider.

The final reading of said Ordinance was in full.

The City Manager requested, and was granted, unanimous consent, to present the next 4 matters of business, not listed on the Council's agenda; each of which he explained to the Council as it was presented:

RESOLUTION NO. 101563, recorded on Microfilm Roll No. 37, accepting deed of Dennstedt Investment Company, bearing date March 7, 1951, conveying easement and right of way for street purposes in portion of Lot 67 Rancho Mission of San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Catocin Drive, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending adoption of Final Map of Dennstedt Point Unit No. 1, subject to the posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 101564, recorded on Microfilm Roll No. 37, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with The Dennstedt Investment Company, for installation and completion of the unfinished improvements and the setting of the monuments required for Dennstedt Point Unit No. 1, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101565, recorded on Microfilm Roll No. 37, adopting Map of Dennstedt Point Unit No. 1 and accepting Julie Street, Richard Street, Cleo Street, Gary Street, Catoctin Drive, La Dorna Drive and unnamed easements shown thereon for public purposes, rejecting as a dedication for a public street the land shown thereon as "Reserved for Street Purposes", being portion of Lot 67 of Rancho Mission of San Diego, more particularly described in said Resolution, authorizing and directing the City Clerk to endorse upon said map, as and for the act of the Council, that said streets and easements are accepted on behalf of the public, directing the City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101566, recorded on Microfilm Roll No. 37, authorizing the City Attorney to stipulate with the attorneys representing the Dodson Home, a corporation, that a judgment may be entered against The City of San Diego in each of the following cases: Superior Court Action No. 153134 for the sum of \$261.76 with interest thereon at the rate of 5% per annum from December 6, 1948, to the date of entry of judgment, and for the sum of \$261.76, with interest thereon at the rate of 5% per annum from April 20, 1949, to the date of entry of judgment, plus \$10.00 costs; Superior Court Action No. 159391 for the sum of \$249.25, with interest thereon at the rate of 5% per annum from December 5, 1949, to the date of entry of judgment, and for the sum of \$249.25, with interest thereon at the rate of 5% per annum from April 19, 1950, to the date of entry of judgment, plus \$12.00 costs, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Said Resolution recites that the Supreme Court of the State of California has decided that the refund of the taxes, erroneously collected by the County of San Diego on behalf of the City of San Diego for the years 1948-49 and 1949-50, together with interest and costs, is mandatory, and that the City has no defense, that it will be to the best interests of the City to stipulate judgment in each case, thus saving the amount of interest that that the City would be obligated to pay if the litigation is prolonged.

Councilman Dail requested, and was granted, unanimous consent the next item of business, not listed on the Council's agenda:

Mr. Dail handed to the Clerk a communication from Pacific Marine Service, 3781 Dalbergia Street, San Diego 2, signed by James H. Diehl, complaining of damage to new pavement on Dalbergia by a feed store semi-trailer heavily loaded, requesting attention to the damage, reciting that the matter had been called to the attention of the Street Department and the City Attorney's Office. Mr. Dail told about the situation.

On motion of Councilman Dail, seconded by Councilman Kerrigan, the matter was referred to the City Manager for report.

After action to refer the communication had been taken, Mr. Diehl spoke to the Council, telling about the situation as set out in the letter.

The hearing on the Street Superintendent's Assessment No. 1985, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Santa Barbara Street, Bermuda Avenue, Niagara Avenue, Del Monte Avenue, Orchard Avenue and Venice Street, was resumed at this time.

Mr. Olson, representing the City Engineer, said that questions had been answered to the satisfaction of the appellants, the City Engineer having not returned from his meeting with property owners.

RESOLUTION NO. 101567, recorded on Microfilm Roll No. 37, overruling and denying appeals of Wm. T. Ruff, Charles H. Ryder and Evelyn Ryder, Kay R. Duee, V. E. Willander, Dale W. Loper and Mary Lou Loper, R. W. Porter, D. H. Preece, Robert K. Burdette, W. J. Martin and Violet T. Martin, from the Street Superintendent's Assessment No. 1985, made to cover the costs and expenses of the work of paving and otherwise improving of Santa Barbara Street, Bermuda Avenue, Niagara Avenue, Del Monte Avenue, Orchard Avenue and Venice Street, within the limits and as particularly described in Resolution No. 97527, overruling and denying all other appeals thereon, confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record the same in his office, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hearing on Resolution No. 101274 of Preliminary Determination for the paving and otherwise improving of the Alleys in Block 69 Ocean Beach, within the limits and as particularly described in said Resolution, was resumed at this time.

The Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101568, recorded on Microfilm Roll No. 37, determining that the proposed improvement of the Alleys in Block 69 Ocean Beach, within the limits and as particularly described in Resolution No. 101274 of Preliminary Determination, to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the

the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hearing on Resolution No. 101275 of Preliminary Determination for the paving and otherwise improving of Fortuna Avenue, within the limits and as particularly described in said Resolution, was resumed at this time.

The clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101569, recorded on Microfilm Roll No. 37, determining the proposed improvement of Fortuna Avenue, within the limits and as particularly described in Resolution No. 101275 of Preliminary Determination to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Act of 1931 shall not apply, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hearing on Resolution No. 101276 of Preliminary Determination for the paving and otherwise improving of Oliver Avenue and Reed Avenue, within the limits and as particularly described in said Resolution, was resumed at this time.

The clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101570, recorded on Microfilm Roll No. 37, determining the proposed improvement of Oliver Avenue and Reed Avenue, within the limits and as particularly described in Resolution No. 101276 of Preliminary Determination to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The City Manager requested, and was granted, unanimous consent to present the matter, not listed on the Council's agenda:

A proposed Resolution was presented, awarding contract for the construction of a structural steel and concrete highway bridge on Sunset Cliffs Boulevard over the San Diego River Flood Control Channel (Mission Bay project).

The City Manager explained the bids.

The City Engineer said that the low bid of Union Steel Company does not comply with specifications being a modified bid.

The City Attorney said that modified bids are not acceptable, and are nullified.

The Planning Director said that there is a difference of about \$70,000.00 - and pointed out that Union Steel Company did not agree on the delivery date of material as set out by the City.

Councilman Swan contended that acceptance of the Guy F. Atkinson Company bid would result in a reduction, on the combination.

The City Engineer read from the bid, and said that he has been informed that the Atkinson bid has steel available from Bethlehem Steel, the second largest steel mills in the United States.

The matter was continued temporarily, to permit the City Engineer to secure additional data.

The City Engineer returned, and the matter of the bridge award was resumed.

The City Attorney said that the Council can accept the Atkinson bid, or throw out all the bids, but that the change in the Union Steel bid voids it.

The City Engineer said that the low bid is \$1,182,605. - less than 10% over the estimate.

RESOLUTION NO. 101571, recorded on Microfilm Roll No. 37, declaring the bid submitted by Guy F. Atkinson Company for construction of a structural steel and concrete highway bridge on Sunset Cliffs Boulevard over the San Diego River Flood Control Channel to be the lowest, responsible and reliable bid, rejecting all bids received for said except said Guy F. Atkinson Company bid at the unit prices set forth therein, which unit prices amount to a total estimated sum of \$1,182,605.00, authorizing and empowering the City Manager to execute, for and on behalf of the City, a contract with said Guy F. Atkinson Company for construction of said bridge, upon execution by said company of said contract, and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:18 o'clock A.M., on motion of Councilman Kerrigan, seconded by Councilman Dail.

ATTEST:

FRED W. SICK, City Clerk

By A. M. Hadstrom Deputy

George Kerrigan
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, March 15,
1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Mayor Knox.
Absent---Councilmen Dail, Godfrey.
Clerk----Fred W. Sick.

RESOLUTION NO. 101572, recorded on Microfilm Roll No. 37, directing the City Clerk, in compliance with Section 10 of the Charter of The City of San Diego, California, to make the canvass of the votes cast at the Municipal Primary Election held on the 13th day of March, 1951, and to certify the results thereof to the Council, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Councilman Godfrey entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed ordinance incorporating portions of Pueblo Lots 1788 and 1209 into "M-2" Zone as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 100 (New Series) adopted December 12, 1932, and Ordinance No. 3061 (New Series) adopted September 11, 1945 insofar as the same conflicts, the Clerk reported that no written protests had been received.

At this time a report from the Planning Commission, signed by the Asst. Planning Director, upon the hearings held by the Commission, and opposing the granting of an M-2 zoning for the area (westerly of the Atchison, Topeka & Santa Fe Railroad, easterly of Pacific Highway, northerly of the subdivision of Homeland Villas) which would allow unrestricted and uncontrolled use of the property along Pacific Highway and the Santa Fe Railroad tracks along the entrance to the City, which would restrict the normal use of service industries to serve the Pacific Beach area if permitted for large industrial units was presented and read.

Councilman Dail entered the meeting at this time.

The Mayor inquired if any interested persons were present who desired to be heard.

Fred S. Bungler, real estate broker and representative of one of the affected owners, appeared. He said that the petition to the Planning Commission was for a change of zone.

At the request of Mr. Bungler, answers to the questions as to reasons for requesting the zone change were read from the original petition.

Mr. Bungler showed a plat and photographs of the properties in the area, along the railroad. He said that property owners want the M-2 zone extended, and told of the signers on the petition for the change. He said that the property cannot be sold as M-1 zone. He contended that the development should be made all in one piece under M-2. The speaker maintained that the proposed re-zoned use would not be detrimental to the Highway, or to the City. He said that if the land were sold in portions, the low areas would remain unsaleable. Mr. Bungler told the Council that buyers do not want to take property as limited use on account of the existing fertilizer plant. He said that the re-zoning would be advantageous to the Pacific Beach area, rather than a detriment.

The Planning Director read, at the request of the Mayor, from the Zoning Ordinance, the permitted uses in Zones M-1 and the excepted uses (without hearing) in Zones M-2. He said that junk yard and wrecking yard could request could be made. He said that the proposed use of the property was to be for storage of surplus materials from manufacturing plants. He said that only a 6-foot fence would be required, as the only shield from public view.

Gabriel Berg, representing the prospective buyer of the property, told of the difference between a junk yard and "cut off and remnants" storage yard. He said that material stored would be scrap which would be sent back to manufacturers and re-worked, which would then become raw material, stating that 50% of the steel is made from junk. Mr. Berg then told of the difference between the proposed use of the property and that of auto wreckers' yards. He said that metals accumulated would be shipped out frequently. He stressed the point that a fertilizer plant adjoins the area proposed to be re-zoned. He said that 12 special uses can be put into M-2 zone by special action (as mentioned by the Planning Director). He contended there there is much unsightly M-1 property. He said that "the industry" (referring to the proposed surplus salvage business of storage), which he said spends some two million dollars in the City. Upon being asked, Mr. Berg replied that about one half of the area would be used. He said that other M-2 uses should also go into the area. Mr. Berg said that the City of San Diego is the largest producer of the type of material to be reclaimed, but is not taking advantage of possible use. He said that he cannot talk in terms of acreage, since he said he does not know how much future business there will be.

Mr. Bungler spoke again, and said that there are 26 acres in the area.

Mr. Berg continued speaking, and said that about 6 of the cres are unusable, and that there is more land in the piece under consideration than could probably be used.

Mr. Bunger told about other existing yards, operating the same sort of business, especially at Market Street and Highway 101, contending that the proposed location would be no more objectionable than that one.

The Mayor inquired if there were any protestants present who desired to be heard.

No one appeared to be heard, verbally, in protest.

Councilman Kerrigan pointed out that application could be made for zone variance rather than zone change, and said that if a zone change is made the City loses all control, but would have some measure of control under a variance.

In reply to charges that the Asst. Planning Director had demanded complete engineering plan of the property which would have run into a considerable amount of money, the Planning Director said that his department does not require engineering before zone variance application. He said that sufficient information for the Commission's use is all that is needed. He said, further, that the fertilizer plant is in existence under a zone variance, on premises which were previously used as a hog farm. He said that permission was granted under the variance two or three years ago. The Director said that part of the operation is conducted within a building.

Councilman Kerrigan moved to deny the appeal.

Councilman Godfrey pointed out the scarcity of M-2 zone property, and wondered about the study which had been made.

The Planning Director said that a copy of the report made as a study of M-2 property can be given to Councilmen. He said that he does not want to answer specific questions about locations and amounts of land available, without having the record before him.

Councilman Godfrey said that he does not want to vote against the appeal until the M-2 use property report is available.

The motion made by Councilman Kerrigan for denial of the appeal was withdrawn.

A motion was made by Councilman Godfrey to continue the hearing for a period of two weeks from this date, for further report and information from the Planning Department, which motion was seconded by Councilman Swan.

Before the roll was called, Mr. Berg spoke again, and said that part of the operation could be within a building, but that much of it would have to be outside. He said, also, that location would have to depend upon the railway tracks. He said that the owner would be willing to improve the appearance of the property as much as possible, with trees, shrubs, or any other method.

It was pointed out by Councilman Wincote that while trees would be good, large effective ones might take 40 years to grow.

Councilman Swan said that he does not want to discourage small industries.

The Planning Director replied to Mr. Swan that small industries could now go into the area now, under the M-1 zone.

At this time the roll was called on the motion to continue the hearing until the hour of 10:00 o'clock A.M. of March 29, 1951.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Richard J. Bartsch, 1424 Brookes Avenue, from decision of the Zoning Committee in granting application of Gus E. Matchinske for variance to the provisions of Ordinance No. 12988 Section 4A for permission to construct 1 living unit above the garage being constructed, making 5 living units on the North 50 feet of the East 15 feet of Lot 5 and all of Lot 6 except the south 100 feet of the west 10 feet, and all of Lots 7, 8 and 9 Block 231 University Heights, at the northwest corner of Albert Street and Brookes Avenue, in Zone R-2, a report from the Zoning Engineer was presented and read.

Communications of protest against the variance were received from Walter H and Mina J. Stark, Max W. Kleinman, H. R. Kirk and Richard J. Bartsch, Albert E. Davis, John L. Perry, Elizabeth Hanbury, Mr. and Mrs. M. A. Hanson, James Whybro, Mr. and Mrs. Robert E. Barker, Mr. and Mrs. Gaal R. Bills, all of which were presented to the Council.

Mr. Bartsch spoke in favor of his appeal, and opposing the variance. He told of the progress of the application for variance, the Zoning Variance hearing, and said that the granting by the Council of the appeal would be a detriment to the whole neighborhood.

David Mitchell, on Herbert Street, spoke in behalf of his sister, an affected property owner. He said that the variance would be a detriment to the neighborhood, which he described as a select residence area.

Gus E. Matchinske, 1432 Brookes Avenue, to whom the variance had been granted by the Zoning Committee, spoke. He said that Mr. Bartsch's garage had encroached on the Matchinske property some 18 inches, necessitating its moving, resulting in construction by him (Matchinske) of new garages. He said that he had maintained a 3-foot side yard, but would not have had to do so. He said that the property is in R-2 zone, and that he has 4 units there now, and could under the zoning ordinance have 2 more except for the fact that the property had been divided. He said that he had been told that Mr. Bartsch was going to ask for permission to construct 2 more apartments. Mr. Matchinske described his property as being 140 feet deep, 3 lots, with room for more units. He stressed the need for more housing in San Diego. He said that he had agreed to build 1 unit, at the Zoning Committee hearing, whereas he originally he had asked for 2. Mr. Matchinske said that there is room for 2 1-bedroom apartments, or 1 2-bedroom apartment. He exhibited drawings to the Council, and contended that the additional apartment could do no harm. He also described the surrounding developments in some detail.

Councilman Kerrigan moved to deny the appeal and sustain the action of the Zoning Committee in granting the variance, which motion was seconded by Councilman Dail.

Before the roll could be called, the Planning Director made a verbal report, at the request of Councilman Godfrey. He said that he thought Mr. Matchinske's agreement to construct 1 apartment instead of 2 is a good compromise. He said that would mean 5 units on 3-1/2 lots (there being an overlapping lot). He said that in his opinion there would be no harm to the neighborhood from the granting of the variance, pointing out that in all probability the area will be re-zoned to R-4 within the next 10 years.

Mr. Matchinske spoke again, pointing out to the Council that if the lots had not been split, he would have been entitled to construction of 6 units on the property, without variance. The fact that lot lines had been overlapped necessitated the variance.

The roll was called upon the motion, resulting in

RESOLUTION NO. 101573, recorded on Microfilm Roll No. 37, denying the appeal of Richard J. Bartsch from the decision of the Zoning Committee in granting by its Resolution No. 5328 variance to Ordinance No. 12988 Section 4-A to permit Day &

Night Plumbing Company, Gus E. Matchinske, president, permission to construct 1 living unit above the garage being constructed, making 5 living units on the property, being the north 50 feet of the east 15 feet of Lot 5, all of Lot 6 except the south 100 feet of the west 10 feet thereof, and all of Lots 7, 8 and 9 Block 231 University Heights, on the northwest corner of Albert Street and Brookes Avenue, sustaining said Committee action, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Mayor Knox left the meeting at this time, whereupon Vice Mayor George Kerrigan took over the duties of presiding officer.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Richard J. Kuhn and Helen C. Kuhn, 1655 Thomas Ave., from the decision of the Zoning Committee in denying by its Resolution No. 5346 their application for variance to the provisions of Ordinance No. 100 (New Series), for permission to construct a single-family residence on the south 315 feet of partition of Lot 5 Pueblo Lot 1209 (except the south 160 feet and the west 170 feet thereof) located on the south side of a recorded right-of-way, approximately 150 feet east of Paul Jones Avenue and 150 north of Brandywine Street, in Zone R-1, a report from the Zoning Engineer was presented and read.

The Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

Mr. Kuhn spoke. He said that the Zoning Committee had not given proper consideration to the plans, and stated that permits have granted elsewhere under similar conditions.

Councilman Godfrey was excused at this time.

The Planning Director, asked for information in the matter, spoke about the situation. He said that the property in question is portion of a metes and bounds sale without benefit of subdivision. He said that the original owner (later identified in the hearing as Claude W. Rowe) could have subdivided the property in a proper manner. He said that the parcels had been divided and sold off illegally, and that future buyers have no protection. He said that the City could prosecute the seller, which he would rather prevent, and that the buyer could have a suit to set aside the sale.

The Mayor returned to the meeting and resumed his duties as chairman, at this time.

Mr. Kuhn spoke again, and said that he is satisfied with the accesses now provided to his property by Mr. Rowe.

The City Attorney pointed out that a residence cannot be built on undedicated streets without proper variances.

Councilman Kerrigan moved to overrule the appeal and sustain the action of the Zoning Committee in denying the application for variance.

Before the roll was called on the motion, Claude W. Rowe, who gave his address as 3640 Brandywine, asked to be heard. He said that he had already been apparently indicted without an opportunity to defend himself, he told the Council that he wished to justify his position in the matter. Mr. Rowe said that he has the only home within the large area under discussion, and wants to develop the property on a high class basis. He identified his property as the northerly 4-1/2 acres of a portion of Pueblo Lot 1209. Mr. Rowe said that he had asked the Planning Department for advice on subdividing the acreage, and said that the \$7,000.00 which it would cost was prohibitive in view of the fact that it was proposed to erect only 4 homes upon the property. He told of having put in a 15-ft. concrete roadway slab, and that he is ready to go ahead and tie in with street plans. He showed plans for street improvement.

Councilman Godfrey returned to the meeting at this time.

Mr. Rowe continued speaking, and said that the Kuhn home would be only 300 feet from a dedicated street, and that he would prefer to take his garbage, etc., to the street at that distance than to have trucks coming up to the property. He said that 3 houses are planned, with 95-foot frontages.

Councilman Dail was excused from the meeting at this time.

Mayor Knox left the meeting again, and Vice Mayor Kerrigan once more took the Chair.

Mr. Rowe said that it is over 3/4 mile from the sewer. He said that he has not defied the Planning Commission in his effort to develop the property without legal subdivision.

The Planning Director read from the Planning Ordinance regarding permission for construction where there is access to dedicated street. He said that this is no hardship case involved. He said, also, that the property should have standard subdivision regulations, and that it should not be developed on the basis of simply avoiding the expense to the subdivider.

Mr. Rowe contended that the proposed builders do not want a highway by their homes, and referred to many high class real estate developments in California other than by precise street alignments, etc. He said that he had objected to previous plans for an airport in the area, had been shown a drawing of the proposed flight pattern, which had been changed. He said he did not want to show drawings of street lay-outs which might be changed, and again said that he had put in the concrete slab, showing that access to the property is provided.

Councilman Dail returned to the meeting at this time.

The Council was on the point of taking a recess, to continue the matter in the afternoon, when W. D. Elstermeyer, who identified himself as a nearby property owner, arose and asked to be heard.

Mr. Elstermeyer spoke about the street levels established by Mr. Rowe, and

objected. He said that he wants the area developed, and contended that Mr. Rowe does not have adequate access to the property, and that the access as referred to by Mr. Rowe is detrimental to the Elstermeyer property.

Councilman Kerrigan asked that he be permitted to withdraw his motion, feeling that it was not proper to be acting upon the motion inasmuch as he was now in the Chair. Councilman Schneider withdrew his second. The table was declared cleared.

At this point the City Manager spoke up and said that it was urgent that a number of matters which he had before him be adopted by the Council at the earliest possible moment.

This hearing will be shown again, continued, in these Minutes.

The City Manager requested, and was granted, unanimous consent, to present the following matters of business, not shown on the Council's agenda:

ORDINANCE NO. 4725 (New Series), recorded on Microfilm Roll No. 37, authorizing the leasing for a period in excess of 15 years, or the sale, of Pueblo Lots 1231 and 1232, and the unnumbered Pueblo Lot lying easterly of Pueblo Lot 1232, lying northerly of the San Diego River, such lease or sale to be made upon terms and conditions approved by the Council, declaring that said Ordinance shall become effective only after it is affirmatively approved by a majority vote of the qualified electors of The City of San Diego voting at an election at which such proposition of ratifying the same is submitted, was on motion of Councilman Wincote, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. The final reading of such Ordinance was in full.

Communication from the City Manager, concurred in by "Independent Department Heads", recommending salary increases for City employees, by upgrading two steps of all members of the classified service in accordance with the revised salary schedule, and ten percent increase (to the nearest dollar) of members of the unclassified service as defined in Section 115 Article VIII of the City Charter, with the exception of the City Manager and the City Attorney, as well as the Assistant City Manager, to be put into effect April 1, 1951, setting forth in detail detailed reasons showing that it is to the best interests of the City of San Diego to so do, was presented.

Said communication, bearing Document No. 430730, was ordered filed on motion of Councilman Dail, seconded by Councilman Wincote, ~~ordered filed~~.

The City Manager then presented a proposed Ordinance providing an increase of salary for officers and employees, excepting elective officers, the City Manager and Assistant City Manager, which matter he explained to the Council. The Manager told the Council that the increases will not go into effect until the recently-adopted Charter amendment goes into effect, in any event on April 1 at the earliest.

ORDINANCE NO. 4726 (New Series), recorded on Microfilm Roll No. 37, providing an increase of salary for officers and employees of The City of San Diego, excepting elective officers, the City Manager and Assistant City Manager, and providing that said increases shall take effect April 1, 1951, as fixed and determined by the terms and provisions of Ordinance No. 4429 (New Series), entitled "An Ordinance fixing the salaries of officers and employees in the Unclassified Service of The City of San Diego, and repealing Ordinance No. 4065 (New Series) adopted May 31, 1949," adopted May 29, 1950, ten percent (10%) to the nearest dollar in the Unclassified Service; the salary of the Hydraulic Engineer, as fixed and determined by the terms and provisions of Ordinance No. 4451 (New Series) entitled "An Ordinance fixing the salary of the Hydraulic Engineer in the Unclassified Service of The City of San Diego, for the fiscal year 1950-1951", adopted June 29, 1950, by 10% to the nearest dollar; each and every officer and employee in the Classified Service by fixing salaries two grades or "Standard Rate Numbers" higher than that fixed for each position as set forth and enumerated in Section 2 of Ordinance No. 4428 (New Series) entitled, "An Ordinance establishing a schedule of compensation for officers and employees in the Classified Service, providing uniform compensation for like services, and repealing Ordinance No. 4064 (New Series) adopted May 31, 1949", adopted May 29, 1950, to take effect upon the date that the Charter amendment of Section 70 of Article VII of the Charter of the City of San Diego, approved by the electors of said City on March 13, 1951, becomes legally effective, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

The final reading of such Ordinance was in full.

The matter was brought up about ratification by the Legislature at an early date, of the recently-adopted Charter amendments, and the City Manager said that the City Attorney or one of his deputies will be authorized to go to Sacramento with them as soon as results of the election are officially declared.

At this time the Richard J. and Helen C. Kuhn appeal was resumed - at the hour of 12:10 o'clock Noon.

Councilman Dail was excused from the meeting at this time.

On motion of Councilman Wincote, seconded by Councilman Swan, the hearing on the appeal of Richard J. and Helen C. Kuhn was continued until the hour of 10:00 o'clock A.M., of Thursday, March 29, 1951, and referred back to the Planning Commission.

At the hour of 12:13 o'clock Noon the Council, on motion of Councilman Wincote, seconded by Councilman Schneider, took a recess until the hour of 2:00 o'clock P.M. this date.

Upon re-assembling, at the hour of 2:05 o'clock P.M., the roll call showed the following:

Present--Councilmen Wincote, Kerrigan, Godfrey, Mayor Knox
Absent---Councilmen Swan, Schneider, Dail
Clerk----Clark M. Foote, Jr.

Petition of James H. Kennedy, 5300 Marlborough Drive, for license to operate a cabaret at Club Romance, 1090 - 2nd Avenue, was presented, together with recommendations of approval for granting from the interested City departments.

RESOLUTION NO. 101574, recorded on Microfilm Roll No. 37, granting permission to James H. Kennedy to conduct a cabaret with paid entertainment at Club Romance, 1090 Second Avenue, where liquor is sold but no dancing conducted, subject to regular license and to compliance with existing regulations, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Petition of Yale Kahn, Irvin J. Kahn and Albert Bertolino for class A dine and dance license, and for Cabaret license at Charlemagne, Inc., 2431 Pacific Highway, were presented, together with recommendations of approval for granting from the interested City departments.

RESOLUTION NO. 101575, recorded on Microfilm Roll No. 37, granting permission to Yale Kahn, Irvin J. Kahn and Albert Bertolino to conduct a cabaret with paid entertainment at Charlemagne, Inc., 2431 Pacific Highway where liquor is sold and dancing conducted, subject to regular license fee and to compliance with existing regulations, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 101576, recorded on Microfilm Roll No. 37, granting application of Yale Kahn, Irvin J. Kahn and Albert Bertolino for a Class "A" license to conduct public dance at Charlemagne, Inc., 2431 Pacific Highway on premises where intoxicating liquor is sold, subject to compliance with existing ordinance and regulations, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Petition of H. C. Franz and W. Harrington, for license to operate a cabaret at Bar 30 Club, Inc., was presented, together with recommendations of approval for granting from the interested City departments.

RESOLUTION NO. 101577, recorded on Microfilm Roll No. 37, granting permission to Harry C. Franz and W. Harrington to conduct a cabaret with paid entertainment at Bar 30 Club, Inc., 3404 - 30th Street, where liquor is sold but no dancing conducted, subject to regular license fee and to compliance with existing regulations, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Petition, bearing a large number of signatures of residents in the Ocean Beach area, requesting that a new bridge be built on the site of the old Mission Bay Bridge, was presented.

On motion of Councilman Swan, said petition, seconded by Councilman Wincote, was ordered filed.

Petition of Granville E. Cameron requesting that the Council reverse the decision and ruling of the Zoning Committee of the Planning Commission made on March 7, 1951, and designated as No. 42, wherein it denied architectural approval of a duraluminum TV antenna at 5828 Bellevue Avenue, La Jolla, for reasons set forth therein, was presented, and read.

A motion was made by Councilman Kerrigan, seconded by Councilman Wincote, to deny the appeal.

Before the roll was called, John H. Dawson, 5944 Folsom Drive, a nearby neighbor, spoke. He described the TV antenna, as erected, and that that is it objectionable in appearance.

Report from the Zoning Engineer, stating that the Committee had inspected the property and saw two television masts on the residence, one consisting of the conventional tubular mast with guys and array, and the other a tower triangularly-shaped mast fabricated with strip metal, 48 feet in height, that the Committee had found the tower was not acceptable from an architectural standpoint, was presented and read.

Said report stated that Mr. Edgington, a television dealer, stated that he had erected the mast without a building permit, and advised the Council that the Zoning Committee had read a protest signed by 23 persons in the area who objected to the tower on the basis of size, appearance and safety.

Councilman Dail entered the meeting at this time.

RESOLUTION NO. 101578, recorded on Microfilm Roll No. 37, denying petition of Granville E. Cameron, 5828 Bellevue Avenue, La Jolla, California, for reversal of the decision and ruling of the Zoning Committee of the Planning Commission made on March 7, 1951, wherein said Committee denied architectural approval of a duraluminum TV antenna at said address, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from San Diego Philharmonic Society, signed by Dr. Alex H. Zimmerman, president, dated March 10, 1951, ~~(requesting)~~ stating that as a result of conviction that the concerts should be available to every member of the community the ticket prices have been scaled at levels within the reach of all pocketbooks, resulting in need for financial assistance to compensate for loss of revenue, appealing to the City for assistance in the sum of \$5000.00, and stating that an appeal is being made to the County Board of Supervisors for a similar amount, was presented and read.

RESOLUTION NO. 101579, recorded on Microfilm Roll No. 37, referring communication from San Diego Philharmonic Society for an appropriation for the maintenance of the San Diego Philharmonic Orchestra to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing approximately 1200 tons of bulk lime for the Alvarado Filtration Plant, recommending award to Arrowhead Lime & Chemical Company, Sales Division, United States Lime Products Corporation, sole bidder, was presented.

RESOLUTION NO. 101580, recorded on Microfilm Roll No. 37, accepting bid of Arrowhead Lime & Chemical, Sales Division, United States Lime Products Corporation, for the furnishing of approximately 1200 tons of bulk Lime for the Alvarado Filtration Plant, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending granting excess-width driveway to I and S Sales, Inc., on Monroe Avenue between 30th and Ohio Streets, to serve a five-car garage and off-street parking area for the six-unit apartment being built at said location, was presented.

RESOLUTION NO. 101581, recorded on Microfilm Roll No. 37, granting permission to I and S Sales, Inc., (Edwin W. Schlehner, president), 5538 University Avenue, to install a 58-foot driveway, as measured at the top of the full-height curb, on the north side of Monroe Avenue, adjacent to portion of Lots 25-29 Block 59 and portion of Pueblo Lot and of Lot 3 of the Partition of the east half of Pueblo Lot G University Heights, subject to curb and sidewalk removal and driveway installation being in compliance with City regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on petition offering to dedicate land for street purposes, Parcels A and B in Lot 12 of Ex-Mission Rancho, being the presently undedicated San Vincente Street from the present termination of Cadman Street in Hermosillo Manor to the westerly line of Narragett Heights, recommending acceptance on the conditions set forth therein, was presented.

RESOLUTION NO. 101582, recorded on Microfilm Roll No. 37, accepting offer of Myron H. and Rosa Stone, Dollie E. Kenner, and others, for dedication of Parcels A and B in Lot 12 of Ex-Mission Rancho, being undedicated San Vincente Street in Hermosillo Manor, on condition that additional dedications adjacent to Parcel B be offered to make a proper connection with existing Cadman Street; that the temporary wooden bridge be replaced with a permanent structure which requires a 54-inch reinforced concrete culvert; that the entire length of the street be graded full width to grades approved by the City Manager; and that any required drainage structure be installed; that the parcel of land proposed to be dedicated be acquired, surveyed and described, and that improvement plans be provided in accordance with the requirements of the City Engineer; authorizing and directing the City Properties Division to acquire said land under the conditions herein stated, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager, reporting on communication from Mrs. A. H. Beckett, 3603 Union Street, for information on permitted uses covering Lots 8-12 and portion of Walnut Street closed, in Subdivision of P.L. 1122, stating that the lots front upon an unnamed street approximately 10 feet in width which is undeveloped and will not provide satisfactory access to the property, and that although she is entitled to a permit the property will not be properly served, will not have adequate access, and if developed will continue to be a problem to the City, stating also that the City Planning Department has suggested that she offer to dedicate an additional width for the unnamed street and install some improvements so that the property can be served by a narrow width street, which should be named so that it can have a mail address and be designated officially on the City maps, recommending filing, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on suggestion of Mrs. Charles F. Smurthwaite that the City pay moving costs in changing cat shelter from Pacific Beach to the outskirts of the City, stating that the City would provide whatever assistance legally possible to help Mrs. Maude Erwin, the shelter to a less urban area, recommending filing, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from P. P. Posey, 7589 El Cajon Boulevard, La Mesa, relative to danger to pedestrians crossing the boulevard particularly at the corner of Parks Street, stating that he has advised Mr. Posey that the area is in the City of La Mesa and not in San Diego, recommending filing, was presented.

On motion of Councilman Wincote, seconded by Councilman, the City Manager's report and the matter to which it referred, were ordered filed.

Communication from the City Manager recommending installation of 4 overhead street lights, was presented.

RESOLUTION NO. 101583, recorded on Microfilm Roll No. 37, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Union Street at Date Street;
Bancroft Street at Redwood Street;
43rd Street at Myrtle Avenue;
Utah Street at Myrtle Avenue;

was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Director reporting on landscaping at Radio Station KCBQ, in the vicinity of 63rd Street and Seminole Drive, stating that the station owner maintains that the planting around the transmitter house and clearing property of weeds constitutes all the landscaping they are going to do and all that the City should require, and that protestants contend that proposed work is not in accordance with the zone variance and that it has been reported that the station is to be used for broadcasting television which use will be protested as the zone variance was for radio broadcasting, pointing out that there is apparently no way for the two conflicting interests to get together on any compromise involving the landscaping, was presented.

RESOLUTION NO. 101584, recorded on Microfilm Roll No. 37, referring communication from the City Planning Director reporting on the matter of landscaping around Radio Station KCBQ to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from D. H. and A. R. Hill, 4670 Vesta Street, asking the Council not to tamper with the beautiful and interesting land mark, the "Fountain in the Plaza", stating that a small information booth in one corner of the plaza is alright, but "never destroy the fountain", was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said communication was ordered filed.

Communication from Architectural Draftsmen's Guild, Box 282, East San Diego 5, dated March 10, 1951, signed by William C. Berry, pres., offering services of a representative in an advisory capacity, to serve on committees and to be present at hearings pertinent to the building industry, was presented and was read to the Council by Councilman Kerrigan.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the communication was referred to the City Manager.

Communication from Earl S. Casey, 3769 Highland Avenue, calling attention to the large numbers of cars lined up on University Avenue at Wilson and Central Avenues, while there is almost no cross traffic, making suggestions for the regulation of traffic at those points, was presented.

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

Communication from North Island Association, Naval Air Station, P.O. Box 1949, San Diego, referring to news item stating that the City Manager will submit to the Council an engineer's proposal to investigate San Diego's bus service, and endorsing such an investigation, which communication was signed by W. J. Morgan, president, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said communication was referred to the "Bus file".

Communication from Pacific Indemnity Company, dated March 9, 1951, signed by J. M. MacConnell, recommending denial of claim of Grace R. Canning, in the sum of \$21.07 for damage to her car by a City street sweeper, based upon investigation which disclosed that the street sweeper was not in the vicinity of the alleged damage upon either of the days alleged, was presented.

RESOLUTION NO. 101585, recorded on Microfilm Roll No. 37, denying claim of Grace R. Canning, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Southcrest Civic Club, San Diego 2, signed by Edith Worden, Secty., requesting an entrance to Southcrest Park by way of 42nd Street from Alpha Street, was presented.

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

Communication from William Z. Stomski, 4057 Brant St., San Diego 3, complaining of the condition of the street in his block, and asking for its improvement, also reporting that a used car dealer south of Washington Street uses the street as a storage yard for his "broken down jalopies - some without motors", was presented.

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

RESOLUTION NO. 101586, recorded on Microfilm Roll No. 37, authorizing the City to pay to the County the sum of \$549.15 as money collected by the City on bonds held in Special Assessment District A. & I. D. No. 1 for which the County is to deliver to the City a bond of the value of \$1,000.00, also payment of \$143.05 as money collected by the City on bonds held in Special Assessment District A. & I. D. No. 3 for payment of which the County is to deliver to the City a bond of the face value of \$1,000.00, authorizing and directing the City Treasurer to issue two such warrants to the County of San Diego upon delivery to the City Treasurer of such bonds, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101587, recorded on Microfilm Roll No. 37, granting and approving request of Consolidated Western Steel Corporation, dated February 27, 1951, for an extension of time from February 1, 1951, to March 1, 1951, heretofore filed in the office of the City Clerk as Document No. 430631 in which to complete the contract for the furnishing and delivering of pipe and fittings for the Murray Reservoir Pumping Plant, which said contract is contained in Document No. 424269 on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101588, recorded on Microfilm Roll No. 37, authorizing and directing the Purchasing Agent to advertise and sell personal property located at the Chollas Station, belonging to the Water Department, more particularly set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101589, recorded on Microfilm Roll No. 37, approving change and extra work order No. 2 dated March 1, 1951, heretofore filed with the City Clerk as Document No. 430627, and which was issued in connection with the contract between The City of San Diego and P. & J. Artukovich for the construction of the Alvarado Trunk Sewer, and which said contract is contained in Document No. 419828 on file in the office of the City Clerk, changes amounting to an increase in the contract price of \$3,859.22, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101590, recorded on Microfilm Roll No. 37, authorizing and empowering the City Manager to do all the work in connection with the raising of six manholes, reconstruction of one manhole, and the encasement of 165 feet of 27-inch sewer with Portland Concrete, at Mission Valley Road and Morena Boulevard, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted. Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 101591, recorded on Microfilm Roll No. 37, authorizing and empowering the City Manager to do all the following work in connection with the installation of a filter in the municipal swimming pool in Balboa Park: Remove brick wall, construct ramp and install over-head door in basement; remove 3 steel filter tanks and obsolete hot water tank and trestle; transfer present diatomaceous filter and equipment from upstairs to basement; install new filter equipment in basement; install flow meter; reinforce boiler chimney with steel bands or other supporting structure, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101592, recorded on Microfilm Roll No. 37, granting permission to Charles Mann, 5243 Cass Street, San Diego, to connect the house in the rear of Lots 1, 2 and 3 Block 12 Pacific Beach Subdivision, to the sewer line located on the front portions of said Lots 1, 2 and 3, upon condition that a sewer easement be given to the City of San Diego running from the property line on Cass Street to the building located in the rear of said lots, said sewer to serve property designated as number 5243 Cass Street (rear), on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101593, recorded on Microfilm Roll No. 37, declaring that by the change in grade of Electric Avenue, the need for a storm drain across Lots 15, 16 and 8 Block 6, across La Jolla Boulevard, and across a portion of Block 2, all in La Jolla Strand, ceased to exist, and that the best interests of The City of San Diego require that said easements for storm drain over the aforesaid property be declared abandoned, and declaring said easements to be abandoned by The City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101594, recorded on Microfilm Roll No. 37, accepting subordination agreement, executed by W. H. Astler and O. D. North, bearing date January 12, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Block 6 La Jolla Strand, and being the 10.0 foot alley therein, said alley having been closed September 26, 1950 by Resolution No. 99602, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the County of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101595, recorded on Microfilm Roll No. 37, accepting subordination agreement, executed by Security Trust and Savings Bank of San Diego, beneficiary, and Security Trust and Savings Bank of San Diego, trustee, bearing date February 20, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Block 6 La Jolla Strand, being the 10.0 foot alley therein as shown on Map No. 1216 filed in the office of the County Recorder, having been closed September 26, 1950, by Resolution No. 99602, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the County Recorder, together with a certified copy of said resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101596, recorded on Microfilm Roll No. 37, accepting deed of John Bretz, Jr. and Irene A. Bretz, bearing date December 15, 1950, conveying an easement and right of way for sewer purposes in portion of Block 6 La Jolla Strand, being the 10.0 foot alley having been closed September 26, 1950 by Resolution No. 99602 of the Council, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

ORDINANCE NO. 4727 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$2,700.00 from the Capital Outlay Fund for the purpose of providing additional funds to cover costs arising in connection with the construction of the Alvarado Canyon Trunk Sewer, from Fairmount Avenue easterly, was on motion of Councilman Dail, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent--Councilmen Swan, Schneider.

Thereupon, on motion of Councilman Dail, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent--Councilmen Swan, Schneider.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4728 (New Series), recorded on Microfilm Roll No. 37, appropriating \$135.78 out of the Unappropriated Balance, General Fund, which sum was paid to the City as a collecting agency in the special assessment district A.&I.D. No. 3, said sum together with the sum of \$297.27 now on deposit with the City Treasurer as money paid to the City on account of Special Assessment District A.&I.D. No. 3, to be paid to the County of San Diego in exchange for a bond of special assessment district A.&I.D. No. 3 of the face value of \$1,000.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilmen Swan, Schneider.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilmen Swan, Schneider.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4729 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$1,250.000 from the Unappropriated Balance Fund for the purpose of providing funds to cover the cost of a survey of bus service (individual to make the survey not named in the Ordinance), was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilmen Swan, Schneider.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilmen Swan, Schneider.

The final reading of such Ordinance was in full.

Prior to adoption of Ordinance No. 4729 (New Series), the City Manager explained it briefly to members of the Council.

At this time Mayor Knox brought up the matter of securing additional parking area at the Cabrillo National Monument, on Point Loma. He said that property belongs to the Army, although is being used by the Navy, and thought it would be possible to transfer the same to the Interior Department under whose jurisdiction the Monument is operated. The Mayor said that Admiral Baker had told him that the Navy is using the property now, and that he would endorse its use by the City.

RESOLUTION NO. 101597, recorded on Microfilm Roll No. 37, requesting the

City Manager to collaborate with the Eleventh Naval District Public Works Department in the matter of providing additional land for the establishment of more parking area in the Cabrillo National Monument, on Point Loma, for use of the many visitors, and to request the Navy to grant permission to use land for that purpose, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Dail, at the hour of 2:25 o'clock P.M.

George Kerrigan
Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *A. M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, March 20, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:09 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Knox
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan acted as chairman.

The Minutes of the Regular Meetings of Tuesday, March 13, 1951, and of Thursday, March 15, 1951, were presented to the Council by the Clerk
On motion of Councilman Swan, seconded by Councilman Godfrey, said Minutes were approved without reading, after which they were signed by the Vice Mayor.

At this time the City Clerk presented to the Council his certificate, pursuant to Section 10 of Article II of the City Charter, and to Resolution No. 101572 adopted by the Council of The City of San Diego, certifying to the results of the canvass of the Municipal Primary Election held on Tuesday, March 13, 1951, covering candidates for the offices of Mayor; Councilman in districts numbers 2, 5, 6; City Attorney, Judges of the Municipal Court Departments numbers 3, 5, 6; Members of the Board of Education within the City of San Diego and in the San Diego Unified School District outside the City of San Diego; propositions numbered 1, 2, 3, 4, 5, 6, for amendments to Sections 70, 141, 144, 153, 163 and 194 of the Charter of The City of San Diego, and sewer bond proposition, which results the Clerk read to the Council.

Councilman Godfrey was excused from the meeting at this time.

RESOLUTION NO. 101598, recorded on Microfilm Roll No. 37, declaring the result of the Municipal Primary Election held in the City of San Diego on March 13, 1951, as follows:

- The whole number of votes cast in said City is 69,431;
- The whole number of votes cast for all candidates for nomination of Mayor is 68,517;
- The whole number of votes cast in District No. 2 is 10,385;
- The whole number of votes cast in District No. 5 is 11,488;
- The whole number of votes cast in District No. 6 is 10,179;
- The whole number of votes cast for all candidates for nomination of City Attorney is 54,096;

The whole number of votes cast for all candidates for nomination of Judge of the Municipal Court, Department No. 3, is 52,722;

The whole number of votes cast for all candidates for nomination of Judge of the Municipal Court, Department No. 5, is 62,018;

The whole number of votes cast for all candidates for nomination of Judge of the Municipal Court, Department No. 6, is 50,199;

The whole number of votes cast for all candidates for nomination of Members of the Board of Education is 69,592;

The total vote received by each candidate is as follows:

For Mayor:

John D. Butler	received	17,728 votes
Gerald C. Crary	received	22,959 votes
Lillian A. Johnson	received	7,619 votes
Hugh V. Knox	received	2,045 votes
Edwin F. Murphy	received	877 votes
Fred A. Rhodes	received	15,918 votes
Clifton L. Voorhies	received	1,371 votes

For Member of the Council from District No. 2:

Charles B. Wincote	received	6,558 votes
J. Francis Mergen	received	2,555 votes

For Member of the Council from District No. 5:

Charles C. Dail	received	5,325 votes
Sylura Barron	received	916 votes
Ernest J. Botts	received	1,115 votes
Willie W. Kennerly	received	2,136 votes
Edwin R. Munson	received	624 votes
Jens P. Paulsen	received	324 votes
Noah E. Taylor	received	348 votes

For Member of the Council from District No. 6:

Vincent T. Godfrey	received	7,340 votes
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For City Attorney:

Jean F. DuPaul	received	54,096 votes
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Jean F. DuPaul having received a majority of the votes cast for all candidates for nomination to the office of City Attorney, pursuant to Section 10 of the Charter, was declared elected.

For Judge of the Municipal Court, Department No. 3:

Philip Smith	received	52,722 votes
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Philip Smith having received a majority of the votes cast for all candidates for nomination to the office of Judge of the Municipal Court, Department No. 3, pursuant to Section 10 of the Charter, was declared elected.

For Judge of the Municipal Court, Department No. 5:

John J. Brennan	received	43,672 votes
Wilmer Breeden	received	18,346 votes

John J. Brennan having received a majority of the votes cast for all candidates for nomination to the office of Judge of the Municipal Court, Department No. 5, pursuant to Section 10 of the Charter, was declared elected.

For Judge of the Municipal Court, Department No. 6:

Ronald Abernethy	received	50,199 votes
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Ronald Abernethy having received a majority of the votes cast for all candidates for nomination to the office of Judge of the Municipal Court, Department No. 6, pursuant to Section 10 of the Charter, was declared elected.

For Members of the Board of Education:

Harvey L. Lewis, Jr.	received	42,308 votes
John H. Murphy	received	14,693 votes
Edward Radclif	received	22,311 votes
Kenneth R. Rearwin	received	15,354 votes
Russell S. Stowell	received	12,813 votes

Harvey L. Lewis, Jr. having received the votes of more than one-half of the qualified electors voting, pursuant to Section 10 of the Charter, was declared elected; directing the City Clerk to cause said Resolution to be published at least once in the official newspaper of the City, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101599, recorded on Microfilm Roll No. 37, declaring the result of the Municipal Primary Election held in that portion of the San Diego Unified School District lying outside the corporate limits of The City of San Diego, for the purpose of voting on the nomination of candidates for Members of the Board of Education, on Tuesday, the 13th day of March, 1951, as follows:

For Members of the Board of Education:

Harvey L. Lewis, Jr.	received	196 votes
John M. Murphy	received	60 votes
Edward Radcliff	received	109 votes
Kenneth R. Rearwin	received	61 votes
Russell S. Stowell	received	67 votes

The whole number of votes cast in said portion of San Diego Unified School District lying outside of the corporate limits of The City of San Diego, is 263; directing the City Clerk to cause said Resolution to be published at least once in the official newspaper of the City, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101600, recorded on Microfilm Roll No. 37, declaring the result of the election held in The City of San Diego on Tuesday, March 13th, 1951, upon certain proposed amendments to the Charter of The City of San Diego, pursuant to provisions of Section 10, Article II of the Charter, and of the provisions of Ordinance No. 4676 (New Series) entitled "An Ordinance proclaiming a Municipal Primary Election in The City of San Diego, California," passed and adopted by the Council of said City on the 30th day of January, 1951, as follows:

Proposition No. 1. Amend Section 70 of Article VII of the Charter of San Diego "POWER TO FIX SALARIES";

Proposition No. 2. Amend Section 141 of Article IX of the Charter of The Diego "CITY EMPLOYEES RETIREMENT SYSTEM";

Proposition No. 3. Amend Section 144 of Article IX of the Charter of The City of San Diego "BOARD OF ADMINISTRATION";

Proposition No. 4. Amend Section 153 of Article X of the Charter of The City of San Diego "INVESTMENT OF FUNDS";

Proposition No. 5. Amend Section 163 of Article X of the Charter of The City of San Diego "PAYMENTS FOR DISABILITY";

Proposition No. 6. Amend Section 194 of Article XII of the Charter of The City of San Diego "TIME AND ONE-HALF PAY (except employees of the City; upon any public work, by City contracts);

The result of said election on the propositions of amending the Charter, are hereby declared to be as follows:

The whole number of votes cast in said City at said Municipal Primary Election is 69,431;

Proposition No. 1: For said proposition, 33,776 votes;
Against said proposition, 26,486 votes;

Proposition No. 2: For said proposition, 41,845 votes;
Against said proposition, 18,299 votes;

Proposition No. 3: For said proposition, 34,057 votes;
Against said proposition, 24,217 votes;

Proposition No. 4: For said proposition, 44,325 votes;
Against said proposition, 14,442 votes;

Proposition No. 5: For said proposition, 45,029 votes;
Against said proposition, 14,637 votes;

Proposition No. 6: For said proposition, 36,933 votes;
Against said proposition, 21,739 votes;

finding and declaring that each and every proposition has received the vote of a majority of the qualified voters voting thereon at said election; directing the City Clerk to cause said resolution to be published at least once in the official newspaper of said City, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101601, recorded on Microfilm Roll No. 37, stating the result of the canvass of the returns of the Special Municipal Bond Election held March 13, 1951, under Ordinance No. 4688 (New Series) which ordered a special Municipal Bond Election to be held and ordered consolidated with the Municipal Primary Election held the same date, declaring that the City Clerk at the time and place provided by law and the order of the Council has duly canvassed the returns of the election and certified the same to the Council, which measure voted upon at said election is as follows:

SEWER BOND PROPOSITION

Shall The City of San Diego incur a bonded indebtedness in the principal sum of \$750,000.00 for the acquisition and construction by said City of a certain municipal improvement, to-wit: the acquisition and construction of improvements and additions to the sewer system of The City of San Diego, including the acquisition and construction of trunk line sewers, and also including the acquisition of all lands, rights of way, equipment, pipe and material necessary or convenient therefor?

The whole number of votes cast in The City of San Diego on said bond measure is 62,809; the number of votes given for said bond measure is 45,052;

the number of votes given against said bond measure is 17,757;

that the number of votes given in each precinct for and against said bond measure is recorded in the elections returns book of The City of San Diego and said book shall be considered as a part of the records of the Council; declaring that the votes of more than two-thirds of the voters voting at said election were cast in favor of said bond measure, and that said measure is declared to be carried; ordering the City Clerk to enter on the minutes a statement showing the measure voted upon, the whole number of votes cast in the City upon said measure, the number of votes given for and against the measure, a statement that the number of votes given in each precinct for and against the measure are recorded in the elections return book; declaring that the results of the canvass shall be immediately made public by publication of a copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The City Clerk requested, and was granted, unanimous consent, to present the next matter of business not listed on the Council's agenda, explaining that it was also an election matter which might well be considered by the Council at this time, inasmuch as it had determined to submit the proposition at the next election:

ORDINANCE NO. 4730 (New Series), recorded on Microfilm Roll No. 37, submitting to the electors of the City of San Diego at the Municipal General Election to be held in said city on the 17th day of April, 1951, Ordinance No. 4725 (New Series) entitled "An Ordinance authorizing the leasing for a period in excess of 15 years, or the sale, of Pueblo Lots 1231 and 1232, and the Unnumbered Pueblo Lot lying easterly of Pueblo Lot 1233 of the Pueblo Lands of The City of San Diego," adopted on the 15th day of March, 1951, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays---Councilmen None. Absent--Councilman Godfrey, Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays---Councilmen None. Absent---Councilman Godfrey, Mayor Knox.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, for a period of one year from and including September 1, 1950, to and including August 31, 1951, the Clerk reported that one bid had been received, which bid was presented to the Council, and upon motion duly made and seconded, was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$282.00 written by San Diego Trust and Savings Bank, which bid was given Document No. 430852.

On motion of Councilman Schneider, seconded by Councilman Dail, said bid was referred to the City Manager and to the City Attorney.

Councilman Godfrey returned to the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101271, for the paving and otherwise improving of Landis Street, the Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 of City Heights Annex No. 1 and Block 3 City Heights Annex No. 2, the Clerk reported that a written protest had been received from Mr. and Mrs. Jesse Yowell, 3730 - 45th Street, which protest was presented to the Council.

The City Engineer reported a protest of 1.7%.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no additional written protests were presented.

RESOLUTION NO. 101602, recorded on Microfilm Roll No. 37, overruling and denying the protest of Mr. and Mrs. Jesse Yowell, against the proposed improvement of Landis Street, the Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 of City Heights Annex No. 1 and Block 3 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 101271 adopted February 13, 1951, overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1986 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Bayard Street, within the limits and as particularly described in Resolution of Intention No. 98041, the Clerk reported that a written appeal had been received from Mrs. J. L. Armstrong, Route 4 Box 46C Corpus Christi, Texas, which appeal was presented to the Council.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Swan W. Einolander spoke. He asked about the proration of the assessment, and told of various assessments in the area.

James Skouras, 936 Beryl Street; W. L. Buggs, 875 Loring Street; Ira Mc Meekin, whose address was not given; all appeared to offer verbal objections to the assessments, stating that they were too high and felt that the distribution of cost was not equitable.

The hearing was continued temporarily, to permit the City Engineer to meet with any protestants, in the Council's office.

(Later in these Minutes, the hearing will be shown as being resumed).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed Ordinance incorporating the southerly one-half of Lot 41 excepting the northerly 200 feet thereof, Ex-Mission Lands of San Diego into "M-1" Zone, in the vicinity of Euclid Avenue, 49th Street and San Diego and Arizona Railway Company right of way, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, in protest, but Frank Nottbusch, attorney for the Langley Corporation, and one of its directors, spoke for the re-zoning of the property. Mr. Nottbusch was going into considerable detail in favor of the re-zoning, when the Mayor interrupted, saying that inasmuch as there was no protest, that the Planning Commission favored the re-zoning, the Council could proceed to consider the Ordinance without further hearing.

ORDINANCE NO. 4731 (New Series), recorded on Microfilm Roll No. 37, incorporating the southerly one-half of Lot 41, excepting the northerly 200 feet thereof, Ex-Mission Lands of San Diego in the City of San Diego, into "M-1" Zone, as defined by Ordinance No. 8924 of the ordinances of said City and amendments thereto; repealing Ordinance No. 78 (New Series) adopted November 14, 1932 insofar as the same conflicts, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating Lot 65 Las Alturas Villa Sites into "R-1" Zone as defined by Ordinance No. 8924 and amendments thereto, being in the vicinity of Bonita Drive and Santa Isabel Drive, the clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4732 (New Series), recorded on Microfilm Roll No. 37, incorporating Lot 65 Las Alturas Villa Sites in The City of San Diego into "R-1" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portion of Parcel "00" Lot 19 Rancho Ex-Mission (recently annexed to the City of San Diego) into "R-1", "R-4" and "C" Zones, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4733 (New Series), recorded on Microfilm Roll No. 37, incorporating portion of Parcel "00" Lot 19 Rancho Ex-Mission into "R-1", "R-4" and "C" Zones as defined by Ordinance No. 8924 of the Ordinances of the City of San Diego and amendments thereto, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, being the time set for the continued hearing on recommendation of the City Planning Commission for denial of the petition for removal of the existing setback line on the easterly side of Pacific Highway, between Rosecrans Street and Witherby Street, the Planning Director was requested to give a report.

The Planning Director stated that the Planning Commission, having given further consideration to the matter, still opposes repeal of the setback.

The City Manager made a verbal report on the Highway Commission's letter of February 16, 1951, signed by E. E. Wallace, District Engineer, on the State's plan to acquire land in the setback area to provide room for an outer highway to serve properties in the area to conform with resolution of the State Highway Commission designating it as a freeway, adopted September 17, 1947.

John Webb, right of way agent representing the State Highway department, read the letter from Mr. Wallace, referred to by the City Manager. He said that the matter is to be completed soon.

Councilman Swan asked about tax upon the property to be acquired, and Mr. Webb answered, and told of the effective date of taxes.

A letter from J. A. Donnelley, on the letterhead of law offices of J. A. Donnelley and Richard P. MacNulty, suite 1403 Bank of America Building, dated March 15, 1951, was presented and read.

Mr. Webb spoke again, and said that plans have been made, but did not have them with him. He said that they (the improvements) depend upon appropriation by the State, some of which appropriation has been made. He said that they will have to go beyond the setback line to acquire property in several instances. He said that it might not be necessary to condemn property in all cases.

J. A. Donnelley, attorney for 21 petitioners who own 49 of the lots, spoke. He said that it is the Highway Commission's policy to stall the matter and keep it in status quo, making the property easier to acquire. He said that acquisition cannot be proceeded with unless funds are appropriated for the highway constructions. He contended that plans have not been prepared.

Mr. Webb corrected Mr. Donnelley, and said that the plans have been drawn.

Mr. Donnelley said that he does not have information regarding appropriation, and that if funds have not been appropriated, he wondered when it will be done. He told of a deed from the U.S.A. for the widening of the Highway, and said that because of the deed there is no setback now in existence. He said that he has advised clients that they may build upon property which comes within the setback area, but that they do not want to violate the law whether or not legal. He said that the petition had been for the repeal of 2 ordinances (401 (New Series) and No. 13031), on the basis of hardship and because no need exists because of the extra right of way provided through the U.S.A. deed. Mr. Donnelly said that the lanes proposed are too wide, and that the spaces between them are exceptionally wide, and that thereby more land would be taken than is needed.

Ed Hall spoke. He said that he does not know exactly what the State's plan is regarding acquisition of the land. Also, he said that he does not know what land is to be acquired.

Mr. Webb spoke again and said that the State is "ready, willing and able" to go ahead with the acquisition, and said that part of the funds are available for the improvement. He said that funds are for specific purposes, that more funds are to come, that other amounts can be made available by transfer. He said that it is the State's

policy to condemn the property required if property owners decline to sell, but what the policy will be in this case he does not know.

J. W. Percival spoke about the 10-foot sidewalks, which he thought were unnecessarily wide.

Councilman Schneider moved to deny the petition for repeal of the setback ordinances. There was no immediate second to the motion.

Mr. Donnelly spoke again he and others do not know of the State acquiring the property, and if so, when.

Councilman Schneider again moved to deny the petition, but there was no second.

Ed Hall spoke again, regarding the letter from the State's District Highway Engineer, and said that there is no guarantee of property acquisition. He said, also, that he does not know what the State will offer.

The Mayor entered the meeting at this point in the hearing, but did not take the Chair.

Samuel Kahn spoke. He said that he wants to know something definite - does not know what is going on.

Mr. Webb replied to Mr. Kahn that if he would come to the Highway Division office the plans would gladly be shown.

Councilman Schneider once more moved to deny the petition, which motion was seconded by Councilman Dail.

Before the roll could be called, Councilman Wincote asked Mr. Webb if the State would write out what it proposed to do.

Mr. Webb replied that he, or at any rate, Mr. Wallace could put a firm statement into writing.

The motion and second of Councilmen Schneider and Dail were then withdrawn.

A motion was made by Councilman Wincote, seconded by Councilman Godfrey, to continue the hearing for two weeks from this date (making it April 3, 1951) at the hour of 10:00 o'clock A.M., and requesting the Division Engineer of the Department of Public Works, Division of Highways, District XI, to file in writing with the Council prior to that date, a statement regarding property proposed to be acquired for widening of Pacific Highway between Rosecrans Street and Witherby Street, and information on the proposed improvement.

Before the roll could be called on the motion, J. Harold Peterson spoke. He said that property owners need to know what improvements are to be made, in order to satisfy tenants. Mr. Peterson said that he spoke as a representative of the Arbud Investment Co.

Mrs. Kahn asked Mr. Webb regarding Surveyor's marks on rear of the property. Mr. Webb replied that he could not give definite answers to the question at this time, but said that they were in connection with preliminary surveys. He said, as he had to Mr. Kahn, that the Division Engineer's office would be glad to give any desired details if interested property owners would come to the office.

The Vice Mayor pointed out that property owners were asking a great many details which members of the Council did not know, and that the Highway Division's representative did not have available with him at the hearing.

The roll was then called on the previous motion, resulting in RESOLUTION NO. 101603, recorded on Microfilm Roll No. 37, continuing the hearing on the request of property owners for the repeal of Ordinances Nos. 401 (New Series) and 13031 to remove the existing setback from the easterly side of Pacific Highway, between Rosecrans Street and Witherby Street, until the hour of 10:00 o'clock A.M., of Tuesday, April 3, 1951, and requesting the Division Engineer of the Department of Public Works, Division of Highways, District XI, to file in writing with the Council prior to said date, a statement regarding property to be acquired for widening of Pacific Highway, and information on the improvement thereof, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The hearing on the assessment for improvement of Bayard Street, heretofore mentioned in these Minutes, was resumed at this time.

Swan W. Einolander, who had spoken to the Council earlier, reported that protestants had learned from the City Engineer that about 70% of the assessment was levied to frontage property, and that in his opinion, was too much.

The City Engineer exhibited a plat of the district to members of the Council and others.

The other appellants who had gone out with the City Engineer for explanations, did not return to the Council Chamber.

Mayor Knox took the chair, at this point, as presiding officer.

Mr. Einolander said that "there are holes all over the Pacific Beach area" in the pavement. He re-iterated his belief that it was not a fair assessment, and said that the 4 corners of the blocks are paying about one third of the assessment.

Councilman Schneider moved to deny the appeal, which motion was seconded by Councilman Dail.

The City Engineer said that the method used in spreading the assessment is the best as far as can be found. He said that although various cities use different formulae for distributing the assessment, the one used by the City under its standard policy, is the least painful.

RESOLUTION NO. 101604, recorded on Microfilm Roll No. 37, overruling and denying the written appeal of Mrs. J. L. Armstrong, the verbal appeals of Swan W. Einolander, James Skouras, W. L. Buggs, Irma McMeekin, from the Street Superintendent's Assessment No. 1986 made to cover the costs and expenses of the work of paving and otherwise improving of Bayard Street, within the limits and as particularly described in Resolution of Intention No. 98041, overruling and denying all other appeals, confirming said Street Superintendent's Assessment No. 1986, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Mayor Knox requested, and was granted unanimous consent to present the next matter of business, not listed on the Council's agenda:

A communication from Ed Fletcher Company, signed by Ed Fletcher, Pres., was presented and read.

The communication dealt with the matter of furnishing of an additional water supply into Lake Hodges, stating that there had been remarkable success in securing water from wells in the lower San Pasqual Valley, stating that within 2 or 3 weeks from date of signing any contract, 1 to 2 million gallons of water daily can be delivered at the same point as the Metropolitan Water District is delivering water into Lake Hodges reservoir or some other point mutually agreed upon, pointing out that the City shows total cost of all water to the City last year at \$90.00 per acre foot, offering said water through meter measurement at \$60.00 per acre foot until January 1, 1952, or 3 to 5 million gallons daily delivered at the same point through additional wells within 4 weeks from date, holding the offer of proposition No. 1 good for 2 weeks from date otherwise the water to be put to beneficial use on its own lands, was presented and read.

Colonel Ed Fletcher spoke to the Council. He said that he felt he should call the Council's attention to available water supply on his property. He said that the City can have any part of the water if it wants. He added that 8 or 10 wells could be put down in 40 days.

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

Councilman Dail requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

Mr. Dail said that Rudolph Hess, of California Neon Products Co., wanted to put a Neon Sign on building marquee permit for which had not been granted by the Planning Department. He said that the permit sought comes within the permitted uses of the ordinance.

Mr. Hess spoke to the Council. He said that the Planning Commission would write to the Council about the lettering on the marquee of a building on Lower 5th Avenue, the building and its location not being identified. He said that the sign ordinance permits what he wants.

The Planning Director read a copy of a letter to the Council on the subject, which had not reached the Clerk in time to list it on the agenda. He said that Mr. Hess wants action as soon as possible. He said, also, that neither he nor members of the Commission are sure if the terms of the ordinance apply in the case.

Councilman Kerrigan, seconded by Councilman Godfrey, the verbal request of Rudolph Hess for permission to install lettering on the marquee of an unidentified building on Lower 5th Avenue, was referred to the City Manager and to the City Attorney for interpretation.

Councilman Kerrigan requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

Mr. Kerrigan said that in Council Conference it had been determined to set a public hearing on April 5, 1951, at the hour of 10:00 o'clock A.M., the matter of right of way in Block 294 Pacific Beach, relative to requests for permission to build in said block, directing the City Clerk to mail notices of said hearing to property owners affected, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101605, recorded on Microfilm Roll No. 37, setting said hearing, and directing sending of notices, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The City Manager requested, and was granted, unanimous consent, to present the next matter of business, not listed on the Council's agenda:

Communication signed by Larry Imig, Manor Hotel, on behalf of corporation being formed and whose name will be Gleason Point Development Company for an option to lease Gleason Point, Mission Bay Development, for not less than 50 years, and an option thereon, as set forth in detail in said communication, was presented and read to the Council.

Mr. Imig spoke to the Council, and made brief reference to proposed development.

Councilman Wincote told of a lease which had been forfeited for failure to comply, and expressed the opinion that Mr. Imig's proposal was inadequate.

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

Petition of American War Mothers, Golden Poppy Chapter No. 14, San Diego, signed by Rosamond Kanagy, Pres., 4158 Adams Ave., and Eda Palmer, Corresp. Secretary, requesting permission to sell red and white carnations on the streets May 11 and 12, proceeds to go for aid of disabled veterans, deceased veterans' families, patients in the U.S. Naval Hospital, etc., was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said petition was referred to the City Manager.

Claim of William S. Mills, 4104 Ingalls Street, in an unspecified sum, referring to letter of the Canadian Legion under date of January 16, 1951, for personal injury sustained, was presented.

RESOLUTION NO. 101606, recorded on Microfilm Roll No. 37, referring claim of William S. Mills to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Claim of Edward Charles Raymer, 3545 State Street, San Diego, in the sum of \$35.00, for damage to car backed into palm tree extending out over the curb line in front of 4069 Jackdaw Street, was presented.

RESOLUTION NO. 101607, recorded on Microfilm Roll No. 37, referring claim of Edward Charles Raymer to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Harbor Department, signed by the Port Director, submitting proposed lease with Shell Oil Company covering pipeline right of way at the Foot of Crosby Street, for a term of 5 years with no option to renew, at \$60.00 per year, based on established rate for underground rights of way of 1¢ per sq. ft. per year, was presented.

RESOLUTION NO. 101608, recorded on Microfilm Roll No. 37, ratifying, confirming and approving tidelands lease with Shell Oil Company, Inc., a corporation, for a period of five years, upon terms and conditions contained in form of lease, a copy of which is on file in the office of the City Clerk under Document No. 430666, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing stamps of approval from the Purchasing Agent and Assistant City Manager, reporting on bids for construction of a storm drain from 43rd Street and University Avenue to 40th Street and Landis Street, and in Block 69 City Heights, recommending award to Walter H. Barber, the low bidder, was presented.

Two members of the Council asked about the number of bids received, to which the Clerk replied that there were 5, and that such information had not been listed on the agenda inasmuch as it was the Council which opened the bids.

RESOLUTION NO. 101609, recorded on Microfilm Roll No. 37, declaring the bid of Walter H. Barber for the construction of a storm drain from 43rd Street and University Avenue to 40th and Landis Streets, and in Block 69 City Heights to be the lowest bid and that said Walter H. Barber is the lowest, responsible and reliable bidder, rejecting all bids received for said work, except said bid of Walter H. Barber at unit prices set forth in the bid, which unit prices amount to a total estimated sum of \$85,996.82, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 4 sections of the Subdivision Ordinance in connection with Tentative Map of Dennstedt Point Unit No. 2, was presented.

RESOLUTION NO. 101610, recorded on Microfilm Roll No. 37, suspending Sections 3I2, 3J8, 4A8 and 6 of the Subdivision Ordinance in connection with Tentative and Final Maps of Dennstedt Point Unit No. 2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Dennstedt Point Unit No. 2, was presented.

RESOLUTION NO. 101611, recorded on Microfilm Roll No. 37, approving Tentative Map of Dennstedt Point Unit No. 2, a subdivision of a portion of Lot 67 Rancho Mission of San Diego into 92 lots, located at the northerly end of 67th Street northerly of the island of County property, subject to the 9 conditions listed therein, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of one section of the Subdivision Ordinance in connection with the amended Tentative Map of El Cerrito Heights Unit No. 4, in addition to those suspended by Resolution No. 100206, was presented.

RESOLUTION NO. 101612, recorded on Microfilm Roll No. 37, suspending Section 3H3 of the Subdivision Ordinance in connection with the Tentative Map of El Cerrito Heights Unit No. 4, in addition to Resolution No. 100206, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of Revised Tentative Map of El Cerrito Heights Unit No. 4, was presented.

RESOLUTION NO. 101613, recorded on Microfilm Roll No. 37, approving Tentative Map of El Cerrito Heights Unit No. 4, a subdivision heretofore approved by Resolution No. 100207, repealing said Resolution No. 100207, subject to the 10 conditions listed therein, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the Subdivision Ordinance in connection with the Tentative Map of Hubner Knolls Annex No. 2, was presented.

RESOLUTION NO. 101614, recorded on Microfilm Roll No. 37, suspending Sections 3C, 3I1, 3J8, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Hubner Knolls Annex No. 2, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Hubner Knolls Annex No. 2, was presented.

RESOLUTION NO. 101615, recorded on Microfilm Roll No. 37, approving the Tentative Map of Hubner Knolls Annex No. 2, a subdivision of 39 lots in Lots 30 and 31 of Lemon Villa, subject to the 9 conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the Subdivision Ordinance in connection with the Tentative Map of Illinois Manor, was presented.

RESOLUTION NO. 101616, recorded on Microfilm Roll No. 37, suspending Sections 3C, 3I1, 3D1, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Illinois Manor, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Illinois Manor, was presented.

RESOLUTION NO. 101617, recorded on Microfilm Roll No. 37, approving the Tentative Map of Illinois Manor, a subdivision of 14 lots located along Boundary and Illinois Streets at Monroe Avenue, subject to the 4 conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending amendment to condition numbered 4 in Resolution No. 101236 adopted February 8, 1951, in connection with Tentative Map of Redwood Village Unit No. 8, in connection with amended design, was presented. (has also to do with widths of one of the streets in Unit No. 6)

RESOLUTION NO. 101618, recorded on Microfilm Roll No. 37, amending Resolution No. 101236 adopted February 9, 1951, in connection with Tentative Map of Redwood Village Unit No. 6, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted. (said amendment relates to "condition" 4).

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Redwood Village Unit No. 8, was presented.

RESOLUTION NO. 101619, recorded on Microfilm Roll No. 37, suspending Sections 3G1 and 2, 3E5, 3I2 and 3I1, 3J8, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Redwood Village Unit No. 8, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Redwood Village No. 8, was presented.

RESOLUTION NO. 101620, recorded on Microfilm Roll No. 37, approving Tentative Map of Redwood Village Unit No. 8, a subdivision of Parcel "00" Lot 19 Ex-Mission Rancho, into 166 lots lying westerly of College, subject to the 10 conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 6 sections of the Subdivision Ordinance in connection with the Tentative Map of Redwood Village Unit No. 9, was presented.

RESOLUTION NO. 101621, recorded on Microfilm Roll No. 37, suspending Sections 3E5, 3I2, 3J6, 4A8 and 6, 3J8 of the Subdivision Ordinance in connection with the Tentative Map of Redwood Village Unit No. 9, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Redwood Village Unit No. 9, was presented.

RESOLUTION NO. 101622, recorded on Microfilm Roll No. 37, approving the Tentative Map of Redwood Village Unit No. 9, a subdivision of 99 lots lying east of College Avenue, south of University Avenue and north of Unit No. 8 (subdivision of another portion of Parcel "00" Lot 19 of Rancho Ex-Mission, subject to the 9 conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 3 additional sections of the Subdivision Ordinance in connection with the Tentative and Final Maps of Vista La Playa, was presented.

RESOLUTION NO. 101623, recorded on Microfilm Roll No. 37, amending Resolution No. 100724 suspending certain sections of the Subdivision Ordinance in connection with the Tentative Map of Vista La Playa, to include Sections 3J2, 3G1 and 3G2, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

At this time Councilman Swan brought up the matter of the many suspensions to the Subdivision Ordinance, recommended by the Planning Commission. He wondered if it would be well to consider the subject in Council conference with a view to amending the Ordinance to cover the points which arise frequently.

The Planning Director told of the amendments which have already been adopted, and told of reasons for the suspensions made to the ordinance in various instances. RESOLUTION NO. 101624, recorded on Microfilm Roll No. 37, referring to Council Conference the matter of possible revisions to the Subdivision Ordinance upon which the Planning Commission recommends frequent suspension of various sections, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending denial of petition of C. W. Drake and P. F. Bullen for the rezoning of all of Block 27 Roseville from the existing Zone R-4 to Zone M-1, being a fractional block of land bounded by Byron, Carleton and Shafter Streets and the mean high tide line of San Diego Bay, stating that the Commission was opposed to unrestrained use of the property for M-1 uses and was unanimous in its recommendation of denial, presented.

Communication from Morey S. Leven for Levenson & Levenson, attorney for petitioners, Drake & Bullen, opposing the recommendation for denial, stating that the property is particularly adapted to light construction incident to the Merchant Marine and that it would be in the public interest to rezone, pointing out that owners of approximately 90% of the surrounding property has signed the petition, was presented and read.

The Deputy City Attorney recommended preparation of the necessary Ordinance upon which a hearing would then be held.

On motion of Councilman Wincote, seconded by Councilman Dail, the matter was referred to the City Attorney for preparation and presentation of an ordinance incorporating said property into Zone M-1, and setting a hearing for the hour of 10:00 o'clock, Tuesday, April 3, 1951.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending classification of use of warehouse on L Street between 16th and 17th Streets, by Interstate Restaurant Supply Company, for storage of packaged and canned goods for wholesale sale to restaurants as permissible use in Zone C, was presented.

RESOLUTION NO. 101625, recorded on Microfilm Roll No. 37, making a finding that the proposed use for warehousing of packaged and canned goods on Lots 5, 6, 7, 8 Block 39 of Sherman's Addition is not more obnoxious or detrimental to the welfare of the particular area than other uses permitted in C Zone, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Associated General Contractors of America, San Diego Chapter, 455-6 Spreckels Building, dated March 15, 1951, signed by M. A. Mathias, Manager, referring to adoption of Charter Amendment on March 13, relative to legal holidays on public works for overtime payment purposes, requesting adoption of an Ordinance setting forth the holidays listed in said communication, was presented.

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

Communication from the City Manager reporting on communication from Wilbur A. Thomas, Box 262 Lakeview Road, Lakeside, California, for re-opening of Anna Avenue between Morena Boulevard and Highway 101, attaching a copy of his reply to Mr. Thomas which states that it will not be possible to reopen the street until the State Highway Division contract for lengthening the highway bridge, which will also involve raising the grade of Pacific Highway, until the job is completed, probably several months, expressing regret at the inconvenience caused, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from Luella Hedges, 4780 Oregon Street, complaining of bus service on the Number 11 Line, and citing specific examples, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said communication was referred to the Bus complaints file.

Communication from residents in Druckers Subdivision (Western, Nashville, Lapwai Streets, etc.) relative to plans for filling of streets to a higher grade level, asking about plans for sewage line, and other questions affecting the area, was presented.

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

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, a recess was taken at the hour of 11:55 o'clock A.M. until the hour of 2:00 o'clock P.M., this date.

Upon re-assembling, at the hour of 2:10 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail.

Absent---Councilman Godfrey, Mayor Knox

Clerk---Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

The Vice Mayor asked to postpone the scheduled hearing on the Ordinance adopting the Building Code, temporarily, to await arrival of Councilman Godfrey, pointing out that the rest of the business could be completed quickly.

Members of the Council, and interested persons in the lobby agreed.

RESOLUTION NO. 101626, recorded on Microfilm Roll No. 37, directing notice of filing of the Street Superintendent's Assessment No. 1992, made to cover the costs and expenses of the work done upon the paving of the Alley in Block 51 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 98040, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101627, recorded on Microfilm Roll No. 37, directing notice of filing of the Street Superintendent's Assessment No. 1995, made to cover the costs and expenses of the work done upon the paving of the Alley in Block 143 University Heights, within the limits and as particularly described in Resolution of Intention No. 97081, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101628, recorded on Microfilm Roll No. 37, directing notice of filing of the Street Superintendent's Assessment No. 1993, made to cover the costs and expenses of the work of paving Columbia Street, within the limits and as particularly described in Resolution of Intention No. 98625, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101629, recorded on Microfilm Roll No. 37, directing notice of filing of the Street Superintendent's Assessment No. 1994, made to cover the costs and expenses of the work done upon the paving of Plum Street, within the limits and as particularly described in Resolution of Intention No. 98627, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 101630, recorded on Microfilm Roll No. 37, accepting bid of Cox Bros. Const. Co., a corporation, and awarding contract, for the paving and otherwise improving of Sequoia Street, Crown Point Drive, and Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 100895, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 101631, recorded on Microfilm Roll No. 37, accepting bid of T. B. Penick & Sons, a co-partnership and awarding contract, for the paving and otherwise improving of Wilbur Avenue, within the limits and as particularly described in Resolution of Intention No. 100896, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

At this time Councilman Swan called the Council's attention to a notation on the agenda pointing out that the bid for Sequoia and other streets is 27% below the Engineer's estimate, and on Wilbur Avenue it is 25% below the Engineer's estimate. He wondered if that reflected to the credit of the contractor, or if the Engineer turned in an estimate which was excessively high. There was no answer given.

RESOLUTION NO. 101632, recorded on Microfilm Roll No. 37, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street, public rights of way in Encanto Heights and in Encanto, under Document No. 430590, approving Plat No. 2263 showing the exterior boundaries of the district to be included in the assessment for the work and improvement mentioned, directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

ORDERING WORK

RESOLUTION NO. 101633, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101050, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 101634, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Waverly Avenue and Colima Street, within the limits and as particularly described in Resolution of Intention No. 101200, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101635, recorded on Microfilm Roll No. 37, appointing time and place for hearing protests, and directing notice of hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1 for a period of one year from and including November 16, 1950, to and including November 15, 1951, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101636, recorded on Microfilm Roll No. 37, appointing time and place for hearing protests, and directing notice of hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1 for a period of one year from and including November 5, 1950, to and including November 4, 1951, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101637, recorded on Microfilm Roll No. 37, appointing time and place for hearing protests, and directing notice of hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1 for a period of one year from and including October 15, 1950, to and including October 14, 1951, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION CHANGING GRADE NO. 101638, recorded on Microfilm Roll No. 37, ordering the change and modification of the grade of portion of Clove Street, between the limits and as shown on map signed by the City Engineer and filed in the office of the City Clerk under Document No. 426311, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION CHANGING GRADE NO. 101639, recorded on Microfilm Roll No. 37, ordering the change and modification of the grade of portion of Electric Avenue, between the limits and as shown on map signed by the City Engineer and filed in the office of the City Clerk under Document No. 427129, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 101640, recorded on Microfilm Roll No. 37, for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District Number One, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 101641, recorded on Microfilm Roll No. 37, for the furnishing of electric current for the lighting of the ornamental street lights located in Garnet Street Lighting District Number One, for a period of one year from and including January 30, 1951, to and including January 29, 1952, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 101642, recorded on Microfilm Roll No. 37, for the furnishing of electric current for the lighting of the ornamental street lights located in Sunset Cliffs Lighting District Number One, for a period of one year from and including January 15, 1951, to and including January 14, 1952, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101643, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101644, recorded on Microfilm Roll No. 37, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alleys in Block 69 Ocean Beach, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101645, recorded on Microfilm Roll No. 37, ascertaining and declaring the wage scale for the paving and otherwise improving of Fortuna Avenue, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101646, recorded on Microfilm Roll No. 37, ascertaining and declaring the wage scale for the paving and otherwise improving of Oliver Avenue and Reed Avenue, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101647, recorded on Microfilm Roll No. 37, authorizing and empowering the City Manager to execute a contract for the employment of Arthur C. Jenkins, consulting engineer, as consultant to conduct a survey of the passenger transit service problem in The City of San Diego, for the sum of \$1250.00, said contract of employment to be under the terms and conditions as more particularly set out in form of said contract on file in the office of the City Clerk as Document No. 430916, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101648, recorded on Microfilm Roll No. 37, authorizing and empowering the City Manager to incorporate in the contract with the Guy F. Atkinson Company for the construction of the Sunset Cliffs Boulevard Bridge, addendum No. 3, changing the specifications to the extent that the contractor may apply all or portions of one of the finish aluminum coats by brush if he so elects at no increase in cost, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101649, recorded on Microfilm Roll No. 37, approving change and extra work order No. 3, dated March 14, 1951, heretofore filed with the City Clerk as Document No. 430767, issued in connection with contract with Walter H. Barber for the Midway Drive Improvement, contained in Document No. 425568 on file in the office of the City Clerk, at an increase in the contract price of \$32.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101650, recorded on Microfilm Roll No. 37, granting request of California Electric Works for an extension of time for a period of 30 days from and after March 5, 1951 (change order No. 1), heretofore filed with the City Clerk as Document No. 430769, issued in connection with the contract with California Electric Works for construction of the Roque Court in Balboa Park, contained in Document No. 429173 on file in the office of the City Clerk, extending the completion time to April 4, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101651, recorded on Microfilm Roll No. 37, granting request of American Pipe and Construction Company for an extension of time for a period of 60 calendar days, heretofore filed with the City Clerk as Document No. 430772, in which to complete its contract for Bonita Pipe Line Lining, Station 67+25 to Station 421+45+, contained in Document No. 422466 on file in the office of the City Clerk, extending the completion time to March 3, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101652, recorded on Microfilm Roll No. 37, granting request of Daley Corporation for an extension of time for a period of 92 days from and after April 23, 1951 (change Order No. 40) heretofore filed with the City Clerk as Document No. 430773, issued in connection with the contract with Daley Corporation for the construction of the Wabash Freeway, Section A, contained in Document No. 414553 on file in the office of the City Clerk, extending the completion time to July 24, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Petition of Edward H. Gillitzer, 4619 Mission Blvd., San Diego 9, for permission to install a 4-inch sewer line between the property line and sidewalk, to serve property at 1500 block Pacific Beach Drive, was presented, together with recommendations for approval from the Supervisor of Properties and from the Assistant City Manager.

RESOLUTION NO. 101653, recorded on Microfilm Roll No. 37, granting permission to Edward H. Gillitzer, 4619 Mission Boulevard, to connect a private sewer line to serve property in the 1500 block on Pacific Beach Drive, by installing a four-inch cast iron sewer line between the property line and the sidewalk, to be placed 2 feet outside the property line and run in an easterly direction parallel to the southerly line of Pueblo Lot 1800 Pacific Beach Subdivision to point of intersection with public sewer, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101654, recorded on Microfilm Roll No. 37, authorizing and directing the City Auditor and Comptroller to issue a warrant in favor of the League of California Cities in the sum of \$540.00, and to pay the moneys required by said warrant to be paid out of such moneys as are available in the General Appropriations Account set forth in the Annual Appropriation Ordinance, covering voluntary special assessment in the said sum for the increased costs and expenses that the League has been compelled to expend in connection with legislative work affecting municipalities throughout the State, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101655, recorded on Microfilm Roll No. 37, allowing and approving the bill of San Diego-California Club, bearing date March 15, 1951, in the sum of \$5,954.21 for expenses incurred, as approved by the Advertising Control Committee, authorizing and directing that requisition be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1950-1951 for said sum, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4734 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$215,000.00 from the General Fund Reserve for improvement projects, for the purpose of providing funds to cover increases in salaries of City officers and employees, as authorized by Ordinance No. 4726 (New Series), adopted March 15, 1951, and costs in connection with said increases; authorizing and directing the City Auditor and Comptroller to transfer to the various salary funds such amounts as will be necessary to meet the increases in salaries of City officers and employees in the various departments of The City, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays---Councilmen None. Absent---Councilman Godfrey, Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays---Councilmen None. Absent---Councilman Godfrey, Mayor Knox.

The final reading of such Ordinance was in full.

Proposed Ordinance incorporating portion of Section 34, T 16S, R2W, S.B.M. into "R-2" Zone, in the vicinity of 54th Street and Blackton Drive, under petition of the San Diego Unified School District for erecting the Oak Park elementary school, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, a hearing was set upon the proposed Ordinance, for the hour of 10:00 o'clock A.M., Tuesday, April 3, 1951.

The hour of 2:00 o'clock P.M. having arrived, the time set for hearing on the proposed Ordinance adopting the Building Code, which hearing had been continued from meetings of February 27 and March 6, 1951, John Lovett, building contractor, spoke. Mr. Lovett said that a meeting had been held with the City Manager and the City Attorney, which he described as being most satisfactory.

Ronald Brock, building contractor, spoke, and he submitted a list of proposed changes.

Louis Karp, Deputy City Attorney, said that the proposed changes are not in the new ordinance now, but that they will be written in plus other changes determined upon, for presentation next Thursday.

William Chamness, from the City Building Inspection Department, said that all interested parties are in agreement, except for a few words about which Mr. Karp knows.

The suggested changes, submitted in writing dealt with:

- I. Definition of "apartment house";
- II. Lathe Inspection;
- III. Exterior Stairways;
- IV. Chimney Space; Underpinning; Headers; Bolts; Foundations;
- V. Bolts; Foundations;
- VI. Exceptions;
- VII. Studdo.

Once again Mr. Chamness said that all are in accord with the proposed changes.

Chester D. Kirkpatrick started to speak, but was told by the Vice Mayor that his question had been taken care of (more about this later).

Councilman Wincote moved to refer the matter to the City Attorney for preparation of the final draft of the ordinance, with determined-upon amendments, for presentation on Thursday, which motion was seconded by Councilman Dail.

Before the roll was called, Mr. Kirkpatrick spoke again, regarding certain features in connection with existing buildings.

Mr. Carp and Mr. Chamness said that new and existing buildings regulations are being separated.

Mr. Kirkpatrick spoke about escalators (it not being clear, at the time, the point he was attempting to make, inasmuch as the matter had been discussed in Council Conference not attended by the Clerk).

Mr. Chamness said that there are no objections to what Mr. Kirkpatrick wants.

Mr. Chamness went on to say that the words "stairway or stairways" could be added under Section 3208.

At this point the City Manager spoke about the stairway enclosures. He said that escalators usually do not extend beyond 1 or 2 floors, thought the City might want to limit stairway extent.

Mr. Chamness said that the escalators would be on Class A fully sprinklered buildings.

Mr. Kirkpatrick said that it would not be logical to require enclosure of stairways and leave escalators open.

It was proposed to add Section 10E to provide for escalators and adjacent stairways.

Mr. Karp told about suggestions regarding permit fees on School buildings.

Mr. Chamness said that under Section 7 the State is exempted from payment.

Fred Andrus, lent to the City by the County of Los Angeles, spoke. He went into the matter of stairways, and pointed out that escalators are not a required method of egress. Stairways, he said are required.

Councilman Godfrey entered while Mr. Andrus was speaking.

Mr. Andrus said that if stairways are not enclosed, they are not available during a fire. He said that he disagreed with Mr. Kirkpatrick's thinking. Also, he said that stairways should be available. He said to be sure to have enough enclosed stairways for emergencies.

Mr. Chamness said that the City would be more lenient in the proposed Uniform Building Code than in the present Code.

The City Manager said that he sees no distinction between escalators and

stairways under proper regulations. He said he the matter should be covered in an addendum instead of as part of the main Code.

Councilman Schneider moved that another section be added to the addenda, providing that stairways may be constructed as an adjunct to an escalator with an open shaft, provided that the number of enclosed stairways between floors is included, which motion was seconded by Councilman Dail. The roll was not called at this time.

John Ruskin spoke regarding Section 3308, referring to every exterior stairway.

The first motion directing preparation of the necessary ordinance, was withdrawn.

The roll was called on the motion for an addendum about stairways as adjunct to to escalators, resulting in a clear vote.

RESOLUTION NO. 101656, recorded on Microfilm Roll No. 37, authorizing and directing the City Attorney to prepare and present an Ordinance adopting a Building Code, together with amendments and addenda presented at this meeting, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The City Manager requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

RESOLUTION NO. 101657, recorded on Microfilm Roll No. 37, adopting Supplemental Budget for improvement of certain Major City Streets, and approving Third Supplemental Memorandum of Agreement for Expenditure of Gas Tax Allocation for Major City Streets, as set forth in Document No. 430920 on file in the office of the City Clerk, directing the City Manager to sign the same on behalf of said City, said agreement to be binding upon the City upon its execution by the authorized officials of the State, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101658, recorded on Microfilm Roll No. 37, authorizing the City Attorney, or one of his deputies, to go to Sacramento, California, for the purpose of presenting to the Legislature of the State of California a concurrent resolution approving amendments to the Charter of The City of San Diego voted for and ratified by the qualified electors of said City at the Municipal Primary Election held in said City on the 13th day of March, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Councilman Wincote said, at this point, that he had been asked to secure unanimous consent to present a matter not listed on the agenda; which consent was granted.

Ralph Bahlabanni, who did not give his address, but who identified himself as a resident and voter, spoke. He referred to Councilman Dail's campaign, and his having sent out an appeal to the electors to vote for him on stationery bearing the City of San Diego's seal. He asked if it was legal, and wondered for if the stationery had been paid for by the taxpayers.

Councilman Dail asked Mr. Bahlabanni regarding his connection with Mr. Kennerly's campaign (W. W. Kennerly was one of Mr. Dail's opponents in the 3/13/51 election for the position of Councilman in District No. 5. Mr. Dail asked to have Mr. Bahlabanni sworn, to which Shelley J. Higgins, Assistant City Attorney, replied that this was not a trial and that he could not be sworn.

Councilman Dail asked Gordon Eby, who was present, to come forward. Mr. Dail asked Mr. Eby about the stationery to which reference had been made. Mr. Eby replied that the stationery had been ordered by Mr. Dail and paid for by him.

Mr. Higgins said that there had been no illegal use of stationery by Mr. Dail, that even if he had used his City of San Diego Councilman's letterheads his action would not have been illegal.

Mr. Bahlabanni said that he was man enough to make a public apology, which he did.

No action was taken in the matter.

There being no further action to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Swan.

ATTEST:
FRED W. SICK, City Clerk

By A. M. Hadstrom
Deputy

George Kerrigan
Vice Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, March 22, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

Present--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey,
Absent---Councilman Swan, Mayor Knox
Clerk----Fred W. Sick.

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

Claim of Bess Gilbert, 139 Fir Street, in the sum of \$62.94, for damage resulting from leak in her water meter causing sand to come into her water lines, was presented.

RESOLUTION NO. 101659, recorded on Microfilm Roll No. 37, referring claim of Bess Gilbert to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Claim of Marian Parker, 3020 Newell Street, in the sum of \$32.66, for damage to automobile by a City truck, was presented.

RESOLUTION NO. 101660, recorded on Microfilm Roll No. 37, referring claim of Marian Parker to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the furnishing and installing industrial type fence at Bayview Reservoir, recommending award to Cyclone Fence Division of American Steel and Wire Company, the low bidder, was presented.

RESOLUTION NO. 101661, recorded on Microfilm Roll No. 37, accepting bid of Cyclone Fence Division of American Steel and Wire Company for the furnishing and installing of industrial type Fence at Bayview Reservoir; awarding contract and instructing the City Manager to execute the same; directing the City Clerk to return all bid checks, with the exception of checks submitted by the low and the second low bidder, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 300 octagonal stop signs, recommending award to Safeway Sign Company, the low bidder, was presented.

RESOLUTION NO. 101662, recorded on Microfilm Roll No. 37, accepting bid of Safeway Sign Company for the furnishing of 300 octagonal Stop Signs; awarding contract and instructing the City Manager to execute the same; directing the City Clerk to return all bid checks, with the exception of checks submitted by the low and the second low bidder, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101663, recorded on Microfilm Roll No. 37, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental to the construction of a steel beam and concrete deck highway bridge on Morena Boulevard over the San Diego River flood control channel under Document No. 430913, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101664, recorded on Microfilm Roll No. 37, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expenses necessary or incidental to the grading of parking area adjacent to U. S. Naval Hospital, Balboa Park, under Document No. 430921, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101665, recorded on Microfilm Roll No. 37, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the improvement of Wabash Boulevard, 40th Street section, Wightman Street to University Avenue, under Document No. 430912, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on applications of Harold C. Cochran and O. D. Hedrick for certificates of necessity to operate vehicles for hire, based upon investigation by the Police Department recommending denial, was presented.

Accompanying the file were communications from the Chief of Police addressed to the City Manager stating that operations would be from the Navy Pier and from a private lot, in accordance with applications, stating that investigation discloses that applicants do not have a permit for Navy Pier operation and do not have a private lot, expressing belief that they cannot operate profitably from their homes, reporting that they have operated illegally as "wildcatters" in the past indicates that there is no assurance they will not again operate in an illegal manner if granted the permit.

Mr. Cochran spoke regarding his one-time license to operate, and told of his new application. He said that it is strictly a war-time condition.

Councilman Swan entered the meeting at this time.

Mr. Cochran continued speaking, and said that operation would not be taxi competition, and said that it is strictly to haul sailors. He said that the Navy men leave their ships, want to get to Los Angeles quickly, but frequently have no immediate means for getting there.

The City Manager made a verbal report, substantially along the lines of the Police Chief's written recommendation.

Mr. Cochran said that no one else is interested in providing the service. He said that he would need a little assigned space, and told details of the plans for operation, rates, etc.

On motion of Councilman Schneider, seconded by Councilman Dail, the matter was referred back to the City Manager for further investigation.

Communication from the City Attorney, signed by Shelley J. Higgins, Assistant City Attorney, reporting on verified claim of Pioneer Truck Co., Inc. filed with the City Clerk March 6, 1951, for work done in behalf of C. B. Saunders, a general contractor, in the sum of \$404.00 for labor and equipment furnished for construction of Bayview Reservoir for the City under contract as contained in Document No. 412449, was presented.

Said communication states that the Auditor must hold the balance of the money due C. B. Saunders until the 90-day period has passed for filing liens, that if within that time the contractor files a bond indemnifying the claimant or if an action is brought, the Auditor should refer the whole matter to the City Attorney for legal action necessary to be taken to protect the City's interest, stating that a copy of said opinion is being furnished to the City Auditor and Comptroller.

On motion of Councilman Dail, seconded by Councilman Swan, the City Attorney's opinion, and the claim upon which it reported, were ordered filed.

Communication from the Superintendent of Streets, bearing the Assistant City Manager's signature of approval, recommending denial of petition bearing Document No. 427,985, for the closing of the westerly 18' of 61st Street between Estelle Street and Adelaide Street, which had been before the Council on March 1 and March 8, 1951, and continued until this meeting, was again considered.

RESOLUTION NO. 101666, recorded on Microfilm Roll No. 37, denying petition for the closing of the westerly 18 feet of 61st Street between Estelle Street and Adelaide Street, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from Mrs. Paulene Calvert, 2220 Adams Avenue, referring to the current strike, recent increased fares, requesting that the City let the Transit System know that if they expect to operate here at all they must get back on the job at once, suggesting that the public be given the opportunity to vote on buying the transportation and running it, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was ordered filed.

Communication from Jerry A. Smolik, 5004 - 35th Street, stating that the recent events in connection with the local bus strike proves more than ever that the City should provide a transit system of its own, recommending a bond issue to purchase the system, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was ordered filed, and it was directed that the communication be answered, but the motion did not say by whom.

Communication from Mrs. L. Douse, 1468 - 1st Avenue, protesting against the service the San Diego Transit Co. is giving the poor working people, stating that when the Co. raised its fares she believed the service would be better, but that it seems to be very much worse, hoping for action to improve the conditions, was presented.

On motion of Councilman Dail, seconded by Councilman Schneider, said communication was referred to the "Bus File".

Communication from "Beyond the Line of Duty", affiliated with ASK, Inc., signed by George V. Woodling, chairman, 7500 Euclid Avenue, Cleveland, Ohio, submitting copy of resolution adopted by the City of Cleveland, as a tribute to the young men who served or are serving in Korea, to the living and dead, a suitable tribute to be awarded, etc., was presented. Highlights of the Resolution were read to the Council.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said matter was referred to the City Manager for report.

Communication from Fleet Reserve Association, co-ordinating Council of San Diego County, dated March 17, 1951, signed by Julian Flor, 3217 E Street, San Diego, expressing its views in connection with the inadequate and poor condition of parking facilities outside the gates of the San Diego Naval Hospital, hoping that some measures of relief could be obtained to reduce to the minimum the inconveniences "suffered by these people", was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, the matter was referred to the City Manager for reply to the effect that the City is calling for bids to provide for the grading of a parking area adjacent to said Hospital.

Communication from Pacific Indemnity Company, dated March 19, 1951, signed by J. M. MacConnell, stating that from facts derived from investigation it is felt that there is no liability against Chief of Police A. E. Jansen and other officers alleging false arrest of Neal DuBrock, recommending denial of claim, was presented.

RESOLUTION NO. 101667, recorded on Microfilm Roll No. 37, denying claim of Neal DuBrock, 1855 "D" Street, San Bernardino, California, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from San Diego County Federation of Women's Clubs, 1949-51, signed by Mrs. John C. Wesp, corresponding secretary, Route 1 Box 328 A, La Mesa, dated March 16, 1951, urging the Council to allocate a part of "the cultural tax" to support of a permanent symphony, was presented.

Communication from Helen Trevey, 4162 Third Avenue, San Diego 3, dated March 19, 1951, asking that the Council vote at least as much money to the San Diego Philharmonic Symphony Orchestra as to the Mid-Summer Symphony, was presented.

RESOLUTION NO. 101668, recorded on Microfilm Roll No. 37, referring communications from San Diego County Federation of Women's Clubs and from Helen Trevey favoring allocation of City funds to support the San Diego Philharmonic Symphony Orchestra to Budget Conference file, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101669, recorded on Microfilm Roll No. 37, declaring and determining that the public interest, convenience and necessity of The City of San Diego do not demand the acquisition of lands for construction, operation and maintenance of a municipal airport, facilities and appurtenances, amending Resolution No. 84639 passed and adopted by the City Council on November 26, 1946, directing the City Attorney to dismiss an action in Eminent Domain entitled "The City of San Diego, etc., vs. Georgia Ames, et al," No. 137165 filed in the Superior Court of the State of California, in and for the County of San Diego, as to said lands, which lands are more particularly described in detail in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

(Although the Resolution, as drawn, does not identify the airport by name, it is Montgomery Field).

RESOLUTION NO. 101670, recorded on Microfilm Roll No. 37, authorizing and empowering the City Manager to do all the work in connection with the construction of a driving range at the Municipal Golf Course, in Balboa Park, by appropriate City forces, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 101671, recorded on Microfilm Roll No. 37, authorizing and directing the Mayor or Vice Mayor to sign an appropriate communication to the District Engineer, Los Angeles District, Corps of Engineers, granting to said Corps formal permission for entry upon the lands comprising temporary right of way for work area and a portion of the necessary permanent right of way, heretofore acquired by the City of San Diego, for the San Diego River Flood Control Channel, upon which said Corps of Engineers proposes to commence construction of work upon the San Diego River and Mission Bay Improvement Project, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101672, recorded on Microfilm Roll No. 37, releasing the Richfield Oil Company, as principal, and the Saint Paul-Mercury Indemnity Company of Saint Paul, as surety, and exonerating them from any and all liability pursuant to the provisions of Ordinance No. 10704 as covered by franchise bond executed on the 18th day of January, 1938 in the sum of five hundred dollars (\$500), said bond being on file in the Office of the City Clerk and designated as Document No. 306415, directing the City Clerk to send a copy of said Resolution to Mr. C. R. King, Manager, Right of Way Department, Richfield Oil Corporation, Richfield Building, Los Angeles 13, California, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Asked for an explanation of the matter, the City Manager replied that the Richfield Oil Company is changing bond companies, necessitating cancellation of the existing bond.

RESOLUTION NO. 101673, recorded on Microfilm Roll No. 37, authorizing and empowering the City Manager to execute a lease with Wm. S. Wright, Santa Fe Box S, National City, California, 1300 acres of land, more or less, of lands in Rancho San Bernardo, more particularly set forth in said Resolution, to be used for stock grazing and agricultural purposes, for a term of 5 years commencing April 1, 1951, at a rental of \$3825.00, payable annually in advance, in the form of lease filed in the office of the City Clerk under Document No. 430969, was on motion of Councilman Wincote, seconded by Councilman

Wincote, seconded by Councilman Godfrey, adopted.

Prior to adoption of said Resolution, the City Manager made a brief verbal explanation of its provisions.

RESOLUTION NO. 101674, recorded on Microfilm Roll No. 37, accepting, ratifying and confirming Assignment of lease of portion of Pueblo Lot 1340, dated March 3, 1949, made by The City of San Diego, lessor, filed with the City Clerk as Document No. 399094, by Cliff Warner to J. E. Jones, 745 Third Avenue, Chula Vista, California, and the Assignment of Lease heretofore executed by said Cliff Warner and filed in the office of the City Clerk as Document No. 431000, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101675, recorded on Microfilm Roll No. 37, granting request of Walter H. Barber for an extension of time for a period of 60 days from and after March 10, 1951 (Change Order No. 2), heretofore filed with the City Clerk as Document No. 431002, for completion of contract with Walter H. Barber for improvement of Midway Drive, from West Point Loma Boulevard to the San Diego River, contract contained in Document No. 425568 on file in the office of the City Clerk, time for completion under said contract being extended to May 9, 1951, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The City Manager made a verbal explanation, in which he said that the contract covered the installation of an ornamental lighting system, that the contractor had been delayed on account of the lighting standards not being received, and said that word has been received that the standards have been shipped from Canton, Ohio.

RESOLUTION NO. 101676, recorded on Microfilm Roll No. 37, releasing V. R. Dennis Construction Company from any and liability to The City of San Diego for any damages suffered by one Sumner B. Harris resulting from excavation work by V. R. Dennis Construction Company pursuant to Resolution No. 90890 on condition that said Company ^{pay} to said Sumner B. Harris the sum of \$150.00, that the said Sumner B. Harris release ~~to~~ The City of San Diego from any and all liability resulting from damages caused by excavation work on or about the 18th day of March, 1949, and dismiss with prejudice that action entitled "Harris v. The City of San Diego and V. R. Dennis Company," designated San Diego Municipal Court No. 43365, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that suit has been brought against The City and Dennis Construction Company for damages to wall on property near the intersection of Adams Avenue and 50th Street, as a result of excavation work pursuant to contract, that the contract contained an agreement to hold The City harmless from damages resulting from the course and scope of the work done, that doubt exists as to whether or not the damage was committed in the course and scope of the work pursuant to the contract, that the insurance carrier for the City and the Dennis Company wish to settle the claim by paying him the sum of \$250; \$100 of which is to be paid by the insurance carrier and the balance to be paid by the Dennis Company.

RESOLUTION NO. 101677, recorded on Microfilm Roll No. 37, setting a public hearing on the 29th day of March, 1951, at the hour of 10:00 o'clock to hear evidence related to alleged disturbances caused by the operation and/or maintenance of the animal shelter operated and maintained by the San Diego Humane Society at 3656 Wright Street, in order that the Council may determine whether said shelter as operated and/or maintained is a public nuisance, and if it be a public nuisance, what action may be necessary to abate the same, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Said Resolution directs the City Clerk to mail a copy of said Resolution to the Secretary of the San Diego Humane Society (whose shelter is located at 3656 Wright Street) and to each of the more than 100 signers of the petition for abatement; reciting that petition has been received to abate the loud noises and the smells emanating from the shelter, that the Public Health Director and the City Manager after investigation have recommended acten to end the disturbances, that the San Diego Humane Society after written notice from the City to take necessary corrective action has failed to do so.

RESOLUTION NO. 101678, recorded on Microfilm Roll No. 37, granting permission to Robert Lee Abbott and Eleanor Alice Abbott, 1801 Denver Street, San Diego, to discontinue the present septic tank system serving Lot 116 in Bay Park Village and make one connection to the 6-inch City sewer located in Denver Street, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Accompanying said Resolution was petition requesting such permission, together with recommendation from the Department of Public Health and the Assistant City Manager for granting the same.

RESOLUTION NO. 101679, recorded on Microfilm Roll No. 37, granting permission to Manuel DaRosa, 3245 Ingelow Street, San Diego, to install a four-inch cast iron sewer line between the property line and the sidewalk, to be placed one foot outside the property line and run in a northeasterly direction, parallel to the north line of Lot 12 Block 42 Roseville Subdivision, to point of intersection with public sewer, to serve property designated 1321, 1323, 1325 Locust Street, on conditions set forth in said Resolution.

Accompanying said Resolution was petition requesting such permission, together with recommendation from the Supervisor of Properties and the Assistant City Manager for granting the same.

RESOLUTION NO. 101680, recorded on Microfilm Roll No. 37, granting permission to Rose Ochoa (J. B. Mason, plumber) to install a four-inch cast iron sewer line between the property line and the sidewalk, to be placed one foot outside the property line and run in a northerly direction, parallel to the west line of the west half of Lot 74 Block 8 Boulevard Gardens Subdivision, to point of intersection with public sewer, to serve property at 1225 Vega Street, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Accompanying said Resolution was petition therefor, bearing recommendations of approval from the Supervisor of Properties and the Assistant City Manager.

RESOLUTION NO. 101681, recorded on Microfilm Roll No. 37, granting permission to Trepte Construction, Inc., 2001 Kettner Boulevard, San Diego 12, to install a 65-foot driveway on the easterly side of Sutherland Street, approximately between points 193 and 258 feet north of the north line of Pacific Highway, adjacent to a portion of Lots 11 and Block 184 Middletown, and to the northerly half of the right of way Lots 159 and 160 San Diego, to provide access to the loading dock area of warehouse constructed by said Sunshine Biscuit Company on Sutherland Street between Pacific Highway and Kurtz Street, subject to compliance with City regulations, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Accompanying said Resolution was petition from the Trepte Construction Company, for such permit, together with communication from the City Manager recommending the granting thereof.

RESOLUTION NO. 101682, recorded on Microfilm Roll No. 37, authorizing Orin K. Cope, Budget Officer, to attend the annual conference of the Municipal Finance Officers' Association of the United States and Canada, to be held at Dallas, Texas, April 23, 24, 25, 26, 1951, authorizing the incurring of all the expenses necessary in connection with said trip, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101683, recorded on Microfilm Roll No. 37, allowing the bill of San Diego City and County Convention Bureau, bearing date of March 19, 1951, in the sum of \$1272.51 for expenses incurred, as approved by the Advertising Control Committee, authorizing a requisition for said sum on the Advertising and Publicity Fund for the fiscal year 1950-1951, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101684, recorded on Microfilm Roll No. 37, accepting subordination agreement executed by First National Trust and Savings Bank, a National Bank Association, as beneficiary and trustee, bearing date March 8, 1951, wherein said bank subordinates all its right, title and interest in and to a portion of Lot 17 Partition of Rancho Mission of San Diego, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101685, recorded on Microfilm Roll No. 37, accepting subordination agreement executed by Leora D. Gaines and Huyett H. Gaines, beneficiaries, and Security Trust and Savings of San Diego, trustee, bearing date February 27, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Block 6 La Jolla Strand, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101686, recorded on Microfilm Roll No. 37, accepting subordination agreement executed by The Investors Diversified Services, Inc., beneficiary, and Allen Mortgage Company, trustee, bearing date February 15, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 11 Block D La Jolla Country Club Heights, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101687, recorded on Microfilm Roll No. 37, accepting deed of Ernest W. Anderson and Betty Baxter Anderson, bearing date March 10, 1951, conveying a portion of Lot 84 Block 1 La Jolla Strand, authorizing and directing the City Clerk to transmit said, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101688, recorded on Microfilm Roll No. 37, accepting deed of Alva W. Oliphant and Genevieve G. Oliphant, bearing date January 30, 1951, conveying an easement and right of way for street purposes in portion of Lot 17 Partition of Rancho

Mission of San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Euclid Avenue, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101689, recorded on Microfilm Roll No. 37, accepting deed of Mercy Hospital, San Diego, formerly Mercy Hospital of the Sisters of Mercy of the City of San Diego, California, formerly St. Joseph's Hospital and Sanitarium of the Sisters of Mercy of the City of San Diego, State of California, a California Corporation, executed in favor of The City of San Diego, bearing date December 8, 1950, conveying an easement and right of way for street purposes in portion of Lot A Fleischer's Addition to San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Hurd Place, authorizing and directing the City Clerk to file said deed of record in the Office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101690, recorded on Microfilm Roll No. 37, accepting deed of Castor C. Torres and Mamie Eunice Torres, bearing date March 7, 1951, conveying a portion of Lots 17 and 18 Block 3 McLaren's "H" Street Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same Market Street, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101691, recorded on Microfilm Roll No. 37, accepting deed of Ernest W. Anderson and Betty Baxter Anderson, bearing date March 10, 1951, conveying a portion of Lot 84 Block 1 La Jolla Strand, setting aside and dedicating the same to the public use as and for a public street, and naming the same Neptune Place, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101692, recorded on Microfilm Roll No. 37, accepting deed of Barbara L. Dane and Frank P. Dane, bearing date March 14, 1951, conveying an easement and right of way for street purposes in portion of Lot 18 Loma Heights, and also designated as a portion of Lot 18 Point Loma Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Niagara Avenue, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101693, recorded on Microfilm Roll No. 37, accepting deed of Clemens H. Freres and Helen Freres, bearing date March 14, 1951, conveying an easement and right of way for street purposes in a portion of Lot 18 Loma Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Niagara Avenue, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101694, recorded on Microfilm Roll No. 37, accepting deed of Farmers' Market Shopping Village, Inc., bearing date February 21, 1951, conveying an easement and right of way for sewer purposes in a portion of Lot 6 of Lemon Villa, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101695, recorded on Microfilm Roll No. 37, accepting deed of Thomas J. Getz and Evelyn G. Getz, bearing date February 21, 1951, conveying an easement and right of way for sewer purposes in a portion of Lot 6 Block "D" La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101696, recorded on Microfilm Roll No. 37, accepting deed of Robert L. Haniman, Anne M. Haniman and Marie Haniman, bearing date January 6, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 11 Block D La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101697, recorded on Microfilm Roll No. 37, accepting deed of Marion S. Kugel and Joan Kathleen Kugel, bearing date March 9, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 8 Block 103 City Heights, authorizing

and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101698, recorded on Microfilm Roll No. 37, accepting deed of George W. Rutledge, Lillian A. Rutledge and William P. Vigneault, bearing date February 28, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 8 Drucker's Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101699, recorded on Microfilm Roll No. 37, accepting deed of Willard C. Smith and Helen V. Smith, bearing date March 1, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 40 Oakemere, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101700, recorded on Microfilm Roll No. 37, accepting deed of Willard G. Smith and Helen V. Smith, bearing date March 1, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 40 Oakemere, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101701, recorded on Microfilm Roll No. 37, accepting deed of Claude W. Rose, bearing date March 6, 1951, conveying an easement and right of way for water main purposes in portion of Lot 3 Pueblo Lot 1209, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4735 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$87,000.00 from the General Fund Reserve for improvement projects, for the purpose of providing funds for the construction of a storm drain from 43rd Street and University Avenue to 40th Street and Landis Street and in Block 69 City Heights, was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. Thereupon, on motion of Councilman Godfrey, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. The final reading of such Ordinance was in full.

ORDINANCE NO. 4736 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$5,500.00 from the General Fund Reserve for Improvement Projects, for the purpose of providing funds for the construction of a storm drain in University Avenue between 38th and 40th Streets, such construction being in connection with the improvement of Wabash Boulevard, 40th Street Section, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. The final reading of such Ordinance was in full.

ORDINANCE NO. 4737 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$500.00 from the Unappropriated Balance Fund, for the purpose of providing funds for payment to George B. Buck for extra actuarial services in connection with the determination of additional costs necessary for making changes to benefits in the City Employees' Retirement System as set forth in Ordinance No. 10792 as amended, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox. The final reading of such Ordinance was in full.

ORDINANCE NO. 4738 (New Series), recorded on Microfilm Roll No. 37, establishing the grades of the Alley in Block 96 Mission Beach, between the westerly line of Mission Boulevard and the east line of Strandway; The Alley in Block 97 Mission Beach, between the easterly line of Mission Boulevard and the westerly line of Bayside Walk, was on motion of Councilman Schneider, seconded by Councilman Dail, placed on its final passage

at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Dail, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

ORDINANCE NO. 4739 (New Series), recorded on Microfilm Roll No. 37, establishing the grades of the Alley in Block 99 Mission Beach, between the easterly line of Mission Boulevard and the westerly line of Bayside Lane; the Alley in Block 100 Mission Beach, between the westerly line of Mission Boulevard and the east line of Strandway, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Knox.

ORDINANCE NO. 4740 (New Series), recorded on Microfilm Roll No. 37, establishing the grade of the Alleys in Block 103 Mission Beach, between the westerly line of Mission Boulevard and the east line of Strandway; The Alley in Block 104 Mission Beach, between the easterly line of Mission Boulevard and the westerly line of Bayside Lane, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

ORDINANCE NO. 4741 (New Series), recorded on Microfilm Roll No. 37, establishing the grade of the Alley in Block 107 Mission Beach, between the easterly line of Mission Boulevard and the westerly line of Bayside Lane, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Knox.

ORDINANCE NO. 4742 (New Series), recorded on Microfilm Roll No. 37, establishing the grade of Riley Street, between the northeasterly line of Congress Street and the northeasterly line of Jefferson Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

ORDINANCE NO. 4743 (New Series), recorded on Microfilm Roll No. 37, establishing the grade of Santa Barbara Place, between the easterly line of Mission Boulevard and the westerly line of Bayside Walk, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

The City Manager requested, and was granted, unanimous consent to present the next two matters, not listed upon the Council's agenda:

ORDINANCE NO. 4744 (New Series), recorded on Microfilm Roll No. 37, regulating the erection, construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all building and/or structures in The City of San Diego, California; providing for the issuance of permits and collection of fees therefor; providing penalties for violation; declaring and establishing Fire Zones; repealing Ordinance No. 13375, Ordinance No. 3674 (New Series) and their respective amendments all as listed in said Ordinance, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 4745 (New Series), recorded on Microfilm Roll No. 37, regulating the removal of any building or structure in The City of San Diego, California, and repealing Ordinance No. 3888 (New Series), adopted October 5, 1948, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

Raymond Krah, Personnel Director, requested and was granted permission to present a matter, verbally, not listed on the Council's agenda:

Mr. Krah spoke regarding the deadline for City employees moving into the City, under rules adopted by the Council. He said that his only purpose bringing the matter before the Council was to prepare members of pressure which will probably be brought to bear by certain employees affected by the Rule. Mr. Krah said that the Civil Service Commission will recognize a health problem in dealing with the situation. He said that the rule should be enforced, or taken off the books. He pointed out that there are some 40 persons affected.

Councilmen Dail and Wincote emphasized the fact that there are often reasons other than health affecting employees' desire to reside outside the City limits.

Councilman Schneider maintained that when employees are paid by the City, they should spend their money in the city and pay City taxes.

Councilman Dail said that many persons would be hurt by enforcement of the rule.

Councilman Godfrey said that a "wise policy" must be made, and that he is not completely sold on the rule.

Mr. Krah wanted to know if the Council would back up the Civil Service Commission.

The answer was not clearly stated by members of the Council.

Councilman wondered about the matter of waivers.

Mr. Krah said that about 20 have already moved into the City.

Councilman Kerrigan brought up the question of the Kensington area, a section surrounded by the City, in which some employees live. He said that annexation proposals are under way, and that enforcement of the rule might jeopardize success of the annexation.

Mr. Krah agreed that there would be no immediate enforcement.

Councilman Dail moved to suspend the enforcement of the rule for the period of the national emergency, which motion was seconded by Councilman Swan.

Mr. Krah stressed the point that he is not making a recommendation to the Council, and that his only reason for bringing the matter to the Council's attention was so his department could learn of the Council's decision. Asked that the rule be wiped off completely, or enforced.

Councilman Dail said that an emergency exists, and that enforcement might result in losing further employees.

Councilman Wincote asked if change of rules would originate with the Civil Service Commission, to which Mr. Krah replied "yes".

Shelley J. Higgins, Assistant City Attorney, said that the rules are adopted by the Council, but are initiated by the Civil Service Commission.

Mr. Krah said that it would be helpful to the Commission if the Council would make a recommendation in the matter. He said that it would be his personal opinion that the rule should not be waived.

The Vice Mayor, feeling that there had been so much discussion following the making of the motion, declared the "boards cleared".

RESOLUTION NO. 101702, recorded on Microfilm Roll No. 37, referring to Council Conference the matter presented verbally by Raymond Krah, Personnel Director, at this meeting, of enforcing the Civil Service Rule requiring employees of the City to reside within the City of San Diego, for a meeting with members of the Civil Service Commission, was on motion of Councilman Swan, seconded by Councilman, adopted.

No date for the proposed Conference was set at this time.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 10:52 o'clock A.M.

George Kerrigan
Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *A. M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, March 27, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:12 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent----Mayor Knox
Clerk-----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan acted as chairman.

The Minutes of the Regular Meeting of Tuesday, March 20, 1951, and of the Regular Meeting of Thursday, March 22, 1951, were presented to the Council by the Clerk. On motion of Councilman Wincote, seconded by Councilman Schneider, said Minutes were approved without reading, after which they were signed by the Vice Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of 51st Street, within the limits and as particularly described in Resolution of Intention No. 101047, the Clerk reported that 4 bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of Daley Corporation, accompanied by bond written by the Glens Falls Indemnity Company in the sum of one thousand dollars, which bid was given Document No. 431209;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of one thousand dollars, which bid was given Document No. 431210;

*The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co./in the sum of one thousand dollars, which bid was given Document No. 431211;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of eleven hundred dollars, which bid was given Document No. 431212;

*accompanied by bond written by Continental Casualty Company,

Thereupon, on motion of Councilman Dail, seconded by Councilman Schneider, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Oliphant Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 101049, the Clerk reported that 5 bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of Daley Corporation, accompanied by bond written by the Glens Falls Indemnity Company in the sum of six hundred dollars, which bid was given Document No. 431213;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of seven hundred dollars, which bid was given Document No. 431214;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of six hundred dollars, which bid was given Document No. 431215;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of six hundred dollars, which bid was given Document No. 431216;

The bid of Cox Bros. Const. Co., accompanied by bond written by Great American Indemnity Company of New York in the sum of six hundred dollars, which bid was given Document No. 431217.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Venice Street, Brighton Avenue, the Northeasterly and Southwesterly Alley in Block 91 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 101051, the Clerk reported that 5 bids had been received, which bids were presented to the Council and on motion duly made and seconded were opened and publicly declared.

Said bids were as follows:

The bid of Daley Corporation, accompanied by bond written by the Glens Indemnity Company in the sum of four thousand five hundred dollars, which bid was given Document No. 431218;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of five thousand dollars, which bid was given Document No. 431219;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of four thousand five hundred dollars, which bid was given Document No. 431220;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of forty two hundred dollars, which bid was given Document No. 431221;

The bid of Cox Bros. Const. Co., accompanied by bond written by Great American Indemnity Company of New York in the sum of forty five hundred dollars, which bid was given Document No. 431222.

Thereupon, on motion of Councilman Swan, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101329, for the paving and otherwise improving of Hancock Street and Clayton Street, within the limits and as particularly described in said Resolution, the clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1989, made to cover the costs and expenses of the paving and otherwise improving of Evergreen Street and Dickens Street, within the limits and as particularly described in Resolution of Intention No. 97693, the Clerk reported that a written appeal had been received from P. T. Lusardi, 3144 Emerson Street, San Diego 6, which appeal was presented to the Council.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

Anthony Mascarenhas spoke. He said that his assessment was too high, and that a large number of the affected property owners felt the same way.

The Vice Mayor asked how many persons were present who were affected by the assessment. Several persons arose, but were not heard at this time.

The hearing was continued, temporarily, and appellants were asked to accompany the City Engineer to the Council's office, where the Engineer would meet with property owners and explain their assessments to them.

(The hearing will be shown again at the end of these minutes).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1988, made to cover the costs and expenses of the paving and otherwise improving of Promontory Street, within the limits and as particularly described in Resolution of Intention No. 98443, the Clerk reported that a written appeal had been received from Eugene G. Leonard, which appeal was presented to the Council.

Mayor Knox entered the meeting at this time, but did not take over the duties of presiding officer.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no additional appeals were presented.

RESOLUTION NO. 101703, recorded on Microfilm Roll No. 37, overruling and denying the appeal of Eugene G. Leonard from the Street Superintendent's Assessment No. 1988 made to cover the cost and expenses of the paving and otherwise improving Promontory Street, within the limits and as particularly described in Resolution of Intention No. 98443, overruling and denying all other appeals, confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1987, made to cover the costs and expenses of the paving and otherwise improving of Upshur Street, within the limits and as particularly described in Resolution of Intention No. 97461, the Clerk reported that no written appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no appeals were presented.

RESOLUTION NO. 101704, recorded on Microfilm Roll No. 37, confirming and approving the Street Superintendent's Assessment No. 1987 made to cover the cost and expenses of the paving and otherwise improving of Upshur Street, within the limits and as particularly described in Resolution of Intention No. 97461, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, for a period of one year from and including September 15, 1950, to and including September 14, 1951, the clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101705, recorded on Microfilm Roll No. 37, confirming the Engineer's Report and Assessment for La Jolla Shores Lighting District No. 1, filed with the City Clerk February 16, 1951, within the limits and as particularly described in Resolution of Intention No. 100733, and adopting said Report as a whole, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 101406 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101706, recorded on Microfilm Roll No. 37, determining that the proposed improvement of the Alley in Block 175 University Heights, within the limits and as particularly described in Resolution No. 101406 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 101407 of Preliminary Determination for the paving and otherwise improving of 33rd Street, Beech Street and Date Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101707, recorded on Microfilm Roll No. 37, determining that the proposed improvement of 33rd Street, Beech Street and Date Street, within the limits and as particularly described in Resolution No. 101407 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Mayor Knox assumed the duties of presiding officer at this time.

Communication from the Harbor Department, signed by the Port Director, requesting adoption of a resolution authorizing work by City forces on the Qualtrough Street Mole, at an estimated total cost of \$3575.00, was presented.

RESOLUTION NO. 101708, recorded on Microfilm Roll No. 37, authorizing and empowering the Port Director to do all the work in connection with the installation of 445 feet of water main, one fire hydrant, 545 feet of sewer, and one manhole on the Qualtrough Street Mole, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said resolution recites that the Harbor Department has recommended, and that the Port Director has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing pipe and fittings, fire hydrants and gate valves for the Harbor and Water Departments and for stock, was presented.

RESOLUTION NO. 101709, recorded on Microfilm Roll No. 37, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of Cast Iron Pipe and fittings, Asbestos Cement Pipe, Fire Hydrants and Gate Valves, in accordance with Notice to Bidders, etc., on file in the office of the City Clerk under Document No. 431148, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on communication from the San Diego Council of Registered Civil Engineers relative to faulty alignment on the bridge to Mission Beach area, relative also to availability of its members who have not been consulted on such projects, stating that the secretary of the group has been contacted and requested to forward a list of members and their qualifications which will be placed on file for future reference when the City has need for new bridge design or construction, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's communication, and the matter to which is referred, were ordered filed.

Communication from the City Manager reporting on petition of James A. Milligan for closing of the south 20 feet of Ibis Street, between Upas and Walnut, stating that Mr. Milligan has been advised that a petition should be signed by all property owners affected, also that a similar petition was denied by the Council in July of 1950 on the basis that the full width of 80 feet would be required should the street be brought to official grade and improved, and saying that should he file a new petition containing all the necessary signatures the decision of the council might not be different, was presented. On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's communication and the petition upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from the City Planning Engineer submitting petition for abatement of business known as Furniture Mart at 3814 El Cajon Boulevard, was presented.

The communication stated that the first signer on the petition has been advised that Police and Fire Department representatives have investigated the premises, that some minor violations of the fire ordinance were found and corrected but that there appeared to be no violation of the Anti-Noise Ordinance. Also it was suggested that if future operations continue to be objectionable, complainants should swear out a complaint with the City Prosecutor under the Anti-Noise Ordinance.

Said communication, after having been read to the Council, was ordered filed, on motion of Councilman Schneider, seconded by Councilman Wincote.

Communication from the Planning Commission recommending approval of Final Map of Redwood Village Unit No. 7, subject to posting of adequate bond to insure installation of required improvements, and to provide and install outfall sewer from the subdivision to present termination of Stream View Drive, was presented.

Without any discussion, the matter was continued on motion of Councilman Kerrigan, seconded by Councilman Schneider, until the Thursday meeting of this week.

Communication from E. M. Milkevich, 5043 Saratoga Street, and one containing the signatures of Mrs. Rose N. Cristine (no address shown and 12 others demanding action relative to bus strike and to poor services when buses are in operation, were presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said communications were ordered filed.

Councilman Kerrigan requested, and was granted, unanimous consent, to present the next matter of business, not listed on the Council's agenda:

Communication from Herbert Hoover P.T.A., signed by Mrs. Harry Turville, President, requesting assistance in early solving of the present transit situation, and pointing out that many students are unable to attend school, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said communication was ordered filed.

RESOLUTION OF AWARD NO. 101710, recorded on Microfilm Roll No. 37, accepting bid of San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, and awarding contract therefor, within the limits and as particularly set forth in said Resolution, for a period of one year from and including September 1, 1950, to and including August 31, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 101711, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Landis Street, the Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 of City Heights Annex No. 1 and Block 3 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 101271, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101712, recorded on Microfilm Roll No. 37, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for a period of one year from and including December 1, 1950, to and including November 30, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 101713, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of the Northwesterly and Southeasterly Alley in Block 69 Ocean Beach, and the Northeasterly and Southwesterly Alley in said Block, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 101714, recorded on Microfilm Roll No. 37, for

the paving and otherwise improving of Fortuna Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 101715, recorded on Microfilm Roll No. 37, for the paving and otherwise improving of Oliver Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101715, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 101716, recorded on Microfilm Roll No. 37, for the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District, for a period of one year from and including February 15, 1951, to and including February 14, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 101717, recorded on Microfilm Roll No. 37, for the furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District Number One, for a period of one year from and including February 1, 1951, to and including January 31, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition to install sewers in Blocks 21 and 22 Reed and Hubbell's Addition, et al, by private contract, at no cost to the City of San Diego according to plans and specifications filed in the Office of the City Clerk March 15, 1951, under Document No. 430672, was presented.

RESOLUTION NO. 101718, recorded on Microfilm Roll No. 37, granting permission to Henry Beauloye Jr., A. W. Harper, and others, to construct a sanitary sewer in the Alley in Block 22 Reed and Hubbell's Addition, 27th Street and Public Rights of Way in Lots 1 to 13 inclusive, Lots 9 and 10 and Alley closed, all in Block 21 Reed and Hubbell's Addition, by private contract, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Petition of Gilbert H. Lageson Co., 3487 Noell St., San Diego 1, for permission to run sewer lines at the Oak Park Elementary School, 2606 - 54th Street, on a grade of 1/8" per foot, because of contour of the ground, building elevations and depth of sewer in Maple Street, was presented, together with recommendations for approval from the Department of Public Health and the City Manager.

RESOLUTION NO. 101719, recorded on Microfilm Roll No. 37, granting permission to Gilbert H. Lageson Co. for Oak Park Elementary School, to install 4-inch and 2-inch soil lines to serve said school, on a grade of 1/8-inch per foot fall instead of 1/4-inch per foot as required in the Code, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101720, recorded on Microfilm Roll No. 37, authorizing and directing the Supervisor of Properties to advertise for at least 5 days in the official for sale as petitioned for by Jose Medina, 519 South Gregory Street, San Diego 13, of portions of Lot 21 and of the east 25 feet of Lot 2 in Block "D" El Nido, and portions of Lot 20 in said Block, reserving to The City of San Diego the right of access from said property in and to the Wabash Boulevard, providing that \$200.00 is the minimum amount the Council will consider, and reserving the right to reject any and all bids, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Said resolution recites that the sum of \$60.00 has been deposited with the City Clerk to cover costs pertaining to the sale, including cost of title report, and as a guarantee that the depositor will at the sale bid the minimum amount fixed by the Council as required by Section 9.03 of Ordinance No. 258 (New Series) as amended by Ordinance No. 4716 (New Series), that the City Manager has recommended that the property be sold, that the City has caused an appraisal to be made by a qualified real estate appraiser and the market value is \$200.00.

RESOLUTION NO. 101721, recorded on Microfilm Roll No. 37, authorizing W. H. McKinley, Superintendent of the Electrical Division, Department of Public Works, to attend the spring meeting of the joint session of the Northern California Police Radio Association and the Southern California Police Radio Association, in Stockton, California, March 30 and 31, 1951, and to attend the meeting of the Western States Section of the International Municipal Signal Association to be held in Fresno, California, April 6 and 7, 1951, and to spend the 5 days between meetings conferring with the Chief Engineer of the State Communications Division relative to negotiations for new service contract with the State Highway Department, and inspecting new repeater equipment in Sacramento, similar to that recently purchased by the City of San Diego, and authorizing the incurring of all expenses necessary in connection therewith, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 4746 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$7,100.00 from the Capital Outlay Fund, for the purpose of providing funds for acquisition of property for the extension of Neptune Place and for additional beach facilities in Lot 84 Block 1 La Jolla Strand, was on motion of Councilman Swan, seconded by

Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilmen None.

The final reading of such Ordinance was in full.

Prior to adoption of said Ordinance, Councilman Swan wanted to know about the "additional beach facilities". The City Manager made a verbal explanation, in which he said it would provide for street extension, portion of which would become beach property and portion would revert to the property owners.

ORDINANCE NO. 4747 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$2,575.00 from the Capital Outlay Fund for the purpose of providing funds for the installation of an 18-inch sewer main crossing in Mission Valley, was on motion of Councilman Schneider, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4748 (New Series), recorded on Microfilm Roll No. 37, appropriating the sum of \$2,100.00 from the Capital Outlay Fund for the purpose of providing funds for the construction of a driving range at the Municipal Golf Course, in Balboa Park, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4749 (New Series), recorded on Microfilm Roll No. 37, amending Ordinance No. 2318 (New Series) entitled "An Ordinance regulating the use of Public Parks in The City of San Diego, prescribing a penalty for the violation hereof, and repealing Ordinance No. 5380 approved December 18, 1913," adopted December 2, 1941, by adding a new section to be numbered Section 1.1 relative to operation of trucks, to read: "Section 1.1. The prohibition contained in section 1 subsection (23) shall not apply to vehicles having a manufacturer's rate of capacity of less than one ton", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Councilmen None.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

At the hour of 10:40 o'clock A.M. a 5 minute recess was declared by the Mayor, to permit the City Engineer to return in connection with the temporarily continued hearing on the Evergreen Street assessment.

Upon re-assembling, at the hour of 10:52 o'clock A.M., the roll call showed the following:

Present--Councilmen Swan, Kerrigan, Dail, Godfrey, Mayor Knox
Absent---Councilmen Wincote, Schneider
Clerk----Fred W. Sick

The hearing on the Street Superintendent's Assessment No. 1989 for the paving and otherwise improving of Evergreen Street and Dickens Street, within the limits and as particularly described in Resolution of Intention No. 97693, was resumed.

The City Engineer made a verbal report in which he said he had conferred with the group of property owners who had accompanied him to the Council's office. He said that he had given each one present a detailed reason for his assessment, but stated that apparently all were still unsatisfied.

Councilmen Wincote and Schneider returned to the meeting at this time.

Anthony Mascarenhas spoke again, saying that all the affected property owners feel that their assessments are too high.

Mayor Knox explained that the contract had been awarded to the lowest bidder, which is the only way it can be done. The Mayor asked the City Engineer for a

report on comparison between his estimate of the probable cost of the job, and the bid figure.

The City Engineer replied that it was 8% under the estimate.

P. T. Lusardi, 3144 Emerson Street spoke. He said that he had an assessment of \$400.00 for sidewalk, with a total bill of \$900.00. He said that identical property is \$400.00 less.

The City Engineer explained that sidewalk was installed in front of the Lusardi property, while the sidewalk and curb are already in at the other property about which Mr. Lusardi spoke.

Mr. Lusardi said that he is out on strike, but does not want to be, but had been forced to do so (apparently referring to the tuna fishermen's local strike), and that he was therefor out of work, and found it difficult to be burdened with the assessment.

Councilman Godfrey pointed out that the improvement made was what the affected property owners had asked for by petition. He said that the work could have been done, by private contract, at a lesser figure if all had petitioned for such a procedure and had made arrangements with a contractor to take care of their improvement costs in cash.

Mrs. Helen Matta spoke. She said that her husband is out of work, also. She said that they had almost lost their property because she could not pay for a former improvement. Mrs. Matta said that in Rhode Island, where she came from "property owners did not pay for paving", and said that "everything is higher here".

The Mayor said that the Council is sympathetic to the property owners' dilemma, but that the work has been done, which the property owners had asked for, and that it has to be paid for. He said that under the 1911 Street Improvement Act, the paving is done by bid, and that the lowest bid had been accepted.

Mrs. Matta spoke again. She said that the State should pave the streets.

The City Attorney and the Mayor said that the City could not force to do as Mrs. Matta suggested.

The City Attorney explained the proceedings, in detail.

RESOLUTION NO. 101722, recorded on Microfilm Roll No. 37, overruling and denying the appeals of P. T. Lusardi, Anthony Mascarenhas, Mrs. Helen Matta, overruling and denying all other appeals, from the Street Superintendent's Assessment No. 1989, for the paving and otherwise improving of Evergreen Street and Dickens Street, within the limits and as particularly described in Resolution of Intention No. 97693, approving said assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record the same in the office of the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 11:16 o'clock A.M.

Upon adjournment, the Mayor announced that the Council would meet immediately in conference in his office.

George Kenigan
 Mayor of The City of San Diego, California

ATTEST:
 FRED W. SICK, City Clerk

By *P. M. Hadstrom*
 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, March 29, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:10 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent----Mayor Knox
Clerk-----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portions of Pueblo Lots 1788 and 1209 into "M-2" Zone, as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 100 (New Series) adopted December 12, 1932, and Ordinance No. 3061 (New Series) adopted September 11, 1945 insofar as the same conflicts, a report from the Asst. Planning Director on the availability of industrial lands, referring to the proposed re-zoning of the area in question, located on the easterly side of Pacific Highway northerly of Balboa Avenue, was presented and read.

Harry Haelsig, Assistant Planning Director, said in answer to questions from the Council, that the frontage referred to on trackage in the report, is in front feet. He explained details of the report, in considerable detail, at the Council's request, and answered their several questions.

Councilman Godfrey referred to price of some of the available property.

Mr. Haelsig told of reasons for zoning, and a balancing of each type. He said that the cost of land is not a factor to be taken into consideration in zoning.

The hearing was recessed, temporarily, to permit Mr. Haelsig to secure more detailed maps for Council study.

(The matter will be shown again in these minutes).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on petition of residents for action to abate disturbances caused by the operation of the Humane Society's animal shelter at 3656 Wright Street, the petition to abate was presented and read.

The Vice Mayor asked about the number of persons present to be heard in the matter, and a large number raised their hands. He suggested that a spokesman for the group be heard.

Jim Lyon spoke. He said that he has no quarrel with the Humane Society, but said that its shelter is operated in the wrong location. He said that the crowded conditions at the kennels are not good for the dogs. He favored the immediate removal.

Mrs. McCormick, who did not give her first name or initials, and identified her address only as West California Street, spoke. She said that her husband had been forced to leave their home for his health, to escape the disturbance recreated at the Society's shelter. She said that they are "almost driven crazy, night and day.

Mr. Valderrama, who failed to give his first name or initials, and identified his address only as saying he lives across from the Humane Society, spoke. He said that people drive up to the shelter and leave their cats and dogs outside when the kennels are not open, to the disturbance of all who reside in the locality.

Mr. Lyon asked permission to play a recording of the noise from the kennels, taken within a building located 80 feet away, which he did.

Mr. Valderrama said, speaking again, that many of the animals left at the shelter are sick, that they wander onto nearby properties and die.

Mrs. C. H. Naftsiinger, owner of a nearby auto court, told of complaints from occupants about the disturbance from the shelter.

E. J. Boud, representing the San Diego Humane Society, was heard. He told about the history of the Association, said that it was incorporated and has been in operation since 1888, and that its shelter had been operated at the same location for about 25 years. Mr. Boud said that statements made by complainants are correct in that the operation is annoying. He said that the Society is unhappy and disturbed over the situation, but feels that the matter can be ironed out, with relief to all. He told of doing a constructive work, with which the Society wants to continue. He advocated referring the matter to the City Manager for a study of all the facts. Mr. Boud said that many conferences have been had with City officials on the subject, and asked that the City Manager be requested to gather the facts and submit a firm recommendation thereon to the Council, which could satisfy both sides. He said that the Society's work applies to all animals, not dogs alone. He read from the Society's 1950 report, and told of instances of work to relieve suffering of animals, and mentioned help to the City. He stressed the point that the Society wants to move, for several reasons, but cannot afford to do so. Disturbance and the crowding of quarters are recognized. He said that the Society wants to help, and wants help from the City so that it can cooperate. He pointed out \$5,000.00 has been spent on the shelter within the last few weeks to attempt to satisfy complainants.

Councilman Wincote said that several meetings have been held, and felt that the City could help in some manner to make a move. He asked the City Manager if he could help find a place for the shelter.

The City Manager said that there is only one question before the Council today: the operation in the present location. He said that there is also the much broader and effective dog control and care program to be considered, from several points of view.

He said that there are deficiencies in the control ordinances, and that an attempt needs to be made for a solution to the problem. He said that there competitive organizations in the same field, and that they are not at all cooperative. He said that there are many questions involved. He said, also, that a careful search for location is needed, for long term development upon a proper basis.

Councilman emphasized that the City is willing to cooperate with the Humane Society.

Mr. Boud said that an immediate closing of the shelter by the City would be a sad commentary on the City, if there were no such operation as the Society carries on. He said that if the shelter is closed it would result in a chaotic condition. Mr. Boud proposed operation in a skeleton way.

Councilman Schneider spoke, and said that neighbors have been patient. He hoped for speeded up improvement. Mr. Schneider asked if it would be feasible to move temporarily to the City's Dog Pound location.

Mr. Boud replied that he does not know if the Pound is equipped to take care of the Society's animals.

Councilman Schneider spoke again, and said that the Society should make some effort, mentioned the 19 kennels now in existence, the cement runways, etc., and talked about operation on a decreased basis. He emphasized, also, that he does not want to abate the Society's operations, or attempt to stop them.

Councilman Godfrey said that the City Manager apparently has a good grasp of the situation, and thought the matter might well be referred to the City Manager for action at the earliest time. He felt that such action might be a good move.

The City Manager said that to report on a solution would "take a little time, that it cannot be done over night". He said that it might take 4 to 6 weeks for a complete program. He thought that it might be possible to have an interim program, without disturbance.

Councilman Godfrey moved to refer the matter to the City Manager for the earliest possible solution.

A woman who did not identify herself, and whose name the presiding officer did not ask, spoke. She said that is a contributor to the Humane Society, and said that it would be unfortunate to eliminate the operation. She said that she lives near the shelter but that she is not disturbed. She said that operation has already been curtailed to a point where the Society can hardly function.

Councilman Wincote said that the grievance has existed over a long time, and is cause for a just complaint. He said that the City wants an interim way to take care of the situation. He said that relief is wanted, but that an effort should be made to save the humane work.

Councilman Schneider seconded Councilman Godfrey's motion to refer the matter to the City Manager.

Before the roll could be called, Mr. Boud expressed appreciation, in behalf of the Society's board of directors, for the City's help in the matter.

Mr. Lyon was heard again, and asked for a definite deadline for the move. He said that he wants to be reasonable, and suggested as short a time as possible, maybe 2 weeks.

The City Manager expressed the belief that relief might be given within a few days - perhaps 2 weeks.

Mr. Boud said that the Society is willing to be reasonable, and to vacate the premises.

Mrs. Paul Eastly, who identified herself as a writer from La Jolla, gave an eloquent plea for "man's best friend". She said that the Pound is inadequate for the Society's needs, and that placing dogs there would lead to destruction of many animals, or to vivisection. She said that provision should be made for a model shelter.

Mrs. George E. Husband spoke as a member of the Humane Society. She spoke against turning animals over to the Pound. She asked for a reasonable interim, and not immediate action.

Councilman Dail said that the Humane Society's shelter has been a problem for a long time. He pointed out that it is a matter of legal procedure. He said that while it is not the City's responsibility, the City is trying to help both sides.

Mrs. Husband, who did not give her first name or initials, or her address, spoke. She emphasized that the Pound does not have facilities to take care of the Society's animals. She asked for a reasonable time to move. Also, she said, that people who are complaining live in an industrial area, and there are many other disturbances caused by the industries nearby, far greater than those coming from the Humane Society's shelter.

Councilman Wincote moved to amend the motion by adding 30 days for the closing, which motion was seconded by Councilman Schneider.

Before the roll was called on the amendment, Councilman Swan opposed use of the word "closing". He felt "removal" would be better, because closing inferred closing of the Humane Society's activities, which the City does not, whereas removal indicates a change of location.

The Vice Mayor, pointing that there was a confusion of motions and ideas for motions, declared the table cleared, and called for the making of a new motion.

Councilman Godfrey moved to refer the matter to the City Manager for study, with the idea in mind of effecting the earliest possible removal, and that a deadline of 30 days be set for removal, which motion was seconded by Councilman Swan.

Before the roll could be called, Mrs. Husband made a plea for a longer period, perhaps 60 days.

Mr. Wood, who did not give his first name or initials, spoke. He identified himself as the Humane Society manager. He said that many misstatements had been made, and said that there are no noises after 5:00, to which a cry of disagreement went up from the lobby. He referred, then, to Mr. Valderrama cleaning up his premises, which he said would then not attract stray animals.

Members of the Council, feeling that the hearing was being prolonged unnecessarily, called for the closing of the hearing and action upon the motion. The Vice Mayor said he realized that a lot of time had been put in hearing both sides, but felt that all present should have an opportunity to express themselves, if they so desired.

At this time the Vice Mayor declared the hearing closed, and directed the calling of the roll.

RESOLUTION NO. 101723, recorded on Microfilm Roll No. 38, referring the matter of the abatement of the premises occupied by the San Diego Humane Society for its shelter at 3656 Wright Street, to the City Manager for study, with the idea in mind of effecting the earliest possible removal from that location, and that a deadline of 30 days be set for such removal, was adopted.

The hearing on the appeal of Richard J. Kuhn, set for this time, was continued temporarily.

The hearing on the Ordinance for the re-zoning in Pueblo Lots 1788 and 1209 was resumed at this time.

Mr. Haelsig returned to the Council with maps the Council had asked for, showing M-1 and M-2 zones. He spread them on the Council's table, around which he, members of the Council and Mr. Bunger gathered for an informal discussion. Details are not reported herein, inasmuch as the discussion was not in an orderly fashion which would permit recording thereof.

The City Manager was asked to express his views regarding industrial areas. The City Manager said that the question, basically, is one of zoning, which should be studied by the Planning Commission, hearings held, and that when decisions are made the City should stick to them. Those studies and plans, he reiterated, should be made by the Planning Commission. He expressed the belief that the City should maintain "a pattern", unless basic changes are needed, and that the problem should not be approached on a piece meal basis.

Councilman Godfrey said that apparently the matter of industrial zoning is not clear in everybody's mind. He said that the subject needs the best thinking of all.

The Planning Director said that the policy, as it affects San Diego, is important. He spoke of results of efforts of Los Angeles to establish and encourage industry, and referred to industries encroaching upon residential areas, resulting smogs, and other unpleasant features. He said that the overall policy in San Diego has not been toward industry at the expense of the residents and the tourist industry. He pointed out that the problem today, was not the over-all industrial pattern, but consideration of one particular property.

Fred S. Bunger, representing the owners of the property, spoke. He presented a letter from B. D. Phelps, consulting engineer, which he asked to have read.

The Vice Mayor pointed out that it was getting late, that several members of the Council had noon-time engagements, and asked that the matter be held over until this afternoon. He said, also, that there was a Harbor Department matter which needed attention while the Department's representative was here, so that he would not have to return in the afternoon.

On motion of Councilman Godfrey, seconded by Councilman Dail, the hearing was continued until the hour of 2:00 o'clock P.M., this date.

The next item of business was taken out of order, and considered at this time.

RESOLUTION NO. 101724, recorded on Microfilm Roll No. 38, approving and ratifying Resolution of the Harbor Commission approving a 50% rental reduction in the lease between the General Petroleum Corporation and the Harbor Commission, entered into the 8th day of January, 1951, for premises located at Pacific Highway and Nutmeg Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution recites that said Corporation has made application for authority to commence construction of its service station, but that it cannot be started until the application receives favorable action by the Department of Commerce of the United States.

Carl Ruepsch, representing the Harbor Department, made a verbal explanation, along the lines contained in the Resolution, prior to its adoption.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the Council took a recess, at the hour of 12:01 o'clock Noon, until the hour of 2:00 o'clock P.M., this date.

Upon reassembling, at the hour of 2:07 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey.
Absent---Councilman Dail, Mayor Knox
Clerk---Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

The communication from Beryl D. Phelps, presented before the recess, but not read at that time, relative to the re-zoning, was read.

The hearing on the proposed re-zoning in Pueblo Lots 1788 and 1209 was resumed at this time.

Mr. Bunger was the first to be heard. He spoke about the property in the area, and said that Gabriel Berg is interested in only 3 of the 5 properties to which reference has been made.

The Planning Director showed maps of the area in question, and the industrial area maps, again.

Mr. Bunger said that a zone variance is not wanted, only a re-zoning. He said that the development is too expensive to put in under zone variance. He said, again, that the high land in the tract is needed, to get and use the low land.

Glen A. Rick, Planning Director, reported that he had been told by property owners in the vicinity that the proposed M-2 zone would be detrimental to their properties, but said that they are apparently not present to speak for themselves.

Reference was made to a statement made at a previous hearing about the expensive engineering needed in connection with application for zone variance.

Mr. Haelsig spoke about a variance, and said that there was need for some

plan, plot plan for building arrangements, etc., but said that no demand had ever been made for engineering as inferred. He said that engineering is not a Planning Commission requirement.

Mr. Rick spoke about the building erected for the fertilizer activity. He said that the fertilizer activity should not be condemned, that it was a continuance of a prior use, that the building was constructed under a permit, to permit enclosure of the activity, resulting in improvement of an existing condition.

Discussion then went to the matter of conditions in connection with the re-zoning. Mr. Rick said that conditions cannot be attached to re-zoning, and said that once property is re-zoned the City loses control, and that any permitted uses may be established under terms of the zoning ordinance.

J. F. DuPaul, City Attorney, agreed with the Planning Director about no conditions being attached to a re-zoning. He told, again, about the fertilizer operation.

Councilman Wincote moved to sustain the appeal. No second was received.

Claude Rowe, a property owner to the east of the property being discussed, spoke. He said he viewed with alarm the fertilizer plant, but has withdrawn his objections, saying he is not bothered by it. He said that a real estate man had told him that a salvage plant would reduce the value of other properties in the vicinity. He said, however, that such a plant would be too far from his land to hurt him.

L. C. Bergner, developer of property for residential purposes above Mission Bay, said that the salvage yard would not add anything to the attractiveness of the entrance to the city. He said that he would not want to live in the area and look down into the yard.

Councilman Kerrigan (the Vice Mayor), spoke of his 11 years as a member of the City Planning Commission. He said that as a result of his experience in planning matters, and his views on the subject, there would be trouble in getting 5 votes needed for adoption of the zone change ordinance.

Councilman Swan said that he "wanted more information", and referred to his not having received a copy of the ordinance. It was pointed out that the ordinance is a routine recital of permitted uses, no different from others adopted on the same subject.

Gabriel Berg spoke. He said that there are only 18 acres of land in the tract which would be usable for the proposed purpose. Asked to give figures on cost of equipment, Mr. Berg replied that it would be between \$100,000.00 and \$125,000.00. He said that the total investment would be \$250,000.00. He said that accessibility to the railroad is an important in consideration of site, which also enters into the termination of the property use.

Councilman Swan asked about screening between the property line and the highway.

Mr. Berg replied that a solid 6-foot enclosure is required by City Ordinance, but would offer to raise it to 8 feet.

Councilman Wincote suggested a delay, in view of Mr. Kerrigan's indication that the Ordinance would probably not receive 5 votes (there were only 5 votes present, and it was inferred that Mr. Kerrigan would vote against the ordinance). Mr. Bunker agreed to a continuance, rather than to lose the re-zoning at this time.

On motion of Councilman Schneider, seconded by Councilman Swan, the hearing was continued for one week - making it on Thursday, April 5, 1951.

The continued hearing on appeal of Richard J. and Helen C. Kuhn from the Zoning Committee decision in denying permission to construct a single-family residence on portion of Pueblo Lot 1209, east of Paul Jones Avenue and north of Brandywine Street, in Zone R-1, was brought up for consideration at this time.

A new report from the Planning Director, dated March 28, 1951, setting forth the views of the Zoning Committee, again, for denial and referring to the granting of zone variances in exceptional cases to overcome hardships as being abused, was presented and read.

A communication from Claude W. Rowe, 3640 Brandywine Street, addressed to the Planning Director, under date of March 28, referring to the Kuhn appeal, was presented. Said communication submitted a proposal for a 20-foot perpetual easement and right of way along the existing private drive to provide egress and ingress to the property and for installation of utilities, construction of a concrete retaining wall along the west edge of the driveway to follow the layout shown on drawing attached but to be modified to meet City specifications, protection to be placed on top of the wall for protection of autos in making the turn, which requested also that the proposal be submitted to the Council with the Director's approval.

Glen A. Rick, Planning Director, spoke. He said that Mr. Rowe's proposal would "be the least" which could be acceptable. Mr. Rick said that Mr. Rowe had made improvements on City property without approval. He condemned division of property by metes and bounds sales instead of through an orderly subdivision. He asked for proper subdivision under City regulations and requirements. He said that Mr. Rowe had thought it would cost too much to subdivide the property, that he doesn't want to see him lose his investment, but that he still wants proper development within the City.

Mr. Rowe (who sold the 1/2 acre to Mr. Kuhn), said that if the City denies the variance, he will give Mr. Kuhn the other 1/2 acre at no cost. He spoke about the street in question, that there was a 70-foot rise in 300 feet to Paul Jones Street, and had been changed to Brandywine Street. He referred to hardship cases, and said that this is one. Mr. Rowe said that Mr. Kuhn proposes to construct 2 fine homes on the 1/2 acre, and told of other proposed developments. Mr. Rowe said that he wants "decent size" homes up the hill. He said that he has 114 acres on top of the hill which he wants, eventually, to subdivide properly. He told the Council that dirt will be removed from Paul Jones Street and a retaining wall installed. Now, Mr. Rowe said, he has only taxes and sage brush on the land to show for his investment.

Mr. Rick said that Mr. Kuhn could build on the proposed 1-acre plot. He corrected a statement he had made at a previous hearing, about sale of property made illegally by Mr. Rowe.

It was pointed out that the Kuhn appeal would probably suffer the same fate as the previously-mentioned zone change if a vote were taken upon the appeal at this time.

On motion of Councilman Swan, seconded by Councilman Godfrey, the matter was referred back to the Zoning Committee for further consideration.

Petition of Ancient Egyptian Order of Scots, signed by Isadore Jacobson, parade marshall, dated March 26, 1951, requesting use of the Isle of Chyos opposite Mission Beach, and use of the City's flags (which would be erected for Labor Day) in connection with ceremonial to be held September 1 and 2 for many Pyramids from Arizona, Nevada and California, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said petition was referred to the City Manager.

Councilman Wincote said he would have to leave the meeting before the business would be concluded, and asked the Vice Mayor to bring up the Ordinances at this time, inasmuch as they would his vote to make the necessary 5 for adoption upon first reading.

ORDINANCE NO. 4750 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$18,500.00 from the Unappropriated Balance Fund, and transferring the same to the Elections Fund, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4751 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$18,000.00 from the Unappropriated Balance Fund, and transferring the same to "Maintenance and Support" Park and Recreation Department Fund, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

The final reading of such Ordinance was in full.

Prior to adoption of said Ordinance, the Assistant City Manager explained its provisions, at the request of Councilman Schneider, tying it in with another item listed under resolutions, which transfers funds also, and said that they were mainly for the purpose of paying for water used in the park.

ORDINANCE NO. 4752 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$8,866.00 from the Mission Bay Recreation Facilities Bond for the purpose of providing additional funds for the City's share of the cost of the channelization of the intersection at Pacific Highway and De Anza Cove Road, in addition to funds heretofore set aside and appropriated by Ordinance No. 4658 (New Series) - a portion of which is to be borne by the State of California - was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4753 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$5,500.00 from the Unappropriated Balance Fund and transferring the same to "Maintenance and Support" City Engineer's Fund, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

The final reading of such Ordinance was in full.

Prior to adoption of said Ordinance, the Assistant City Manager explained its provisions to the Council.

ORDINANCE NO. 4754 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$1,250.00 from the Unappropriated Balance Fund and transferring the same to Park Restoration Fund, for the purpose of reimbursing said fund for moneys expended therefrom for steel scaffolding and tractor, which have been transferred to general City use, was on motion of Councilman Swan, seconded by Councilman Wincote, was placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

The final reading of such Ordinance was in full.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

ORDINANCE NO. 4755 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$500.00 from the Unappropriated Balance Fund and transferring the same to "Maintenance and Support" Planning Department Fund, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Wincote, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Knox. The final reading of such Ordinance was in full.

ORDINANCE NO. 4756 (New Series), recorded on Microfilm Roll No. 38, designating the legal holidays for purposes of employment by or on behalf of The City of San Diego upon any public work, in accordance with the provisions of Section 194 of the Charter of The City of San Diego (by virtue of adoption at the election of March 13, 1951) as more particularly set forth in said Ordinance, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent---Councilman Dail, Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Knox. The final reading of such Ordinance was in full.

Communication from the Planning Director reporting upon the matter of landscaping around Radio Station KCBQ transmitter, relative to complaint of nearby property owners, which matter had been referred to Council Conference, was withdrawn from Conference on motion of Councilman Godfrey, seconded by Councilman Schneider, and ordered filed.

Petition of Park West Civic Association, business and professional people, in the neighborhood of Fifth Avenue and Laurel Street, petition for Traffic Signals, calling attention to a recent traffic death there, referring to previous correspondence on the subject, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said petition was referred to the City Manager.

Petition of San Diego City and County Convention Bureau, dated March 23, 1951, requesting an appropriation of \$10,500.00 for the fiscal year 1951-52, was presented.

The communication mentioned that in addition to an enlarged program, the Department of California American Legion convention is coming to San Diego next September, and that in order to secure the convention of approximately 10,000 persons it was necessary for the Bureau to underwrite a very heavy expense.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Communication from the City Manager reporting on communication from James H. Diel regarding broken pavement on Dalbergia Street between Una and Woden Streets, stating that repairs have been made by the Public Works Department and that the owners of the trailer responsible for damage have manifested a willingness to cooperate in avoiding future damage, recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, the City Manager's communication and the matter upon which it reported, were ordered filed.

The communication from the Planning Commission recommending approval of the Final Map of Redwood Village Unit No. 7, subject to posting of an adequate bond to insure installation of required improvements, and installation of outfall sewer from the subdivision to present termination of Stream View Drive in Hubner Park, which had been continued to this meeting, was presented.

The Assistant City Manager requested a continuation of the matter until next Tuesday.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was continued to the meeting of April 3, 1951.

Communication from Ralph J. Bahlavooni, Sr., 741 - 26th Street, thanking the Council for its courtesy in hearing him, and particularly Councilman Wincote who secured unanimous consent for presentation of his matter, was presented.

(The matter referred to was a verbal charge by Mr. Bahlavooni of Councilman Dail's having used City stationery as letterheads in his election campaign, which supposition proved to be untrue).

On motion of Councilman Wincote, seconded by Councilman Schneider, said communication was ordered filed.

Communication from John Birkel, tendering his resignation as a member of the City Planning Commission, expressing to the Mayor, Councilmen and members of the City Planning Commission his thanks for the many courtesies extended to him in the past, was presented.

RESOLUTION NO. 101725, recorded on Microfilm Roll No. 37, accepting the resignation of John Birkel as a member of the City Planning Commission, with regret, and requesting Mayor Harley E. Knox to write a letter to Mr. Birkel thanking him for his services to the City of San Diego as a member of said Commission, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication Mrs. Gertrude E. Jenkins, address not given, urging restoration of the Plaza to its former beauty of trees, shrubs and flowers, including the talked-of information booth, was presented.

On motion of Councilman Swan, seconded by Councilman Schneider, said communication was ordered filed.

Councilman Wincote was excused from the meeting at this time.

The Vice Mayor requested, and was granted, permission to present the next order of business, not listed on the Council's agenda:

A communication from San Diego Transit System, signed by J. L. Haugh, president, and dated March 29, 1951, referring to communication from the Mayor about the strike of Local 1309 Amalgamated Association of Street, Electric Railway and Motor Coach Employees, was presented and read.

Said communication stated that an earnest endeavor to settle the dispute is being made and that generous terms have been offered of welfare insurance to the employees which supplement the various favorable provisions in the contract with the union. The communication said that the company has offered the insurance, but that in addition the union is demanding that the company pay for health and hospital insurance for dependent members of the family, that if the company yields to the union's demands it would set a precedent for the company that would materially increase expenses, and that it has a very definite responsibility to the public to keep expenses to a minimum so as to live within the present rate structure. The communication points out that in the City's group insurance program, the employees pay not only for themselves but for their dependents, and that it was presumed that the cost would be so great that the tax rate would have to be increased if the City were to pay the entire cost of insurance for employees and dependents. It said, also, that a new panel of three experienced Federal conciliators has arrived and is assisting in negotiations, and that it is hoped that the bus operators will go back to work in a few days. Reference was made to the last paragraph of the Mayor's letter which indicated that unless the strike is settled in a few days it will be necessary for the Council to take other action. It said that it may be that the Council had in mind taking over the bus operation, and if it does have that in mind Mr. Haugh would like very much to talk with the Councilmen or their representatives about it.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from Ed Fletcher Company, signed by Ed Fletcher, pres., dated March 26, 1951, making reference to its offer of March 20, 1951, to furnish one or two million gallons of water per day to the City or outside agencies of the San Diego County Water Authority at \$60.00 per acre foot if 5 to 10 million gallons per day for this year are needed, it will be furnished at \$45.00 per acre foot and commence delivery by the first of June or July 1, and further details, was presented.

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

Communication from Ed Fletcher Company, signed by Ed Fletcher, pres., dated March 28, 1951, suggesting that "we might work out a plan whereby we will make no charge for the water but permit the city to put in a string of wells on our San Pasqual ranch and have the free use of the water for two years from date. Our only benefit would be the installation of the wells which would come to us at the expiration of the two year period", and further details, was presented.

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

Communication from Robert J. McPherson, 2644 Teresita Street, San Diego 4, suggesting that Wabash Freeway be renamed Cooper Freeway, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated March 22, 1951, signed by J. M. MacConnell, reporting that the claim of Ben N. Hamrick, in the sum of \$200.00 (estimated) had been settled by payment of \$125.00 on March 9, 1951, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said report was ordered filed.

Communication from Pacific Indemnity Company, dated March 23, 1951, signed by J. M. MacConnell, reporting that claim of Lewis F. Russell and Cora E. Russell, in the sum of \$110.00, had been settled by payment of \$85.00, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from A. Payne, 4169 Mississippi Street, referring to the present transit strike, and asking "why in the name of common sense and civic pride don't the city of San Diego take over our transportation system and give its citizens a break at long last", was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was ordered filed.

Communication from San Diego Chapter of the Indoor Sports' Club, Inc., 3030 Front Street, signed by Cathryn M. Geise, corresponding secretary, asking the Council to send to Sacramento a resolution of approval of the bill for Aid to the Disabled: Senate Bill 923, Assembly Bill A.B. 1216, was presented.

Councilman Schneider moved to send the matter to Conference, but the motion was not seconded.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, the communication was referred to the City Manager.

Communication from San Diego County and Municipal Employees, Local Number 127, Hillcrest Station Box 51, San Diego 3, signed by Jay T. Dellinger, Rec. Secretary, requesting that its business representative, Mr. Otto Hahn, be present in behalf of its members and City employees, at a Council conference having to do with City of San Diego employees moving into the City, was presented.

RESOLUTION NO. 101726, recorded on Microfilm Roll No. 38, referring communication from San Diego County and Municipal Employees Local Number 127 for representation at Council conference to consider enforcement of residence requirement of all City employees, to Council Conference, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101727, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to execute an agreement with M. W. Moore, 3465 Ingraham Street, San Diego 9, for collection of monthly water bills in the Crown Point district, wherein and whereby said collection agency agrees to collect and receive payment of City water bills on behalf of The City and to issue receipts for such payments, and the City agrees to pay said agency a sum of 6/8¢ per bill collected, said agreement to take effect March 1, 1951, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101728, recorded on Microfilm Roll No. 38, accepting the report of C. B. Saunders, filed with the City Clerk as Document No. 431246 pursuant to Section 196 of the Charter, explaining the emergency necessitating certain overtime work in connection with the construction of Bayview Reservoir, as true, and that the overtime employment described did not constitute a violation of said Section, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101729, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to do all the work in connection with the installation of 1125 feet of 8-inch water main and two 6-inch fire hydrants in Cumberland Street (formerly Calle Pintoresca), from Calle Trepadora to Calle Tortuosa, by appropriate City forces, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101730, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to do all the work in connection with the grading and surfacing with plant mix of the area around the Pacific Beach Reservoir, to provide proper drainage and to prevent damage to private property caused by overflow from the reservoir, by appropriate City forces, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101731, recorded on Microfilm Roll No. 38, granting permission to J. B. Mason, 140 East Arbor Drive, San Diego, to install a four-inch cast iron sewer line between the property line and the sidewalk, to be placed 5 feet outside the property line and run in a southerly direction, parallel to the westerly line of Lots 1 and 4 Block 2 First Street Addition, to point of intersection with public sewer, to serve property at 140 East Arbor Drive, on conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101732, recorded on Microfilm Roll No. 37, granting permission to Albert Steinbaum, owner of Hotel San Diego, to install in said hotel, seamless copper tubing of the type designated by the American Society of Testing Materials B 75-47T and Federal specifications WW-T 797, subject to submitting samples of pipe and fittings to Department of Public Health before installation, in connection with remodeling

the hotel, on conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101733, recorded on Microfilm Roll No. 38, granting revocable permit to San Diego Federal Savings and Loan Association to install and maintain two 750-gallon capacity gasoline storage tanks underneath the sidewalk at the southwest corner of the Company's new building located at 6th Avenue and A Street, on conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101734, recorded on Microfilm Roll No. 38, granting permission to The American War Mothers, Golden Poppy Chapter No. 14, to sell carnations on the streets of The City of San Diego, May 11 and 12, 1951, for the purpose of raising funds for their welfare work, which includes aid to needy veterans and their families, furnishing of fruit, candy, etc. to hospitalized veterans, Christmas parties for deceased veterans' children, etc., was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101735, recorded on Microfilm Roll No. 38, authorizing and directing the City Auditor and Comptroller to transfer the sum of \$6,000.00 from Contractual Services "Maintenance and Support", Fine Arts Gallery Fund - Community Projects, to "Maintenance and Support", Park and Recreation Department Fund, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

(This is the Resolution hereinbefore referred to in connection with an Ordinance transferring funds from Unappropriated Balance Fund to Park and Recreation Department).

RESOLUTION NO. 101736, recorded on Microfilm Roll No. 38, authorizing Fire Marshal Homer C. Lovell to go to Lafayette, Indiana, for the purpose of attending a seminar and training course in arson, detection and investigation at Purdue University, to be held April 23 to 27 inclusive, 1951, authorizing the incurring of all expenses necessary in connection therewith, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101737, recorded on Microfilm Roll No. 38, authorizing Eric V. Quartly, Superintendent, Sewage Treatment Plant, to attend the Annual Directors' Meeting and Technical sessions of the California Sewage Works Association, to be held in Fresno, California, April 25 to 28 inclusive, 1951, authorizing the incurring of all expenses necessary in connection therewith, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101738, recorded on Microfilm Roll No. 38, authorizing the Mayor and City Clerk to execute deeds in connection with easements to the United States of America for construction of a flood control channel and a harbor as proposed in the San Diego River and Mission Bay Project, etc., was on motion of Councilman Schneider, seconded by Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101739, recorded on Microfilm Roll No. 38, authorizing the Mayor and City Clerk to execute a deed quitclaiming to Elvis J. Curtis and Caroline K. Curtis, husband and wife, as joint tenants, all the City-owned real property in Drucker's Subdivision set forth in said Resolution, authorizing the City Attorney to dismiss action in eminent domain entitled "The City of San Diego, a municipal corporation, plaintiff, vs. Dela Adams, et al., defendants", No. 130137 as to lands in Drucker's Subdivision set forth in said Resolution, said quitclaim deed to be delivered to the Curtises and the dismissal of said action shall be filed in said court, upon execution and delivery to the City of a deed granting to the City a portion of Lot 13 Block 5 of Drucker's Subdivision as described in Section 2 of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101740, recorded on Microfilm Roll No. 38, accepting subordination agreement executed by Emma Oberhoff, beneficiary, and Southern Title and Trust Company, trustee, subordinating all right, title and interest in and to a portion of Lot "H" Block 7 Central Homestead, to the right of way and easement for sewer purposes heretofore conveyed to the City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101741, recorded on Microfilm Roll No. 38, accepting subordination agreement executed by Emma Oberhoff, beneficiary, and Southern Title and Trust Company, trustee, subordinating all right, title and interest in and to a portion of Lot "H" Block 7 Central Homestead, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101742, recorded on Microfilm Roll No. 38, accepting deed of Allen E. Rose and LaVina R. Rose, bearing date March 13, 1951, conveying a portion of Lots 12 and 13 Block 34 Lexington Park, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101743, recorded on Microfilm Roll No. 38, accepting deed of James C. Holmes and Hermine Holmes, bearing date March 7, 1951, conveying Lot 8 Block 3 Rosedale, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101744, recorded on Microfilm Roll No. 38, accepting deed of Carrie E. Haines, Albert E. Widen, Winifred H. Edmonds, also known as Winifred H. Morehouse, and Harlan K. Greathouse, bearing date February 21, 1951, conveying an easement and right of way for street purposes in portion of Lot 18 Horton's Purchase, setting aside and dedicating the same to the public use as and for a public street, and naming the same 47th Street, authorizing and directing the City Clerk to file said deed or record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101745, recorded on Microfilm Roll No. 38, accepting deed of E. C. Moore, bearing date February 27, 1951, conveying an easement and right of way for street purposes in portion of Lot 18 Horton's Purchase, setting aside and dedicating the same to the public use as and for a public street, and naming the same 47th Street, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101746, recorded on Microfilm Roll No. 38, accepting deed of Allen E. Rose and LaVina R. Rose, bearing date March 13, 1951, conveying an easement and right of way for street purposes in portion of Lots 12 and 13 Block 34 Lexington Park, setting aside and dedicating the same to the public use as and for a public street, and naming the same Poplar Street, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101747, recorded on Microfilm Roll No. 38, accepting deed of Studebaker Broadcasting Company, Inc., bearing date March 14, 1951, conveying a portion of Lots 1 to 11 inclusive and Lots 39 to 48 inclusive Block 266 San Diego Land and Town Company's South Chollas Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101748, recorded on Microfilm Roll No. 38, accepting deed of Elmer Lee Anderson and Rosa E. Anderson, bearing date January 3, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 44 Block 20 Resubdivision of Lots 20 to 50 inclusive in Block N Teralta, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101749, recorded on Microfilm Roll No. 38, accepting deed of Johnston T. Barrett and Madalen C. Barrett, bearing date January 29, 1951, conveying an easement and right of way for sewer purposes in portion of Lot "H" Block 7 Central Homestead, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101750, recorded on Microfilm Roll No. 38, accepting deed of Elizabeth J. Highleyman and Daly Highleyman, bearing date March 6, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 17, 18 and 19 Block 8 La Jolla Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101751, recorded on Microfilm Roll No. 38, accepting deed of Glenn E. Jansen and Olive Nadine Jansen, bearing date March 8, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 303 Pacific Beach, authorizing

and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101752, recorded on Microfilm Roll No. 38, accepting deed of William Frank Remington, bearing date March 6, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 12 Block 1 Warner Villa Tract, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101753, recorded on Microfilm Roll No. 38, accepting deed of Herbert R. Woodward and Thelma E. Woodward, bearing date March 15, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 12 Lemon Villas, Ex-Mission Lands of San Diego, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101754, recorded on Microfilm Roll No. 38, accepting deed of Hubner Building Company, a partnership composed of E. J. Hubner and Ione C. Hubner, bearing date March 15, 1951, conveying an easement and right of way for storm drain purposes in portion of Parcel "00" Lot 19 Rancho Mission, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101755, recorded on Microfilm Roll No. 38, accepting deed of Aurora Rodriguez, bearing date March 9, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 12 Long and Hickok's Subdivision, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

At this time the Vice Mayor asked members of the Council to notify the Mayor's Secretary regarding their plans for attending the luncheon to be held tomorrow honoring Mayor Knox.

No action was taken.

The Vice Mayor brought up the matter of the Mayor's luncheon, and expressed the belief that the Council might authorize him to issue a proclamation declaring March 30, 1951 "Mayor Harley E. Knox Day, so that he would have an official document to read at the luncheon.

RESOLUTION NO. 101756, recorded on Microfilm Roll No. 38, directing the Vice Mayor to issue a proclamation declaring March 30, 1951, to be "Mayor Harley E. Knox Day", was on motion of Councilman Godfrey, seconded by Councilman Godfrey, adopted.

The Assistant City Manager requested, and was granted, unanimous consent to present the following matters, not listed on the Council's agenda, which he explained briefly as each item was presented:

RESOLUTION NO. 101757, recorded on Microfilm Roll No. 38, expressing the Council's best wishes, hopes and prayers for San Diego's own 140th AAA AW Battalion, which is about to sail from San Francisco for Japan for the completion of their military training, and that they be God-spiced in their military service, that their services be in the highest tradition of our Country and that they be granted the privilege of returning to peacetime living in The City of San Diego as early as humanly possible, declaring it to be a privilege and an honor to extend to their friends and neighbors in the 140th National Guard Unit their best wishes and resolves, instructing the City Clerk to mail a copy of said Resolution to Lt. Col. K. R. Schweidel, Commanding, 140th AAA AW Battalion SP, presently at Camp Cooke, California, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101758, recorded on Microfilm Roll No. 38, empowering and directing the City Manager on behalf of The City of San Diego to waive any failure on the part of The United States of America by and through its Public Housing Administration to give to the City of San Diego a notice of renewal of lease on a portion of Pueblo Lot 1311 for the purpose of maintaining public housing thereon (through some mistake the required notice to renew was not given prior to June 30, 1950), the Public Housing Administration requiring the use of said lands for public housing because of the Korean situation and the national emergency, and to accept and confirm on behalf of the City said lease as being in effect at the present time up to and including June 30, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101759, recorded on Microfilm Roll No. 38, ratifying and approving the action of the City Manager in employing Wayne A. Perkins, as consultant, on

account of stress analysis of Sutherland Dam, fees for services of said Wayne A. Perkins, and expenses incurred in connection with services in said analysis, amounting to the sum of \$992.76, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Schneider, at the hour of 3:27 o'clock P.M.

ATTEST:
FRED W. SICK, City Clerk

George Kerrigan
Vice Mayor of The City of San Diego, California

By *A. M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, April 3, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor, at the hour of 10:12 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey
Absent----Councilmen Dail, Mayor Knox
Clerk-----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan acted as chairman.

The minutes of the Regular Meetings of Tuesday, March 27, 1951 and of Thursday, March 29, 1951, were presented to the Council by the Clerk. On motion of Councilman Godfrey, seconded by Councilman Swan, the minutes were approved without reading, after which they were signed by the Vice Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the opening of bids for the paving and otherwise improving of the Alley in Block 245 Mission Beach, and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 101110, the clerk reported that two bids had been received, which bids were presented to the Council. On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of five hundred dollars, which bid was given Document No. 431555;

The bid of Al E. Riley, accompanied by bond written by The Fidelity and Casualty Company in the sum of five thousand dollars, which bid was given Document No. 431556.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the opening of bids for the paving and otherwise improving of Dawes Street, Emerald Street, Everts Street and Felspar Street, within the limits and as particularly described in Resolution of Intention No. 10111, the clerk reported that five bids had been received, which bids were presented to the Council. On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of Daley Corporation, accompanied by bond written by The Glens Falls Indemnity Company in the sum of nine thousand dollars, which bid was given Document No. 431557;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of eight thousand dollars, which bid was given Document No. 431558;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of nine thousand dollars, which bid was given Document No. 431559;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of eight thousand dollars, which bid was given Document No. 431560;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of eight thousand dollars, which bid was given Document No. 431561;

On motion of Councilman Swan, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the opening of bids for the paving and otherwise improving of Gresham Street and Graham Street, within the limits and as particularly described in Resolution of Intention No. 10112, the clerk reported that five bids had been received, which bids were presented to the Council. On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of Daley Corporation, accompanied by bond written by The Glens Falls Indemnity Company in the sum of three thousand five hundred dollars, which bid was given Document No. 431562;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of two thousand five hundred dollars, which bid was given Document No. 431563;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of four thousand dollars, which bid was given Document No. 431564;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of three thousand dollars, which bid was given Document No. 431565;

Councilman Dail entered the meeting at this time, at the hour of 10:25 o'clock A.M.

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of three thousand dollars, which bid was given Document No. 431566.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101405, for the paving and otherwise improving of the Alley in Block 323 Reed and Daley's Addition, and 29th Street, within the limits and as particularly described in said Resolution, the clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, and no written protests were presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating a portion of Section 34, T16S, R2W, S.B.M. into an "R-2" Zone as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 184 (New Series) adopted March 20, 1933, insofar as it conflicts, the clerk reported that no written protests had been received.

Said property is located on 54th Street at Blackton Drive, in Zone R-1, and proposed to be re-zoned to permit construction of the Oak Park elementary school to serve rapidly developing residential area.

ORDINANCE NO. 4757 (New Series), recorded on Microfilm Roll No. 38, incorporating a portion of Section 34, T16S, R2W, S.B.M. into an "R-2" Zone as defined by Ordinance 8924 of the ordinances of the City of San Diego and amendments thereto, repealing Ordinance No. 184 (New Series) adopted March 20, 1933, insofar as the same conflicts, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating all of Block 27 Roseville into "M-1" Zone as defined by Ordinance No. 8924 of the Ordinances of The City and amendments thereto, repealing Ordinance No. 32 (New Series) adopted September 6, 1932, insofar as the same conflicts, the Clerk told the Council that the Planning Commission had recommended denial of the application for change of zone from the existing R-4 to M-1, but that the Council had directed preparation of the Ordinance on written request of Morey S. Levenson, attorney, in behalf of Drake & Bullen, the petitioners.

A written protest from William P. Odom, 316 Orpheum Theatre Building, owner of Lots 17, 18 and 20 Block 26, adjoining said property proposed to be rezoned, was presented and read.

Dr. Odom spoke, and said that he had owned the property for 15 years. He said that he is now ready to improve the property with an apartment house containing some 20 units. He said that an M-1 zone would damage his property. Dr. Odom protested uncontrolled M-1 zone, but said that he would not oppose Zone C.

Councilman Dail asked Dr. Odom if he opposed industry in the area.

Dr. Odom replied that if the industry would not injure his property he would not object.

Councilman Swan asked Dr. Odom the location of his property, to which he replied that it is on the south side of Rosecrans, by the Bay, adjoining the proposed rezoning.

After he had sat down, Dr. Odom arose again, and said that most of the neighbors are Portuguese fishermen who are absent from the city.

Morey S. Levenson, representing Drake & Bullen, said that the Planning Commission does not oppose an M-1 use, but wants to control use over the property through zone variance rather than through re-zoning. He said that the Harbor Department has filled in front of the property, creating a mole into the Bay, and that it has now become commercial property. He told of fish unloading activity, marine equipment companies, the Kettenburg Boat Works (an M-1 use) on zone variance, which he said has been renewed. He said it is only 1 block north of the High Seas Packing Company, located on portion of tidelands where there is no zoning, and that the Packing Company is on other property under zone variance. Mr. Levenson said that the property in question is a little island in R-4 Zone, which cannot be used for anything but for industrial purposes. He emphasized that 90% (more than 90%) of the property owners in the area think the parcel in question should be rezoned, and have signed in favor. He said that there over 100 signatures for the zone change in the immediate vicinity. He said that his clients oppose a zone variance because of government regulations which might prohibit development within the 6 months' period provided in zone variances, and the \$5,000.00 limitation on buildings. He felt that if a zone variance were granted, it might not be extended to permit the improvement. He said that Drake & Bullen will build as soon as the government permits. Mr. Levenson said that it would be impossible to sell the property as a Zone R-4 use, with industrial development on 3 sides.

Asked about the distance of his property from the area under discussion, Dr. Odom replied 100 feet.

At this point the Planning Director was heard. He showed maps of the area, and showed that some of it is in R-4, rather than in M-1 as Mr. Levenson contended.

Dr. Odom, asked if he would consent to having his land put into C or M-1 Zone, said that he would not oppose. But he said he could not develop it as proposed in its present zone with re-zoning as sought. He said that he felt that the Kettenburg Boat Works is a proper use in the bay front area.

Mr. Levenson, asked about present operations of Drake & Bullen, told of their activities on one of the City's piers, covering the building, repair, and selling of craft. He said that a zone variance is impracticable. He said, again, that the Planning Commission does not oppose the M-1 zone, but does not want to lose control.

Councilman Godfrey thought that Dr. Odom would be affected as much by a zone variance as much as by the change in zone.

Dr. Odom said that the zone variance would be objectionable also, regarding M-1 property use.

Councilman Wincote wondered if the 90% of the property owners who signed the petition would want their property rezoned also. Mr. Levenson said that he doubted that, and mentioned the existing Portuguese Hall and Church and already developed properties.

Councilman Wincote wondered if the property under discussion was the same as that considered recently. Mr. Rick said that was another nearby property. Mr. Wincote said that the entire area should have whatever zone the properties want. He said that if the property were sold, it could be used for any M-1 use.

Councilman Schneider asked about permitted uses in M-1, which Mr. Rick answered. He told of other commercial and industrial proposed use efforts in Roseville, and said that the Council had sustained the commission's previous recommendations. He said he felt that the M-1 use would be of damage to residential properties.

Councilman Godfrey said that there is a definite trend toward industrial uses in the area.

Mr. Rick said that the present industrial uses cannot be eliminated.

Councilman Godfrey pointed out that the Planning Commission and the Zoning Committee apparently approve the industrial use.

Mr. Rick said that the Committee and Commission have not been made aware of the proposed use, and that unlimited use would not be approved. He said that that the Zoning Committee has not said that it would grant the variance, as stated in the meeting, but "might" favor it.

Councilman Swan expressed the belief that residences are decreasing, rather than increasing. Mr. Rick said that he preferred not to make a definite statement, without census figures, but expressed the belief that that more residences are going in.

Councilman Wincote contended that a zone variance would be an expansion of M-1 Zone. He said that property across the street would then become a hardship case.

Mr. Levenson said that the Council has opposed spot zoning, and had thought the area should be rezoned instead of spot zoned.

Councilman Schneider expressed the belief that the proposed change is premature under present regulations, but Mr. Levenson said that the development might be permitted by the Federal government, depending upon its views.

Councilman Swan wanted to know about the investment proposed. Mr. Levenson said that it would be upwards to \$100,000.00 - 100 times as great as present Drake & Bullen operation. He said that the company now builds boats in New Orleans, which boats he felt ought to be built here.

Mr. Rick was asked to get the list of the entire uses permitted in M-1 zone, which he did.

Councilman Godfrey wanted the Council to look at the property.

Councilman Godfrey moved to continue the hearing for one week from this date, to permit the Council to look at the area, which motion was seconded by Councilman Dail.

Before the roll was called, Councilman Wincote read the permitted uses, from the ordinance which had been obtained by Mr. Rick.

The roll was called at this time on the motion to continue the hearing for one week, resulting in a unanimous vote.

Councilman Dail was excused from the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the matter of removing the existing setback on the east side of Pacific Highway, between West Washington Street and Wither Street, a communication signed by E. E. Wallace, District Engineer, Division of Highways District XI, under date of March 28, 1951, was presented and read. Said communication confirmed previous statements made before the City Council by the District Right of Way Agent, John C. Webb, on Tuesday 13, 1951, regarding proposed widening, available funds for acquisition of rights of way, amount of land required, use of property until needed by the State, method of acquisition, and again recommended denial of the petition for setback removal.

Mr. Webb spoke, and stated that he could not say exactly what plan would be followed regarding use of improved property. He said that each case is different, and that negotiation is needed.

Harold Peterson, representing Arbud Investment Co., spoke about property owned, including property built upon before the setback was established. He wanted to know about its use.

Mr. Webb said that the property would not be forced to move back. He said that unoccupied, unimproved property will be bought immediately.

Councilman Wincote spoke about the 4 different types of property in the line of the right of way.

Mr. Webb said again, that in many instances it would be a matter of negotiation. He referred to the Stirrup Cup, which had been built upon before the setback had been established, and said he could not say what action would be taken. He said that he did not want to make any commitments at this time.

J. Harold Peterson spoke also, and referred to 4 different categories of property owned by his group.

Councilman Schneider called for the original petition for the removal of the setback, which was handed to him by the Clerk. Mr. Schneider read the petition arguments for removal.

Councilman Godfrey moved to file the Highway Engineer's letter and deny the petition, which motion was seconded by Councilman Schneider.

After further discussion, the motion was withdrawn.

RESOLUTION NO. 101760, recorded on Microfilm Roll No. 38, continuing the hearing on the request of property owners for the repeal of Ordinance No. 401 (New Series) and Ordinance No. 13031 for removal of the existing setback from the easterly side of Pacific Highway between Rosecrans Street and Witherby Street until the hour of 10:00 o'clock A.M. of Thursday, April 5, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

(The Clerk notified Messrs. Percival, Donnelley and Hall of the continuance, by telephone).

Claim of Grace R. Canning, 831 Missouri Street, referring to previously-filed claim which had been denied upon recommendation of the insurance claim (the company contended that street sweeper had not been upon the street on the day when she claimed it had damaged her car), attaching statement of the repair company and referring to witnesses to marks upon the car, etc., was presented.

RESOLUTION NO. 101761, recorded on Microfilm Roll No. 38, referring claim of Grade R. Canning to the City Attorney, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Claim of F. D. Henry, 2104 5th Avenue, San Diego, in the sum of \$172.37, for damage to his motor vehicle by a City-owned vehicle, was presented.

RESOLUTION NO. 101762, recorded on Microfilm Roll No. 38, referring claim of F. D. Henry to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Harbor Department submitting two leases, and one lease amendment for ratification: San Diego Baseball Club; Mauricb and Sons; Martinolich Shipbuilding Co. (amendment), was presented.

Carl Ruepsch explained the provisions of each, particularly the San Diego Baseball Club lease upon which he said that the Harbor Commission would undoubtedly take further action after ratification by the Council, which matter had apparently been discussed in Conference.

RESOLUTION NO. 101763, recorded on Microfilm Roll No. 38, ratifying, confirming and approving tidelands lease with San Diego Baseball Club for a period of two years, with option to renew for an additional three years, upon terms and conditions contained in form of lease, a copy of which is on file in the office of the City Clerk under Document No. 531351, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101764, recorded on Microfilm Roll No. 38, ratifying, confirming and approving tidelands lease with Antonio Mauricio, Anthony Mauricio, Jr., a partnership, doing business under the name and style of Mauricio and Sons, for a period of five years, with option to renew for an additional five years, upon the terms and conditions contained in the form of lease, a copy of which is on file in the Office of the City Clerk under Document No. 431353, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101765, recorded on Microfilm Roll No. 38, ratifying, confirming and approving agreement for amendment of tideland lease with Martinolich Shipbuilding Company as Lessee and Security Trust and Savings Bank of San Diego as assignee, a copy of which agreement for amendment is contained in Document No. 431355, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the installation of acoustical materials to the walls and ceilings of the Recital Hall in the Palisades Building, Balboa Park, recommending award to Asbestos Products Company, San Diego, the low bidder, quoting on Alternate Two, was presented.

RESOLUTION NO. 101766, recorded on Microfilm Roll No. 38, accepting bid of Asbestos Products Company, San Diego, to install acoustical materials to the walls and ceilings of the Recital Hall, in the Palisades Building, Balboa Park, awarding contract and authorizing and instructing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the furnishing of approximately 700 Parking Meters and the installation of 200 of them, recommending award to Michaels Art Bronze Company, the low bidder, on MI-CO Meters, was presented.

RESOLUTION accepting said bid and awarding contract was adopted at this time. However, after the roll was called, the Vice Mayor recognized Earl Ryan, representing Pacific Union Metal Company of Los Angeles, who asked to be heard.

The action of awarding the contract and directing the City Manager to execute the same was reconsidered.

Mr. Ryan spoke regarding the specifications for the Meters.

Inasmuch as the Council did not have the necessary information to act upon Mr. Ryan's protest, the matter was continued temporarily, and the City Manager sent for the Purchasing Agent and asked him to bring a sample of the Meter proposed to be accepted.

RESOLUTION NO. 101767, recorded on Microfilm Roll No. 38, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expenses necessary or incidental to the construction of pavement, drainage structures, curbs and walks on G Street Pier, in accordance with Document No. 431421 on file in the office of the City Clerk, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101768, recorded on Microfilm Roll No. 38, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental to the construction of a shuffleboard court shelter at Highland Avenue and Landis Street, in accordance with Document No. 431419 on file in the office of the City Clerk, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Manager recommending installation of 50 600 c.p. lights and 3 1000 c.p. lights along 54th Street and the new subdivisions on both sides of 54th Street between Euclid Avenue and University Avenue, was presented.

RESOLUTION NO. 101769, recorded on Microfilm Roll No. 38, authorizing and directing the San Diego Gas & Electric Company to install 50 600 candle power lights and 3 1000 candle power lights along 54th Street and the new subdivisions on both sides of 54th Street, between Euclid Avenue and University Avenue, in accordance with the recommendation of the City Manager, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on communication from Fleet Reserve Association relative to inadequate parking facilities at the Naval Hospital, transmitting a copy of his reply to Julian Flor, Secretary-Treasurer, Fleet Reserve Association, Co-ordinating Council of San Diego County, 3217 E Street, San Diego 2, with the information that the Council has approved plans and specifications and authorized advertising for bids for the construction of additional parking facilities adjacent to the hospital, stating that when completed it is anticipated that this development will greatly alleviate present inconveniences experienced by visitors to the Naval Hospital, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Redwood Village Unit No. 7, subject to provision for posting adequate bond to insure installation of improvements and subject to provision and installation of outfall sewer to present termination of Stream View Drive in Hubner Park, continued to this meeting from two previous meetings, was again presented.

RESOLUTION NO. 101770, recorded on Microfilm Roll No. 38, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Hubner Building Company, a partnership, for the installation and completion of the unfinished improvements and the setting of the monuments required for Redwood Village Unit No. 7, directing the City Engineer present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101771, recorded on Microfilm Roll No. 38, adopting Map of Redwood Village Unit No. 7, being portion of Parcel "00" of Lot 19 of Rancho Mission of San Diego, accepting Egan Street, Gayle Street, Glade Street, Hasty Street, Streamview Drive and unnamed easements shown thereon for public purposes, declaring said streets and unnamed easements to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets and unnamed easements are accepted on behalf of the public as hereinbefore stated, directing said City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Vista LaPlaya, subject to provision for posting adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 101772, recorded on Microfilm Roll No. 38, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Thomas N. Faulconer for the installation and completion of the unfinished improvements, and the setting of the monuments required for Vista La Playa, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101773, recorded on Microfilm Roll No. 38, adopting Map of Vista La Playa, being subdivision of portion of Pueblo Lot 169, accepting Warner Street and unnamed easements shown thereon for public purposes, declaring said streets and unnamed easements to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets and unnamed easements are accepted on behalf of the public as hereinbefore stated, directing said City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the Subdivision Ordinance in connection with Tentative Map of Belleview Heights Unit No. 6, was presented.

RESOLUTION NO. 101774, recorded on Microfilm Roll No. 38 suspending Sections 3G1 and 2, 3I1, 4A8 and 6 of the Subdivision Ordinance, insofar as they relate to the Tentative Map of Belleview Heights Unit No. 6, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Belleview Heights Unit No. 6, subject to 10 conditions, was presented.

RESOLUTION NO. 101775, recorded on Microfilm Roll No. 38, approving the Tentative Map of Belleview Heights Unit No. 6, a subdivision of 87 lots located on 58th Street southerly of Trojan Avenue, subject to conditions set forth therein, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending amendment to Resolution No. 101616 to suspend one additional section of the Subdivision Ordinance in connection with the Tentative Map of Illinois Manor, amended, was presented.

RESOLUTION NO. 101776, recorded on Microfilm Roll No. 38, suspending Section 3E4 of the Subdivision Ordinance, in connection with the Tentative Map of Illinois Manor, amended, in addition to suspensions heretofore made under Resolution No. 101616 adopted March 20, 1951, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending amendment to Resolution No. 101617 covering one condition in connection with approval of the Tentative Map of Illinois Manor, was presented.

RESOLUTION NO. 101777, recorded on Microfilm Roll No. 38, amending Resolution No. 101617, in connection with the Tentative Map of Illinois Manor, adopted March 20, 1951, insofar as Section 4 is concerned, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending that the Council make a finding in connection with the Tentative Map for subdivision of Lots 25, 26 and 27 Nettleship Tye Tract No. 3 into parcels, by Record of Survey, there being an area of less than 5 acres in the parcel to be divided, was presented.

RESOLUTION NO. 101778, recorded on Microfilm Roll No. 38, approving the Tentative Map for the subdivision of Lots 25, 26 and 27 Nettleship Tye Tract No. 3, into 6 parcels, for the filing of a Record of Survey in that the area contains less than 5 acres and the land abuts upon dedicated streets and highways, on which street opening or widening is not required and that the lot design meets the approval of the governing body, and subject to grading of Academy and Beryl Streets full-width, adjacent to the proposed subdivision, to grades established by the City Engineer, in order to give access to the proposed lots abutting said streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending the establishment of a 10-foot setback from the proposed service road, or 50 feet from the present line of West Point Loma Boulevard in Pueblo Lot 212, similar to action already taken to the east, and reference to the City Attorney for preparation of an Ordinance upon which a hearing should be set, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance to establish such a setback line.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending denial of petition for rezoning the northerly 300 feet of Pueblo Lot 1783, lying between La Jolla Boulevard and Electric Avenue, and Lots 4 through 7 Block 33 Bird Rock Addition, to RC and R-4 Zone from Zone R-1, was presented.

Carlos Tavares was heard in connection with the recommendation. He asked that the Council not adopt the recommendation at this time, but set an opening hearing thereon. Asked if it would be satisfactory with him to refer the matter back to the Planning Commission for another hearing, Mr. Tavares replied that it would.

Councilman Godfrey moved to refer the matter back to the Planning Commission, which motion was seconded by Councilman Schneider.

Before the roll could be called, Mr. Dawson (who did not give his first name or initials), representing the La Jolla Town Council, spoke. He said that there are a substantial number of objectors, and said that there had been a full hearing before the Planning Commission.

The motion and second were withdrawn.

Councilman Godfrey moved to conduct a hearing before the Council in 2 weeks.

Councilman Godfrey moved to refer the matter back to the Planning Commission for re-hearing, which motion was seconded by Councilman Schneider.

The Planning Director spoke at this point, and said that more property had been added to the request for the re-zoning, feeling that the proposed effort to re-zone was on a too-small area, and that if more territory were included it would make a better zoning pattern.

Mr. Dawson spoke again, and said that both proposals are opposed, as well as spot zoning. He said that the area is at the south entrance to La Jolla.

Councilman Schneider observed that it was still in San Diego, however.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said matter was referred to the City Attorney for preparation and presentation of an Ordinance to re-zone the area, and setting a hearing for the hour of 10:00 o'clock of Tuesday, April 17, 1951.

The Planning Director said it would be inadvisable to change the zone on the first 300 feet contained in the application.

The matter of awarding contract for Parking Meters was resumed at this time, the Purchasing Agent having arrived.

Mr. Ryan who spoke earlier, was heard again. He spoke about the specifications, and said that there was 80% of failure in the Meters proposed to be purchased, due to jamming of the coin chutes. He said that it requires 5 times as long to remove a coin jam from the MI-CO meters as from the Dual Parking Meters which he represents. He spoke regarding disassembling the meters to remove the jam, and said that the Dual meters can be cleared by a flick of the finger. Mr. Ryan declared that 121 cities have changed from manual to automatic meters. He showed a model of his meter, and pointed out differences in workmanship and mentioned the lasting quality. He said that the City committee members had recommended against the MI-Co purchase, recommended to the Council by the City Purchasing Agent and City Manager. He declared that while the meter recommended is cheaper, the Dual would cost less in the long run, being cheaper to repair. He asked the City Manager to reconsider his recommendation. He said that the specifications had not been met by the low bidder, in that it makes removal of coins too easy inasmuch as there is no baffle plate contained in the meter. He said that it is necessary to only take off the front of the meter he represented to clear the coin slot. He said, also, that time device and its actuating do not comply with specifications. He pointed out that there is only \$19.25 difference in cost of the two meters, and that in the servicing cost of his meters the savings would more than offset the difference.

The Purchasing Agent, who had with him a model of the Meter proposed to be purchased, said that there is a separation in the meter, although Mr. Ryan said that there was not. He said that the City Attorney had advised that the bid is O.K.

Louis Karp, Deputy City Attorney said that if the contract is fulfilled, the bid can be accepted, despite samples differing from the delivered product.

Councilman Swan asked about the matter of providing different specifications.

The Purchasing Agent replied that specifications were of different types, to allow for more latitude. He said he believes the specifications are O.K. Also, he said that the Dual meters are up \$19.00 over previous purchases. He told of reports on

on operation and repairs on 3 meter types, and said that they were all about the same. Mr. Ryan asked for a demonstration of time differences in tearing down the different meters.

Councilman Godfrey said that he is willing to accept the recommendation of the Manager and Purchasing Agent.

RESOLUTION NO. 101779, recorded on Microfilm Roll No. 38, accepting bid of Michaels Art Bronze Company, Covington, Kentucky, for the furnishing of approximately 700 Parking Meters and installing approximately 200 of them, for the sum of \$50.00 each for meter heads only, plus State sales tax, terms 3% cash discount 30 days, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from San Diego Chamber of Commerce, signed by Stanley Grove, General Manager, dated March 28, 1951, requesting allocation in the 1951-1952 Budget for the program of activities, in the amount of \$13,500.00, presentation to elaborate on the request, which is less than the allocation for 1950-51, to be made at a later date, was presented.

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

Communication from the Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, California, signed by Frederick Austin, Executive Secretary, dated March 29, 1951, relative to curtailed activities and reduced budget needs for the 1951-52 fiscal year, due to the national emergency, was presented.

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

RESOLUTION OF AWARD NO. 101780, accepting bid of Daley Corporation and awarding contract for the paving and otherwise improving of 51st Street, within the limits and as particularly described in Resolution of Intention No. 101047, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

A report from the City Engineer stated that the low bid is 5.2% above the estimate.

RESOLUTION OF AWARD NO. 101781, accepting bid of Cox Bros. Const. Co., a corporation, and awarding contract for the paving and otherwise improving of Oliphant Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 101049, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

A report from the City Engineer stated that the low bid is 17.8% below the estimate.

RESOLUTION OF AWARD NO. 101782, recorded on Microfilm Roll No. 38, accepting bid of Daley Corporation, and awarding contract for the paving and otherwise improving of Venice Street, Brighton Avenue, the Northeasterly and Southwesterly Alley in Block 91 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 101051, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 101783, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of Hancock Street and Clayton Street, within the limits and as particularly described in Resolution of Intention No. 101329, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101784, recorded on Microfilm Roll No. 38, ordering improvement, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, for a period of one year from and including September 15, 1950, to and including September 14, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 101785, recorded on Microfilm Roll No. 38, for the closing of the westerly 5.00 feet of Bancroft Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101786, recorded on Microfilm Roll No. 38, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Oliver Avenue, approving Plat No. 2230 showing the exterior boundaries of the district to be included in the assessment, directing the City Clerk to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101787, recorded on Microfilm Roll No. 38, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road, Alleys in Blocks 2, 5, 8 La Mesa Colony, public rights of way in La Mesa Colony and a portion of Vista Street closed, approving Plat No. 2160 showing the exterior boundaries of the district to be included in the assessment for the work and improvement of said streets, alleys and public rights of way, directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101789, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road; Alley in Block 2, Alley in Block 5, Alley in Block 8 La Mesa Colony, and Public Rights of Way, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101788, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of Oliver Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101790, recorded on Microfilm Roll No. 38, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 175 University Heights, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101791, recorded on Microfilm Roll No. 38, ascertaining and declaring the wage scale for the paving and otherwise improving of 33rd Street, Beech Street, Date Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101792, recorded on Microfilm Roll No. 38, approving the diagram of the property affected or benefited by the work of the paving and otherwise improving of the Alley in Block 1 Monte Mar Vista, within the limits and as particularly described in Resolution of Intention No. 99396, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101793, recorded on Microfilm Roll No. 38, approving the diagram of the property affected or benefited by the work of the paving and otherwise improving of the Alleys in Blocks 52 and 71 University Heights, within the limits and as described particularly in Resolution of Intention No. 98910, directing the City Clerk at the same time of said approval to certify the fact and date thereof and immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101794, recorded on Microfilm Roll No. 38, approving the diagram of the property affected or benefited by the work of the paving and otherwise improving of Emerald Street, within the limits and as particularly described in Resolution of Intention No. 100058, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101795, recorded on Microfilm Roll No. 38, approving the diagram of the property affected or benefited by the work of the paving and otherwise improving of Landis Street, Roselawn Avenue and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 99970, directing the City Clerk at the same time of said approval to certify the fact and date thereof and immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101796, recorded on Microfilm Roll No. 38, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alleys in Block 18 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 100220, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101797, recorded on Microfilm Roll No. 38, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alley in Block 317 Reed and Daley's Addition, 29th Street, et al., within the limits and as particularly described in Resolution

of Intention No. 100221, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101798, recorded on Microfilm Roll No. 38, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alley in Block 16 Sunset Cliffs, within the limits and as particularly described in Resolution of Intention No. 100382, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101799, recorded on Microfilm Roll No. 38, adopting recommendation of the City Engineer filed in the office of the City Clerk on March 27, 1951, and directing the City Engineer to amend proceedings for improvement of Alleys in Mission Beach particularly mentioned in Resolution No. 97604, in accordance with said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

(amendment is for the purpose of including portion of Mission Boulevard at the termination of the Alley in Block 96 Mission Beach, and to include encasement of sewer pipe as required).

RESOLUTION NO. 101800, recorded on Microfilm Roll No. 38, authorizing and directing the City Manager to make application to the Water Resources Board for a resolution setting forth that the Board has available for future reallocation to the City of San Diego of the sum of \$984,833.00, authorizing and directing him to submit claims to said Board for reimbursement of expenditures made by the City, all as authorized in Chapter 1514, Statutes of 1945 and amendatory acts, having to do with channel improvements to be constructed by the United States Government on the San Diego River and Mission Bay Project, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101801, recorded on Microfilm Roll No. 38, recommending and urging establishment of an air force Unit of R.O.T.C. at San Diego State College, under direction and control of Department of Air Force, Headquarters, United States Air Force, Washington 25, D.C. was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said resolution points out that climatic conditions and environs in San Diego have been the most suitable and advantageous for development of military, naval and civilian aviation, that this locale has been most prominent in aviation training and experimentation since introduction of the flying ear, that there are now located in this area many factories devoted to aviation construction and allied industries and many aviation units are now in training in this area, that State College has an enrollment of men suitable because of age, education and physical qualifications to enter aviation training field, and are presently endeavoring to have an air force Unit of R.O.T.C. established.

Prior to adoption of said Resolution, the City Manager made a verbal recommendation for its passage and explained the matter to the Council.

A proposed Resolution authorizing the City Manager upon recommendation of a committee composed of the City Auditor, Purchasing Agent, Attorney's office representative, Park Commission Chairman, Park and Recreation Director, to enter into a five-year lease with the lessee best qualified to run the Balboa Park and Stadium food concessions leases, on conditions set forth in said Resolution, the City Manager to select the lessee who in his opinion will give the greatest service to the public and afford the best returns to The City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, referred to Council Conference by RESOLUTION NO. 101802, recorded on Microfilm Roll No. 38.

RESOLUTION NO. 101803, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to execute an amendment to lease with La Jolla Town Council, providing for payment as rental \$100.00 per year payable in advance, and in addition, 15% of the revenue accruing to the lessee by reason of its use and occupation of the building whether directly or by rentals charged to sublessees or permittees, said additional rental to be paid on or before the 15th of the month following that in which the revenue accrued to the lessee, said amendment to be effective as of April 1, 1951, in accordance with form on file in the office of the City Clerk as Document No. 431602, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101804, recorded on Microfilm Roll No. 38, establishing in addition to fees set by Resolution No. 93554 for use of Municipal Swimming Pool, Checking and shower charges of .06 for children under 12, .10 for children 12 years and over, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101805, recorded on Microfilm Roll No. 38, amending Resolution No. 87320 adopted October 14, 1947, authorizing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Rosecrans Street at Addison Street;
Rosecrans Street at Browning Street;
Rosecrans Street at Carleton Street;
Worden Street at Voltaire Street;

repealing each and every detail of said Resolution No. 87320 inconsistent with the above, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101806, recorded on Microfilm Roll No. 38 amending Resolution No. 87608 adopted November 18, 1947, authorizing San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Lotus Street at Froude Street;
Willow Street at Tennyson Street;
Rosecrans Street at Fenelon Street;
Rosecrans Street at Russell Street;

repealing Resolution No. 87608 in each and every detail inconsistent with the above, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101807, recorded on Microfilm Roll No. 38, granting permission to John Worab, 2132 Garnet Street, to install a 4-inch cast iron sewer line between the property line and the sidewalk, to be placed 1-foot outside the property line and run in a southerly direction, parallel to the easterly line of Lots 19 and 20 Block 248 Pacific Beach Tract Subdivision, to point of intersection with public sewer, to serve property at 4340-4342 Morrell Street and 1975-1977 Grand Avenue, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101808, recorded on Microfilm Roll No. 38, finding it to be to the best interests of The City of San Diego to execute and deliver to the State of California a deed of easement granting right of way for purpose of a State highway in portions of Lots 1 to 12 inclusive in Block 39 Mission Bay Park Tract, for widening of Pacific Highway at the proposed intersection with DeAnza Cove connection, authorizing and directing the Mayor and City Clerk to execute such deed, directing that the deed, after execution, be placed in the hands of the City Manager to be by him delivered to the State of California, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101809, recorded on Microfilm Roll No. 38, authorizing and directing the Mayor and City Clerk to execute a deed quitclaiming to Cecil F. Baker all of the City's right, title and interest in and to an unused private sewer easement granted to the City, December 29, 1947, being the southerly 3.0 feet of the easterly 60.0 feet of Lot 23 Block 22 Fairmount Addition to City Heights, to be delivered after execution to the Supervisor of Properties, for delivery to said Cecil F. Baker when said Supervisor of Properties is in a position to put title in the City to an easement and right of way for a private sewer line in the northerly 3.0 feet of the easterly one half of Lot 23 Block 22 Fairmount Addition to City Heights, and the southerly 1.0 feet of the easterly one half of said lot, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101810, recorded on Microfilm Roll No. 38, authorizing the Assistant Purchasing Agent and Buyer II, of the Purchasing Department to attend the two-day Institute of Purchasing, to be held at the University of California at Los Angeles, on April 27 and 28, 1951, authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4758 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$20,000.00 from the Capital Outlay Fund, for the purpose of providing funds for purchase of additional lands for Montgomery Field, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent--Councilman Dail, Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays---Councilmen None. Absent--Councilman Dail, Mayor Knox. The final reading of such Ordinance was in full.

Prior to the adoption of said Ordinance, Councilman Schneider, asked about land purchase, saying that it was his understanding that the City was disposing of land in the area, instead of purchasing more. The City Manager said that was true, but that the land to be purchased with funds appropriated by said Ordinance are necessary to the operation of the air field.

The City Manager requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

Communication from the Purchasing Agent reporting on bids for furnishing 3 20-inch Pumps, Motors and Contactors for Lakeside Pumping Plant, recommending award to Worthington Pump and Machinery Corporation, the low bidder meeting The City's original specifications and requirements, was presented.

RESOLUTION NO. 101811, recorded on Microfilm Roll No. 38, accepting bid of Worthington Pump and Machinery Corporation, Los Angeles, for the furnishing of 3 20" Pumps, Motors and Contactors for Lakeside Pumping Plant, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Before adoption of said Resolution, the City Manager explained to Councilman Swan, who made inquiries about the matter, that the pumps are needed to do additional pumping at the station.

Councilman Wincote requested, and was granted, unanimous consent, to present the next matter of business, not listed on the Council's agenda:

Councilman Wincote introduced a letter from Margit Loeser relative to action taken by the Council on January 11, 1951, in connection with zone variance which had been denied by the Zoning Committee on Lots 26 to 36 inclusive in Leebrick's Addition, for storage of used automobiles.

Said communication said that the Council had sustained the Zoning Committee limitation of 120 days from the date of the Committee's Resolution No. 5182 adopted December 27, 1950, which will April 21, 1951, and referring to a hearing to rezone the areas which was to have been held within 60 days. The communication said that her husband, Lester Loeser has been ill for the last six weeks and in the hospital for three weeks, and she appealed for an extension of time on that account.

Mr. Wincote referred, also, to the matter of the proposed hearing to rezone the area into an M-1 zone, and felt that an extension should be granted for at least 30 days past the time when such a hearing would be held.

RESOLUTION NO. 101812, recorded on Microfilm Roll No. 38, granting an extension of 30 days past the date upon which the Planning Commission holds a hearing on the matter of re-zoning property in the vicinity of 39th and Z Streets into an M-1 zone, to Lester Loeser, 1600 Logan Avenue, in connection with Resolution No. 100911 adopted by the Council on January 11, 1951, which Resolution denied the Loeser appeal in connection with use of land for storage of used automobiles for a period of 120 days from the Zoning Committee's Resolution No. 5182 adopted December 27, 1950, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Schneider, at the hour of 12:20 o'clock Noon.

George Kerrigan
 Mayor of The City of San Diego, California
Vice

ATTEST:
 FRED W. SICK, City Clerk

By *A. M. Hadstrom*
 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
 California, April 5, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
 Absent----Mayor Knox
 Clerk-----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Clara Louise Merrick from the decision of the Zoning Committee in denying by its Resolution No. 5420 her application No. 9140 for variance to the provisions of Ordinance No. 243 New Series and Ordinance No. 8924 Section 8a. for permission to construct four living units on Lot Q Block 15 Mission Beach, at the northeast corner of Strandway and San Luis Rey Place, in Zone R-2, and to construct said building with a 12-foot rear yard, the report from the Zoning Engineer was presented and read.

Written protests from Andrew J. Sponcler and Mrs. Lillian Sponcler, 731 San Luis Rey Place; Charles J. Forester, 2632 Bayside Walk; G. Gordon Turner, 2622 Bayside Walk; Robert F. Linstrom, 2630 Bayside Lane; Edgar X. Fielding, 734 Avalon Court, were

were presented and read.

Communication from Jessie E. Morgan favoring granting of the variance, was presented and read. John E. Merrick presented the Morgan letter, which he handed to Councilman Swan.

Mr. Merrick spoke regarding the appeal, and said that it is not proposed to re-zone the area, but is for a zone variance only, on an exceptionally large lot.

The Vice Mayor invited those who favored the variance to be heard. The following persons filed past the microphone, and said that they were in favor of granting the appeal: Frances C. Beaver, Mary G. Liegel, Bertha Tychsen, Mrs. Dickson, Esther A. Groman (?), Edith Sympkins, Bernice Bull, John Dickson. Mr. Dickson said that he endorsed Mrs. Merrick's efforts and approved her plans.

The following persons spoke in opposition to the variance, and asked for denia, on the basis that the area is already crowded, that they want to keep as much open space as possible, and that granting the variance would be an endangering wedge for further variances: John O'Brien, B. A. Murray, Edgar Fielding, Mrs. B. A. Murray, Mrs. Patrick Brannan, Pat Brannan. Alexander McMaster said he has changed his mind, that in the beginning he had favored the variance, but now opposes it.

Mrs. Merrick spoke again at this point, and said that the Fieldings have 2 units, and a nursery school; the Murrays have 5 rentals, but no parking.

Mr. Merrick was heard, again. He spoke about the Brannan protest, and contended that the number of protestants cited was not correct.

Mr. Brannan disagreed with Mr. Merrick's statements; and Mr. Fielding protested that Mr. Merrick said about the nursery school, saying that it had nothing to do with this hearing.

Councilman Dail moved to close the hearing by property owners, which motion was seconded by Councilman Godfrey, and the hearing declared closed.

The City Planning Director made a verbal report, in which he reviewed the plans, protests and application. He said that the lot is large, and warrants some consideration. He recommended granting variance for 3 residences, but ^{not} the waiving of the rear yard, and thought 5 garages might be granted. He told of violations of the R-2 zone, 6 to 8 in number, upon being questioned, and said however that he was having to make a guess without the records before him. He said that they were under variances and non-conforming uses.

Mrs. Merrick said she would accept the compromise suggested by the Planning Director, and pointed out that she does not want a neighborhood quarrel to result from her effort to obtain the zone variance.

Mr. Brannan said that he would oppose the compromise of 3 residences and 5 garages.

Ruth Stevens, who has had a variance, expressed opposition to the granting of 3 units.

Councilman Godfrey commented on the large size of the Merrick lot.

Councilman Dail raised a point of order, stating that the chair was permitting additional testimony after the Council had voted to close the hearing.

Councilman Swan said he felt that Mr. Dail was premature in making his motion to close the hearing.

The Planning Director said he thought Mrs. Stevens was mistaken in statements she was making during dispute over the point of order.

Louis Karp, Deputy City, asked if the matter could have been brought before the Council if there were ~~not~~ other nonconforming uses, disagreed with Mr. Dail by saying that it could.

Councilman Wincote said that he wants a report on existing nonconforming uses in the immediate area.

Mr. Merrick said that Judge Dean Sherry has 3 units across from the Merrick property, but that he did not know if they were constructed under variance or if they were nonconforming prior use.

The Planning Director said that he believed Judge Sherry did not have a variance for his units.

Mrs. Merrick made reference to 3 "bootlegged additional units".

Councilman Wincote said that the zoning should be enforced.

Councilman Dail moved to continue the hearing for one week from this date, and the Planning Director to make a report to the Council on the existing variances and nonconforming prior uses in the area, which motion was seconded by Councilman Godfrey, and carried.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Mitchell N. Angus and Peggy Ann Angus from the decision of the Zoning Committee in denying variance to the provisions of Ordinance No. 8924 Section 8a, for erection of trellis-covered patio with no sideyard on Lot 1195 Talmadge Park Estates Unit No. 3, at 4805 Lila Drive, in Zone R-1, the Clerk reported to the Council that he had received a telephone request from Mr. Angus to continue the hearing for two weeks from this date.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said hearing was continued until the meeting of April 19, 1951, at the hour of 10:00 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set on request of property owners in Block 294 Pacific Beach for dedication of property for street or alley purposes, Ferdinand Fletcher, attorney, spoke. He told of a plan discussed in conference, which had been proposed by the Planning Director, which he said will not work. Mr. Fletcher said that a garage would have to be moved, and other improvements would need moving off the right of way if the plan is carried out. He said that all the property on the east side of the proposed street would be affected adversely. He showed a diagram to the Council, and said that a 16-foot alley dedication would be adequate to serve the property, which he contended would not adversely affect traffic. Strandway, Mr. Fletcher said, is only 20 feet in width. He said that much of the property affected in the block under discussion had been owned for 25 or 30 years by present owners who had hoped to realize something from their holdings. He said that it would not establish a precedent to provide the dedication in accordance with his suggestion, and said that it is the only to get the property owners together. He said he can't see any other feasible way than the 16-foot right of way.

Ed Fletcher, Jr. entered the discussion at this point, and showed Councilman Swan a map regarding ingress and egress in connection with the property.

The Planning Director disagreed with Ed Fletcher and Ferdinand Fletcher, and said that his plan (Rick's) is workable. He said that San Diego does not want the kind of development proposed by the Fletchers. Mr. Rick said he had had measurements made, and that it would not be necessary to move improvements, as stated.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said hearing was continued until the hour of 10:00 o'clock, Thursday, April 19, 1951.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the ordinance incorporating portions of Pueblo Lots 1788 and 1209 into "M-2" Zone, and repealing conflicting ordinances, in the area lying between Pacific Highway and the Santa Fe Railway, northerly of Balboa Avenue, H. G. Archibald, one of the owners of the land sought to be re-zoned, spoke. He told of nearby developments. He said that tax money ought to be kept in San Diego under permitted manufacturing. He stated that several property owners favor the zone change.

Fred S. Bungler, who had spoke at the several previous hearings, was heard again, representing Mr. Swalm, one of the property owners affected. He asked the Council to hear Mr. Burg, the proposed land purchaser.

Gabriel Berg, who had also appeared at the earlier hearings, spoke. He said he has already made substantial amount of deposit on the land, based on possible zone change. He said that officials have been guilty of misrepresenting the situation. He said that the Navy has taken most of the M-2 zone property, and that there are no large M-2 tracts available in San Diego. Mr. Berg said he could not find any M-2 zoned property for his proposed operation. He spoke about the fertilizer plant property zoning use, again. He said that the fertilizer plant depreciated the property, that he does not like it either, but could not find any other land except that adjoining the plant. He quoted from M-2 zone permitted uses. Mr. Berg said that no hearing had been held, as required, for the fertilizer use. He said that the Planning Commission's action in allowing the plant was a zoning violation.

Louis Karp, Deputy City Attorney, was asked if the Planning Commission's action had been a violation of zoning rules. He replied that he did not have the facts before him, therefore was not in a position to answer the question.

The Planning Director said that he had already told the Council that the permit to which Mr. Berg referred was for a building to house the previously-occupied fertilizer activity. He said that neighbors are being penalized by the fertilizer. He said that all the land in the tract proposed to be purchased and re-zoned would not be used for salvage operation, which he called national conservation. He told about metal production, and said again that between 50% and 60% percent of the steel comes from salvage yards.

Councilman Dail contended that the presentation being made by Mr. Berg, through long elaborate statement and charges, was not pertinent to the issue before the Council.

Mr. Berg continued speaking, and said that all in the community will profit from his operation. He advanced the idea that it was important to every citizen of the United States. He quoted from the ordinance regulations for operation of junk yards and salvage yards. He said that San Diego Mill Supply is the name of his company. He stated that the operation would not be unsightly, and offered to install an 8-foot high enclosure.

At this point Mr. Berg read letters from The Ryan Aeronautical Company; U.S. Department of Commerce, Bureau of Foreign and Domestic Commerce, by the District Manager; Solar Aircraft Company, by the Surplus Sales Supervisor; all setting out the value of Mr. Berg's operation, and endorsing his efforts to secure a zone change to permit operation under his proposal.

Councilman Dail was excused at this point.

The Planning Director was asked if the proposed site was the last place to get M-2 property. Mr. Rick's reply was to the effect that he could not answer regarding the various phases entering into the need for M-2 zone, and he said that there are many, including the money the purchaser wishes to pay for land.

Councilman Dail returned to the meeting at this point.

Councilman Schneider brought up the matter of the 8-foot fence.

Dwelling on Mr. Schneider's question, Mr. Berg said that the view from the highway might or might not be visible, and that he did not want to mislead the Council on that point.

Councilman Dail was excused, again, at this point.

Councilman Wincote said that the several questions which had been asked of Mr. Berg should be answered. He said, also, that the railway appears to be above Highway 101.

Councilman Dail returned to the meeting.

Mr. Archibald spoke again, and said that there is a 50-foot embankment, which would make it almost impossible to see over and into the property, even with a fence. Councilman Godfrey wondered if the effort to acquire M-2 property was extensive.

Again Mr. Berg said that M-2 zone property is not available in sizable properties, adjoining railroad tracks or close enough for spur tracks.

The Planning Director wondered if Mr. Godfrey thought the City should keep track of available industrial property, and act as intermediary between seller and purchaser.

Mr. Godfrey said that Mr. Rick should, of course, not act in such a capacity.

Mr. Rick said that he would be willing to work with real estate men.

Mr. Godfrey said that while some of the industrial properties are apparently available on a map, they are not actually available for purchase. He said he felt that a zone variance would be better than a zone change.

Mr. Berg said that M-2 zone property use restrictions are adequate to protect the City.

Mr. Godfrey expressed the belief that the City should retain control.

Mr. Berg said he would agree to stay 250 feet back from Highway 101. Asked several more questions, Mr. Berg indicated again that he was unable to answer.

Councilman Wincote said that large manufacturing tracts are needed. He thought it would be smart to get a definite answer to questions based upon a surveyor's line. He said he was quite sure that the operation can be hidden from the view of Highway 101.

Mrs. Archibald talked about coming down the highway, the various buildings, etc. to be seen, and referred to the trees which she said screen the property. She said that the property is all of 30 feet above the highway. She contended that all the manufacturing places along the highway look neat. She said the property under discussion is the only bit available. She told of the City's water pipe right of way through the property, and said that its existence had stopped a lot of sales, and that they had been paid only \$1,500.00 for the right of way.

It was apparent that it would not be possible to complete the hearing at this time, there being other persons who had indicated that they wished to be heard in protest. On motion of Councilman Dail, seconded by Councilman Godfrey, said hearing was continued until the hour of 2:00 o'clock P.M. this date.

At the hour of 12:03 o'clock Noon, the Council took a recess, on motion of Councilman Dail, seconded by Councilman Godfrey, until the hour of 2:00 o'clock P.M., this date.

Upon reconvening, at the hour of 2:17 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey
Absent---Councilman Schneider, Mayor Knox
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan again acted as chairman.

The hearing on the request for rezoning in Pueblo Lots 1788 and 1209 was resumed at this time.

The Vice Mayor spoke about the hearing, in the morning session, and said that the Council would hear protestants at this time.

The following persons were heard, in protest:

Myrtle Hoffelder, Pacific Beach resident, property owner, and civic worker, spoke. She said that there is no objection to the oft-mentioned fertilizer plant, but she said that if the area is rezoned it would increase activities. She said that the highway is the gateway to the Mission Bay improvement project. She referred to good residential property in the hills, and good M-1 property as the land exists. She said Pacific Beach wants to keep its light manufacturing area (M-1), and asked that there be no further detriments in the area.

R. W. Kerns, owner in the area who has a \$100,000.00 interest in the San Diego Motel. He said that he and other property owners have about \$1,000,000.00 interests at Highway 101 and Balboa Avenue, who are interested in tourist activities, and they oppose the proposed operation. He said that a salvage yard would damage a large area, by noise. He said that Pacific Beach business and professional men oppose the proposed activity. He said that the highway is a primary artery, 150 feet along the proposed rezoning which is to be taken for future highway widening. He said part of the 250 feet Mr. Berg proposed not to use for the yard is in Rose Creek. He said he cannot hide the eyesore with a 6-foot fence. Mr. Kern said that the fertilizer plant is not objectionable. Mr. Kern argued that although there is measles in the family one would not want to add small pox, too. He said that the operation would be a junk yard, that residents do not want it, and that it would be an eyesore.

The Vice Mayor said that there has been indication that a zone variance might be requested, in lieu of the zone change petition.

Councilman Wincote said that M-1 zone is there now, and that the area can have its accompanying noises, and that such zone is no more beautiful than M-2.

Councilman Dail said that the neighbors did not protest the recent Langley Corporation re-zoning, when they knew all the facts.

Frank Crane, minister of the Pacific Beach Methodist Church, spoke about the re-zoning. He said that residents are interested in the appearance to the Pacific Beach approach.

Councilman Wincote said that a carpet cleaning use, for instance, which would be permitted, is more objectionable in appearance, due to big carpets being swung up into the air.

The Vice Mayor and Councilman Godfrey said that the Council does not look with favor on the re-zoning application.

On motion of Councilman Dail, seconded by Councilman Godfrey, the hearing was continued for a period of two weeks - until April 19, 1951 - to see what action the Planning Commission might take on an application for zone variance instead of zone change.

After the motion was made, but before the roll was called, Mr. Kerns said that no matter how the use goes in, it would be just as objectionable. He said that residents and property owners might go along with the variance, on certain conditions.

The roll was called on the motion at this time.

The hour of 10:00 o'clock A.M., the time for the continued hearing on the petition for removal of the setback from Pacific Highway, on the east side between West

Washington and Witherby Streets, Ed Hall, one of the affected property owners, spoke. Mr. Hall apologized regarding his absence from the hearing last Tuesday, and thanked the Council for its courtesy in continuing the hearing again. Mr. Hall presented a letter from J. A. Donnelley, attorney, representing property owners setting out their points of view in connection with copy of letter from the Highway Division's District Engineer, which he read.

Said communication indicated that property owners were not satisfied with statements made regarding acquisition of property, and stating that it was felt that it is mandatory upon the Council to declare the setback has in fact been eliminated and to follow up the declaration with a repeal of the setback ordinances, referring to a deed from the United States Government for highway purposes.

The Planning Director spoke. He said that the U.S.A. land deed, on the west side of the highway has never been accepted or the land dedicated for highway purposes. He said that the original setback would not be affected, for that reason.

RESOLUTION NO. 101813, continuing said hearing until the meeting of Thursday, April 19, 1951, at the hour of 10:00 o'clock A.M., and referring the letter from J. A. Donnelley to the City Attorney for an opinion, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Councilman Dail requested, and was granted, unanimous consent, to present the next matter of business, not listed on the Council's agenda:

Mr. Dail pointed out an elderly man in the back of the Council Chamber, and said that his jackass, which had wandered away from the owner's property had been impounded, that \$11.00 was needed to release the animal.

The name of the man was not revealed.

A collection was taken up and handed to the City Manager who got in touch with the Pound and informed them that the necessary fee had been collected and would be turned over, and directed release of the jackass.

The Vice Mayor recognized Stanley Grove, manager of the San Diego Chamber of Commerce.

Mr. Grove reported on an alleged policy of the United States to discourage industries in San Diego and in other military areas. He said that while reports had not been confirmed, and were unofficial, they persist. He want an official letter directed to the National Production Authority requesting information. He mentioned the Bill Jack's Scientific Instrument Co. which had been asked to move to River.

Councilman Dail said that he had it on high authority, and from someone close to Bill Jack, that financing could not be arranged.

Mr. Grove said that financing had been arranged, with \$15,000,000.00 from the R.F.C., under certain conditions, and that factory space was being provided in San Diego when the company was asked to move.

Mr. Grove said that the Chamber has been seeking to have industries brought here, and expressed the belief that funds should not be spent to advertise for such enterprises if it is to the policy of the Federal Government to discourage concentration in already-crowded industrial and military centers, which he referred to as "impact areas".

RESOLUTION NO. 101814, recorded on Microfilm Roll No. 38, determining to pursue the matter, by authorizing the Vice Mayor to get off a letter to proper authorities asking for such information, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Petition of West Coast Investment Company, R. E. Hazard, T. C. Torgerson, W. H. Black, by Ferdinand T. Fletcher of Miller, Higgs and Fletcher, 726 Bank of America Building, San Diego, attorneys for petitioners, for the annexation of portions of Rosedale, the Highlands and Rancho Mission, to the City of San Diego, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Petition of Perry Black, 2014 Bacon Street, San Diego, doing business as A.B.C. Cab Company of Ocean Beach, for certificate of public necessity and convenience to operate one additional taxicab, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said petition was referred to the City Manager.

Claim of Louis Paradise, 4535 Orchard St., San Diego 7, in the estimated sum of \$50.00, for damage to garage roof by a City truck during process of filling hole in back of property after sewer connection made, was presented.

RESOLUTION NO. 101815, recorded on Microfilm Roll No. 38, referring claim of Louis Paradise to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of acoustical materials to the walls and ceilings of the Conference Building in Balboa Park, recommending award to Larson Bros., of San Diego, the low bidder, was presented.

Councilmen Swan and Godfrey raised the question of expenditures on recreational buildings, for acoustical treatments.

The City Manager told the Council that it had been agreed that the work would be done this year, therefore the recommendation was being presented at this time.

There was discussion on similar work in the various other recreational buildings other than those in the Park.

On motion of Councilman Wincote, seconded by Councilman Swan, the matter was continued for one week.

Several matters connected with expenditures of funds were brought up, resulting in an informal discussion on the budget. Reference was made to statements being made by an unidentified candidate for Mayor, in which he was quoted as saying that the budget for next year is to be increased by \$2,000,000.00.

The City Manager produced a press release on the subject, but he said that he does not know what the figure will be. He said that it is impossible, and inadvisable to make any statements until the budget is actually prepared. He said that any discussion at this time has no meaning.

Councilman Wincote and Dail said that they would need such material for election campaigns, and wanted to pursue the matter further.

Councilman Wincote asked the City Manager if they might go to his office and review any available material on the subject. The Manager told Mr. Wincote that he would be glad to discuss the matter with them and give whatever information he has.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing various standards and parts for street lighting fixtures under letter quoting prices, recommending approval of purchase order, was presented.

RESOLUTION NO. 101816, recorded on Microfilm Roll No. 38, approving purchase order No. 05269 and the purchase of light standards and parts which are subject thereof, at a price of \$1102.48, ratifying action in accepting the same from Pacific Union Metal Co. at an increased price due to unstable market conditions concurrent with the national emergency, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Said Resolution recites that such standards and parts are not readily obtainable and competitive bidding is determined not to be required.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on letter from Wilbur-Ellis Company advising that during the six-months extension of its original contract, very little sludge fertilizer was produced due to the fact that the Sewage Treatment Plant did not commence to function at the time anticipated and petitioning for renewal for an additional four-months period beginning May 1, 1951, recommending granting extension request on same terms and conditions, was presented.

RESOLUTION NO. 101817, recorded on Microfilm Roll No. 38, extending the contract heretofore entered into with Wilbur-Ellis Co. on May 12, 1950, for sale by the City and purchase by the Company of all the heat dried sludge produced from raw sewage at the City's Sewage Treatment Plant which the City may have for sale, less minor amounts required by City departments, for a period of 4 months from and after May 1, 1951, upon the same terms and conditions as set forth therein, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101818, recorded on Microfilm Roll No. 38, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental to the construction of a fresh water backflow protection unit at the Sewage Treatment Works, under Document No. 431600, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Communication from the City Manager reporting on communication from George V. Woodling, Chairman of "Beyond the Line of Duty", submitting resolution adopted by the City Council of Cleveland relative to casualties in Korea, stating that it had been studied, recommending that on account of all the ramifications involved it is not deemed advisable to adopt a similar resolution, returning the same for filing, was presented.

On motion of Councilman Wincote, seconded by Councilman Swan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communications from Mrs. Luella K. Hedges and from W. W. Myers, DVM, relative to work of the San Diego Humane Society, attaching copies of letters written to said parties, stating that the subject matter is now under study by his office and the Health Department, and that a subsequent report will be made to the Council, recommending, was presented.

On motion of Councilman Wincote, seconded by Councilman Swan, the City Manager's communication and the matters upon which it reported, were ordered filed.

Communication from the City Manager reporting on communications from Norma L. Thorpe and Mrs. Paulene Calvert relative to the bus strike and poor bus service, stating that the contents have been noted and suggesting filing with other documents pertaining to the subject in the City Clerk's office, was presented.

On motion of Councilman Wincote, seconded by Councilman Swan, the City Manager's communication and the matters upon which it reported, were referred to the City Clerk's bus file.

Communication from the City Manager reporting on communication from the Architectural Draftmen's Guild offering its services to the City in an advisory capacity, stating that the Planning Director has addressed a communication to said organization expressing the City's appreciation for its interest and advising that there are some problems on which the Planning Commission will seek its assistance, recommending filing, was presented.

On motion of Councilman Wincote, seconded by Councilman Swan, the City

Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the Street Superintendent recommending granting petition for closing portion of Congress Street, stating that no utilities are involved and the natural topography is too steep to permit practical improvements, was presented, together with approval from the Assistant City Manager.

RESOLUTION NO. 101819, recorded on Microfilm Roll No. 38, granting petition for the closing of portion of Congress Street extending 110 feet northwesterly of the westerly line of Witherby Street, as recommended by the Superintendent of Streets, directing the City Engineer to furnish a description of the lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Planning Commission, signed by the Asst. Planning Director, recommending approval of the final Map of Clairemont Unit No. 3, subject to contract for completion of improvements, was presented.

The Clerk reported that the Union Title Insurance and Trust Company had requested that the matter be not adopted at this time, inasmuch as the subdividers do not yet have title to the property.

On motion of Councilman Godfrey, seconded by Councilman Dail, said matter was continued until the meeting of Thursday, April 19, 1951.

Communication from the City Planning Commission, signed by the Asst. Planning Director, recommending suspension of 4 sections of the Subdivision Ordinance relative to the Revised Tentative and Final Maps of Sunset Ridge, was presented.

Communication from the City Planning Commission, signed by the Asst. Planning Director, submitting Resolution approving revised Tentative Map of Sunset Ridge, was presented.

The Clerk reported that Byrl D. Phelps, engineer for the subdivider, had requested that the matter be referred back to the Planning Commission, for revision and addition of lots.

On motion of Councilman Godfrey, seconded by Councilman Dail, both matters were referred back to the Planning Commission, and consideration thereon continued for 2 weeks from this date.

Communication from the Personnel Director, by direction of the Civil Service Commission, requesting that the Personnel Director be permitted to attend the Civil Service Assembly of the United States and Canada, Western Regional Conference meeting to be held for 1951 in Pasadena, on May 7, 8, 9, was presented.

The Clerk reported that a message had come from the Personnel Director's secretary saying that the dates should be May 14, 15, 16, 1951, instead of those shown in the communication.

RESOLUTION NO. 101820, recorded on Microfilm Roll No. 38, authorizing Raymond Krah, Personnel Director, to attend the Western Regional Conference meeting of the Civil Service Assembly of the United States and Canada to be held in Pasadena, California, on May 14, 15, 16, 1951, authorizing the incurring of all expenses necessary in connection therewith, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated April 2, 1951, reporting that claim of George A. Fuhrman has been settled by payment of \$102.65, was presented.

On motion of Councilman Swan, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated March 30, 1951, reporting that claim of John H. Hamilton, in the sum of \$2,549.51, had been settled by the payment of \$1,500.00, was presented.

On motion of Councilman Swan, seconded by Councilman Godfrey, said communication was ordered filed.

RESOLUTION NO. 101821, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to execute an agreement with the San Diego Unified School District whereby the City and the School District will join in procuring fill from Mission Bay adjacent to the easterly one-half of Tierra del Fuego, to supply needs of the City and of the School District for their respective lands in the vicinity of DeAnza Point, all as more particularly set out in form of Agreement on file in the office of the City Clerk and designated as Document No. 431727, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101822, recorded on Microfilm Roll No. 38, authorizing and directing the City Manager to enter into contract M. H. Golden Construction Company providing for modification of contract for acquisition, construction and completion of a sewage treatment, in the particulars set forth in said Resolution, authorizing and directing the City Auditor and Comptroller to issue a warrant in favor of said Company in the sum of \$100,000.00 upon expiration of 35 days from and after recording notice of completion, upon presentation to the City Auditor of a claim therefor, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101823, recorded on Microfilm Roll No. 38, authorizing the City Manager to execute a lease with Foster and Kleiser Company for the purpose of maintaining advertising billboard panels, reserving to the City the right of making other uses of the property which do not materially interfere with such use, for a term of 1 year at a rental of \$100.00 payable in advance, all in accordance with form of lease on file in the office of the City Clerk under Document No. 431728, covering land more particularly described in said Resolution, within Pueblo Lot 212, adjacent to U.S. Highway 101 on the westerly side thereof, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101824, recorded on Microfilm Roll No. 38, authorizing and directing the City Engineer to prepare plans and specifications for the installation of traffic signals at 25th Street and Imperial Avenue, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

The City Manager talked to the Council about the next two matters, bearing on two other matters on the same subjects heretofore shown in connection with recommendations listed under communications from the Purchasing Agent; the Council questioning the necessity of expending funds therefor:

Proposed Resolution approving Change and Extra Work Order No. 1 issued in connection with contract with Larson Bros. for installation of acoustical material in the Recreation buildings at Pacific Beach, Presidio Park and University Heights, which would increase the contract price \$1,150.00, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said matter was continued until the meeting of April 12, 1951.

Proposed Resolution approving Change and Extra Work Order No. 1 issued in connection with contract with Andrew N. Baird for installation of acoustical materials in the Ocean Beach Gymnasium, which would increase the contract price \$804.00, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said matter was continued until the meeting of April 12, 1951.

RESOLUTION NO. 101825, recorded on Microfilm Roll No. 38, "that the Legislature of the State of California adopt said Assembly Bill No. 674", having to do with proposal to grant to the Public Utilities Commission to regulate contractual relationships between a utility and a parent or a subsidiary company, setting out reasons therefor, directing that copies thereof be sent to Mr. John E. Moss, Jr., member of the Assembly from the 9th District, one of the sponsors of the Bill; a copy to Senator Fred H. Kraft, Assemblywoman Kathryn Niehouse, Assemblymen Frank Luckel and Ralph Cloyd; authorizing the City Manager, as he deems it necessary, to send a representative of The City of San Diego to attend the scheduled hearing of said Bill on the 9th day of April, 1951, at the hour of 3:00 o'clock P.M. and that such representative be authorized to incur all necessary expenses therefor, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101826, recorded on Microfilm Roll No. 38, directing the Supervisor of Properties to file a petition with the Board of Supervisors of the County of San Diego, requesting that all taxes against property therein described, in McLaren's "H" Street Addition, Seaman and Choate Addition, El Nido, La Jolla Park, Pueblo Lot 1260, Central Homestead, together with all penalties and other expenses in connection therewith, be cancelled, requesting cancellation of all deeds to the State for delinquent taxes on said property, authorizing and directing the Supervisor of Properties to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101827, recorded on Microfilm Roll No. 38, authorizing the Clyde Beatty Circus, sponsored by the Welfare Foundation of the Lions Club of San Diego, to hold a circus at Frontier and Enterprise Streets, April 27, 28 and 29, 1951, provided that said circus shall be conducted in accordance with all rules, regulations and ordinances of the City of San Diego, and meet with the approval of the Building and Electrical Inspection Departments, the Fire Marshal and the Health Department, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101828, recorded on Microfilm Roll No. 38, granting permission to Joseph Damer, 4820 Voltaire Street, to install a four-inch cast iron sewer line between the property line and the sidewalk, to be placed one foot outside the property line and run in a northeasterly direction, parallel to the northwesterly line of Lot 1 Block 23 Ocean Beach Subdivision, to point of intersection with public sewer, to serve property at 1805 Ebers Street, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101829, recorded on Microfilm Roll No. 38, accepting subordination agreement executed by Otto Fasler and Louise Fasler, beneficiaries, and Southern Title & Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 1 Block 3 Corella Tract, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego in said property, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101830, recorded on Microfilm Roll No. 38, accepting grant deed of Charles E. Powell and Eudorah M. Powell, bearing date March 30, 1951, conveying Lot 27 Block 7 Electric Line Addition, authorizing and directing the City Clerk to forward said deed to the Southern Title & Trust Company with directions that the same be filed for record with the Registrar of Land Titles in the office of the County Recorder, after all escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101831, recorded on Microfilm Roll No. 38, accepting deed of Netta Semarad and John Sedlack, bearing date August 23, 1948, conveying an easement and right of way for street purposes in portions of Lot 24 Block 127 E. W. Morse's Subdivision of Pueblo Lot 1150, setting aside and dedicating said lands to the the public use as and for a public street, and naming the same F Street, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101832, recorded on Microfilm Roll No. 38, accepting deed of Lawrence O'Connell, Mabelle Jean O'Connell, Raymond O'Connell and Genevieve O'Connell, bearing date December 21, 1950, conveying an easement and right of way for street purposes in portion of Pueblo Lot 256, setting aside and dedicating the same to the public use as and for a public street, and naming the same Frankfort Street, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101833, recorded on Microfilm Roll No. 38, accepting deed of Cecil F. Baker, bearing date March 8, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 23 Block 22 Fairmount Addition to City Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101834, recorded on Microfilm Roll No. 38, accepting deed of Harry E. Coates and Geraldine F. Coates, bearing date March 16, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 19 Block 287 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101835, recorded on Microfilm Roll No. 38, accepting deed of Beatrice De L. Consoer and Emmy Lou Consoer, bearing date March 13, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 10 Block D La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101836, recorded on Microfilm Roll No. 38, accepting deed of Charles A. Decker and Dorothy V. Decker, bearing date March 20, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 6 and 8 Block "E" La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101837, recorded on Microfilm Roll No. 38, accepting deed of The Italian Full Gospel Church, bearing date March 10, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 22 Block 22 Fairmount Addition to City Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder of San Diego County, together with a certified copy of said resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

A proposed Ordinance prohibiting any person from becoming a visitor to any place for the practice of gambling; prohibiting any person from playing or betting at or against any game not mentioned in Section 330 of the Penal Code of California; prohibiting soliciting another to visit any place for the purpose of prostitution or gambling; providing a penalty for violation; repealing Ordinance No. 2342 (New Series), was presented.

The City Manager explained the matter, and said that the City might be liable for permitting dice games in cigar stores, and the like, inasmuch as there is a possibility of such games being operated in violation of State law.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said proposed ordinance was continued for one week.

A proposed Ordinance appropriating the sum of \$2,100.00 from the Capital Outlay Fund for the purpose of providing funds for the installation of acoustical materials to the walls and ceilings of the Recital Hall in the Palisades Building, Balboa Park, was

presented.

On motion of Councilman Swan, seconded by Councilman Godfrey, said proposed Ordinance was continued until the meeting of April 12, 1951.

Proposed Ordinance appropriating the sum of \$9,500.00 from the Capital Outlay Fund for the purpose of providing funds for the installation of acoustical materials to the walls and ceilings of the Conference Building in Balboa Park, was presented.

On motion of Councilman Swan, seconded by Councilman Godfrey, said proposed Ordinance was continued until the meeting of April 12, 1951.

ORDINANCE NO. 4759 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of Beta Street, between the west line of 42nd Street and the west line of 41st Street, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Councilman Schneider, Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Councilman Schneider, Mayor Knox.

ORDINANCE NO. 4760 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of 59th Street, between a line parallel to and distant 400.00 feet north from the north line of Kenwood Street and the south line of Brooklyn Avenue, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Councilman Schneider, Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Councilman Schneider, Mayor Knox.

ORDINANCE NO. 4761 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of Kenwood Street, between a line parallel to and distant 105.00 feet west from the north prolongation of the west line of 59th Street and a line parallel to and distant 30.00 feet west from the north prolongation of the west line of Iona Drive, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Councilman Schneider, Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Councilman Schneider, Mayor Knox.

ORDINANCE NO. 4762 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of Moore Street, between the northwesterly line of Gaines Street and the southeasterly line of Riley Street, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Councilman Schneider, Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Councilman Schneider, Mayor Knox.

ORDINANCE NO. 4763 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of Pirotte Drive, between the southeasterly line of 54th Street and the southeasterly line of Westwood Hills, Unit No. 2, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent---Councilman Schneider, Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Councilman Schneider, Mayor Knox.

ORDINANCE NO. 4764 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of Qualtrough Street, between the easterly line of San Elijo Street and a line produced at right angles northerly from a point on the southerly line of Qualtrough and distant 260.00 feet easterly along the southerly line of Qualtrough Street, from the intersection of the southerly line of Qualtrough Street with the easterly line of San Elijo Street, was on motion of Councilman Swan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Councilman Schneider, Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Councilman Schneider, Mayor Knox.

ORDINANCE NO. 4765 (New Series), recorded on Microfilm Roll No. 38, establishing the official property line grades, curb grades and positions of curbs on Gamma Street, between the east line of 39th Street and the west line of 41st Street, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Councilman Schneider, Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Councilman Schneider, Mayor Knox.

The following matters were presented, and upon previous request from the City Manager's office were referred to that office:

Communication from California Institute of Social Welfare, 1031 So. Grand Ave., Los Angeles, San Diego Branch 914 - 7th Avenue, appealing for settlement of the bus strike;

Arthur I. Ruben, 4041 Gamma Street, San Diego 13, advocating the City taking over the busines for the benefit of all;

A petition bearing 46 signatures, opposing the plan of removing the fountain from the Plaza, on the grounds that it is a landmark that is a part of the City's tradition, and advocating that it be cleaned up and kept clean;

Communication from the University Heights Mothers' Club, signed by Dorothy Tombaugh, Vice Pres., and by Bertha Brown, Cor. Sec., 552 59th Street, in behalf of its membership, opposing removal of the fountain from the Plaza, and stating that it was the unanimous vote to urge preservation of the fountain;

Communication bearing 13 signatures, thanking the Council for its efficient and considerate handling of the Humane Society problem, was presented;

Miss Eleanor N. Johnston, 3950 Fifth Avenue, San Diego 3, offering to sell her property;

Communication from Martha Perrill Wyttenbach (Mrs. A.A.), 2219 Dale Street, San Diego 4, relative to brown spots dropped on her car from airplanes, making suggestions for the conservation of water, etc.;

Walter H. Lewis, 3123 Poplar Drive, Lynwood, Calif., relative to his having received no action on a previously-filed claim;

Southern Counties Gas Company of California application for right of way in Pueblo Lot 1314, for installation of underground insulated cable and steel pipe.

The City Manager requested, and was granted, unanimous consent to present the following matter, which did not appear on the Council's agenda, having been filed in time but having been inadvertently omitted:

Communication from the City Manager making further report on meeting of the Board of Administration of the City Employees' Retirement System with M.E.A. and Credit Union representatives, in connection with request for amendment to the retirement ordinance to provide that funds deposited could be assigned to the Credit Union to secure loans, was presented.

Said communication recommended that the ordinance be amended to permit assignment for the following purposes: operations, hospital bills, sickness, dentistry, medicine, burial expenses, and other expenses incidental to and arising out of accidents and ill health, only when such assignment is accompanied by evidence thereof.

The City Manager made a brief explanation, substantially along the lines of the written report.

Councilman Wincote expressed the belief that consideration should be given to hardship cases, other than those enumerated.

The City Manager replied that the uses proposed were those which were worked as a result of the joint meeting.

RESOLUTION NO. 101838, recorded on Microfilm Roll No. 38, referring to the City Attorney the matter of amendment to the City Employees' Retirement System Ordinance to permit assignment of funds deposited in the retirement fund to the Credit Union to secure loans made for purposes of operations, hospital bills, sickness, dentistry, medicine, burial expenses, and other incidental expenses arising out of accidents and ill health, only when such assignment is accompanied by evidence of the aforementioned purposes, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted. Said Resolution requests the City Attorney to prepare an Ordinance to make such amendment.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 3:50 o'clock P.M., on motion of Councilman Swan, seconded by Councilman Dail.

ATTEST:
FRED W. SICK, City Clerk

George Kerrigan
Vice Mayor of The City of San Diego, California

By *A. M. Hadstrom* Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
April 10, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:10 o'clock A.M.

Present---Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent----Councilman Swan, Mayor Knox
Clerk-----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

The Minutes of the Regular Meetings of Tuesday, April 5, 1951, and of Thursday, April 5, 1951, were presented to the Council by the Clerk.

On motion of Councilman Godfrey, seconded by Councilman Dail, said Minutes were approved without reading, after which they were signed by the Vice Mayor.

At this time the Vice Mayor awarded service emblems to the following City employees, honoring them for their many years with the City:

Henry R. Bub, Engineer II in the Harbor Department, who will have to his credit a total service of 35 years on April 21;
Thomas B. Smith, Laborer II in the Division of Streets of the Public Works Department, who has completed 25 years of service;
Arthur Walden, Caretaker in the Division of Recreation, who has completed 25 years of service.

Councilman Swan entered the meeting at this point.

The Vice Mayor announced that copies of the agenda were available, and invited anyone present to be heard on any matters of interest.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101050, the clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Al E. Riley, 3752 Rosecrans Street, San Diego, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of four thousand dollars, which bid was given Document No. 431811;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of forty five hundred dollars, which bid was given Document No. 431812;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of four thousand two hundred dollars, which bid was given Document No. 431813.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the paving and otherwise improving of Waverly Avenue and Colima Street, within the limits and as particularly described in Resolution of Intention No. 101200, the clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Robert A. Crist, doing business as Cast Stone Co., accompanied by bond written by Pacific Employers Insurance Company in the sum of ten percent of the amount of the bid, which bid was given Document No. 431814;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of thirteen hundred dollars, which bid was given Document No. 431815;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of one thousand two hundred dollars, which bid was given Document No. 431816;

Councilman Godfrey was excused from the meeting at this time.

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of one thousand two hundred dollars, which bid was given Document No. 431817.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hearings on Resolutions of Preliminary Determination for the improvement of Franklin Avenue; Jewell Street; Poplar Street, Manzanita Drive, Arbor Vitae Street, and other streets, were continued temporarily awaiting return of Councilman Godfrey, inasmuch as 6 votes were needed for adoption of "Resolutions of Feasibility".

The Sergeant at Arms was sent after Mr. Godfrey.

Petition of West Coast Corporation and others, for annexation to the City of San Diego of portions of Lots 75, 79 and all of 80 Las Alturas Villa Sites, was presented. On motion of Councilman Dail, seconded by Councilman Wincote, said petition was referred to the City Manager.

Claim of James H. Harrell, 3225 Nile Street, in the sum of \$11.92, for damage to automobile windshield by golf ball from the Municipal Golf Course, was presented.

RESOLUTION NO. 101839, recorded on Microfilm Roll No. 38, referring claim of James H. Harrell to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Councilman Godfrey returned to the meeting at this time, and the three following hearings, which had been continued temporarily, were brought up again.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 101550 of Preliminary Determination for the paving and otherwise improving of Franklin Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

RESOLUTION NO. 101840, recorded on Microfilm Roll No. 38, determining that the proposed improvement of Franklin Avenue, within the limits and as particularly described in Resolution No. 101550 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, finding and determining that public convenience and necessity require the proposed improvements and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 101551 of Preliminary Determination for the paving and otherwise improving of Jewell Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

RESOLUTION NO. 101841, recorded on Microfilm Roll No. 38, determining that the proposed improvement of Jewell Street, within the limits and as particularly described in Resolution No. 101551 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, finding and determining that public convenience and necessity require the proposed improvements and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 101552 of Preliminary Determination for the paving and otherwise improving of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, Glenfield Street, Heather Street, Manzanita Place, Marlborough Avenue, Pepper Drive, Snowdrop Street, Tuberose Street, Violet Street, Fairmount Avenue, the Northwesterly and Southeasterly Alley in Block 37 Lexington Park, the alley lying Northeasterly of and contiguous to Lot 31 Block 38 Lexington Park, Hollywood Park, Quince Street and Public Right of Way, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

RESOLUTION NO. 101842, recorded on Microfilm Roll No. 38, determining that the proposed improvement of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, other streets, and Alleys in Lexington Park and Hollywood Park and Public Right of Way, within the limits and as particularly described in Resolution No. 101552 of Pre-

liminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and finding and determining that public convenience and necessity require the proposed improvements and that the Special Assessment Investigation, Limitation, and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1950, to and including October 12, 1951, the clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

RESOLUTION NO. 101843, recorded on Microfilm Roll No. 38, confirming the proposed assessment for the furnishing of electric current for the lighting of Adams Avenue, filed in the office of the City Clerk March 2, 1951, adopting the same as a whole, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1, for a period of one year from and including October 1, 1950, to and including September 30, 1951, the clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

RESOLUTION NO. 101844, recorded on Microfilm Roll No. 38, confirming the proposed assessment for the furnishing of electric current for the lighting of Midway Drive and Rosecrans Street, filed in the office of the City Clerk March 2, 1951, adopting the same as a whole, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1991, made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 53 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 98909, the Clerk reported that no written appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

RESOLUTION NO. 101845, recorded on Microfilm Roll No. 38, confirming and approving the Street Superintendent's Assessment No. 1991, made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 53 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 98909, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1990, made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley lying easterly of and contiguous to Block B South La Jolla, North Lane, Westbourne Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 98255, the Clerk reported that no written appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

RESOLUTION NO. 101846, recorded on Microfilm Roll No. 38, confirming and approving the Street Superintendent's Assessment No. 1990, made to cover the cost and expenses of the paving and otherwise improving of the Alley lying easterly of and contiguous to Block B South La Jolla, North Lane, Westbourne Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 98225, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set on the proposed Ordinance incorporating Block 27 Roseville, at Shafter, Byron and Carleton Streets and San Diego Bay into Zone M-1, contained from the meeting of April 3, 1951 (being re-zoning from the existing R-4 Zone), Morey Levenson, attorney, said he had no additional evidence to offer at this time.

The Planning Director was absent, and the Council asked that he be summoned.

Glen A. Rick, the Planning Director, appeared immediately, and said again that the Planning Commission is opposed to the zone change, and thinks it is unwise to establish M-1 zone at the location at this time. He said that if the petitioning property owners wish to do so, they may request a zone variance. He said that there has to be a compromise of some sort between the water front property and the property behind it.

Mr. Levenson, apparently thinking differently from his decision to say no more during this hearing, said that better than 90% of the property owners desire the proposed change. He said that they should be considered as well as Dr. Odom, who had protested at the previous hearing.

Mr. Rick said that if the Odom property is rezoned, to protect it from the proposed rezoning, then the move would spread to other properties.

Councilman Wincote said that the industrial growth of the area cannot be stopped.

Mr. Rick said that the property had been acquired by the petitioners after the property had been placed in the R-4 Zone.

Mr. Levenson said that the property had been acquired before the Harbor Department had filled between the area and the bay, however.

Mr. Rick said that the existing cannery and boat works will remain, probably and answered Councilman Wincote's question about time limit on the zone variance by saying there there is none.

A round table discussion followed, over maps. Mr. Rick showed the petition and file on the subject.

Mr. Rick disagreed with Mr. Levenson's frequent reference to the 100 signatures. The Clerk counted them, on the petition and said that there were 22, rather than 100.

Councilmen Wincote and Dail said, recalling testimony of Dr. Odom from the previous hearing, that he would favor the re-zoning of his property. Mr. Rick pointed out to the Council, that such a proposition is not before the Council, or a portion of this hearing.

Mr. Rick said that various conditions may be enforced under zone variance, but none under a zone change. He said that that the Planning Commission's action to deny the petition was by a vote of 5-0, 1 member being absent. He admitted that a time limit ought not to be attached to a zone variance for the proposed operation, due to the heavy investment, but that other controls are desirable.

Mr. Levenson said that a zone variance would not be wanted by his clients, that they do not know what the Zoning Committee would grant, if at all, and that they do not know what the Council would do after May 7 (the date upon which newly-elected Councilmen take office).

Councilman Wincote moved to place the proposed Ordinance on its final passage at its first reading, which motion was seconded by Councilman Dail.

Before the roll could be called, Councilmen Wincote and Dail explained their motions and reasons therefor.

Councilman Swan said he was not sure he was ready to vote at this time.

The roll was called on the motion to place the Ordinance on its final passage at its first reading, resulting in the following vote: Yeas---Councilmen Wincote, Dail, Godfrey. Nays---Councilmen Swan, Schneider, Kerrigan. Absent---Mayor Knox. Said motion was declared lost, which in effect denied the petition and upheld the Planning Commission's recommendation.

RESOLUTION NO. 101847, recorded on Microfilm Roll No. 38, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental to the construction of storm drains in alleys in Blocks 15 and 16 Point Loma Heights, Oliphant Street, Wawona Drive and Poe Street, under Document No. 431754 on file in the office of the City Clerk, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101848, recorded on Microfilm Roll No. 38, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the improvement of Sixth Avenue between Ivy Street and Hawthorn Street, under Document No. 431756 on file in the office of the City Clerk, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for Sewer replacement in Cleveland Avenue and Richmond Street, recommending award to Charles J. Dorfman, low bidder (4 bids received), was presented.

RESOLUTION NO. 101849, recorded on Microfilm Roll No. 38, accepting bid of Charles J. Dorfman for construction of a sewer replacement in Cleveland Avenue and Richmond Street, to serve Block 184 University Heights, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101850, recorded on Microfilm Roll No. 38, authorizing the Purchasing Agent to advertise for sale of motor vehicles and equipment located at the City Yards, no longer desirable for use or retention by The City, as particularly set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the stamps of approval of the City Purchasing Agent, and the Assistant City Manager, recommending accepting \$8,200.00 received from Sears, Roebuck & Company for costs of replacing sewer in Cleveland Avenue and in Richmond Street, to serve Block 184 University Heights, the deposit of same, in a special account, balance of which shall be refunded, was presented.

RESOLUTION NO. 101851, recorded on Microfilm Roll No. 38, accepting the sum of \$8,200.00 received from Sears, Roebuck & Company to cover the costs of replacing the sewer in Cleveland Avenue and Richmond Street to serve Block 184 University Heights, authorizing the City Auditor to deposit said sum in a special account, which said funds shall be used only and exclusively for construction of said sewer, refund to be made to said company if any remains in said account over and above the cost of said work, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, reporting on petition for re-zoning all of Block 42 Marilou Park, at 38th Street and Home Avenue, from the existing R-2 Zone to Zone C, recommending rezoning of only a portion, also reference to the City Attorney for preparation of the necessary Ordinance, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance in accordance with the recommendation.

Communication from the City Manager recommending installation of 7 overhead street lights, was presented.

RESOLUTION NO. 101852, recorded on Microfilm Roll No. 38, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- 20th Street at Commercial Street;
- 34th Street at J Street;
- San Miguel Avenue, southerly of Hemlock Street on Pole 654;
- San Miguel Avenue, at Hemlock Street;
- Boundary Street at Hemlock Street;
- La Jolla Boulevard at Belvedere Street;
- Denby Street at Hilltop Drive,

was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on Ancient Egyptian Order of Sciots petition making various requests in connection with ceremonial to be held September 1 and 2, stating that requests have been granted, and recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on complaint of William Z. Stomski, 4057 Brant Street, relative to condition of his street, stating that repairs have been made, and recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the Street Superintendent recommending denial of petition to close portion of Lister Street between Hartford and Illion Streets, reporting that although the street is unimproved at the moment it may become highly desirable for a future route, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, the matter was continued one week, when it was stated by the Vice Mayor that Mrs. Spaulding, one of the petitioners had made such a request.

Communication from McKinley Parent-Teachers Association, signed by Mrs. Mary Carmichael, secretary, expressing gratitude for the new causeway which has been constructed to replace the old Redwood Street bridge, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was ordered filed.

Communication Mrs. Elsie M. H. Walker, 2840 Columbia Street, protesting a large sign which has been erected on a vacant lot below her residence, on India Street, cutting off her view, was presented.

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

Communication from Pacific Indemnity Company announcing payment of Robert H. Jacquot claim in the sum of \$155.50, was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, said communication was ordered filed.

Communication from Pacific Indemnity Company announcing payment of Tony Smith claim, in the sum of \$240.89, settled for \$239.80, was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, said communication was ordered filed.

RESOLUTION NO. 101853, recorded on Microfilm Roll No. 38, directing notice of filing of assessment and of the time and place of hearing thereof, for the paving and otherwise improving of the Alley in Block 179 Manasse and Schiller Subdivision of Pueblo Lot 1157, within the limits and as particularly described in Resolution of Intention No. 98907, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101854, recorded on Microfilm Roll No. 38, directing notice of filing of assessment and of the time and place of hearing thereof, for the paving and otherwise improving of the Alley in Block 11 Ocean Beach Park and Block 94 Ocean Bay Beach, within the limits and as particularly described in Resolution of Intention No. 98714, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 101855, recorded on Microfilm Roll No. 38, accepting bid of Al E. Riley and awarding contract for the paving and otherwise improving of the Alley in Block 245 Mission Beach, and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 101110, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 101856, recorded on Microfilm Roll No. 38, accepting bid of V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Company, and awarding contract, for the paving and otherwise improving of Dawes Street, Emerald Street, Everts Street and Felspar Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 101857, recorded on Microfilm Roll No. 38, accepting bid of Griffith Company and awarding contract for the paving and otherwise improving of Gresham Street and Graham Street, within the limits and as particularly described in Resolution of Intention No. 101112, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer had reported to the Council in writing that all three low bids, in connection with the above-mentioned awards were below his estimates, as follows: Alley in Block 245 Mission Beach and Mission Boulevard, 17.61 below estimate; Dawes Street, Emerald Street, Everts Street, Felspar Street, 31.8% below estimate; Gresham Street and Graham Street, 28.6% below estimate.

Councilman Swan made a comment on the fact that the bids were low, and wondered if they actually were, or if the Engineer had been high in his estimates.

The City Manager replied, and said that the Engineer keeps a record of bids received, and uses them as a basis for preparation of his estimates, being the logical method.

No action was taken.

RESOLUTION ORDERING WORK NO. 101858, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of the Alley in Block 323 Reed and Daley's Addition, and 29th Street, within the limits and as particularly described in Resolution of Intention No. 101405, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 101859, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 101860, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of 33rd Street, Beech Street and Date Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 101861, recorded on Microfilm Roll No. 38, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District Number Two, for a period of one year from and including March 5, 1951, to and including March 4, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101862, recorded on Microfilm Roll No. 38, appointing time and place for hearing protests, and directing notice of hearing for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101863, recorded on Microfilm Roll No. 38, appointing time and place for hearing protests, and directing notice of hearing for the furnishing of electric current for the lighting of the ornamental street lights located in Seventh Avenue Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101864, recorded on Microfilm Roll No. 38, approving diagram

of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 147 University Heights, the East and West Alley and the North and South Alley in Block 126 University Heights, within the limits and as particularly described in Resolution of Intention No. 99967, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets of said City, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101865, recorded on Microfilm Roll No. 38, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Felspar Street, within the limits and as particularly described in Resolution of Intention No. 99702, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets of said City, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101866, recorded on Microfilm Roll No. 38, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Dwight Street, within the limits and as particularly described in in Resolution of Intention No. 98626, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets of said City, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101867, recorded on Microfilm Roll No. 38, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Vallecitos, Camino del Oro, De la Ribera, and Camino del Sol, within the limits and as particularly described in Resolution of Intention No. 98804, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101868, recorded on Microfilm Roll No. 38, adopting the recommendation of the City Engineer filed in the office of the City Clerk on April 4, 1951, under Document No. 431599, authorizing said Engineer to amend proceedings for improvement of Wightman Street in accordance with said recommendation, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Supervisor of Properties, addressed to the City Manager and transmitted to the Council with the Assistant City Manager's stamp of approval, reporting on bids for sale of City Property in Block 45 City Heights (known as the old "East San Diego City Hall" property), recommending acceptance of the sole bid of M. Niederman submitted by Carlon C. Hocutt, Real Estate Broker, in the amount of \$37,500.00, being the minimum price set by the Council, directing the City Clerk to return the \$60.00 deposit to Harry Farb who originally asked that the property be put up for sale, was presented.

RESOLUTION NO. 101869, recorded on Microfilm Roll No. 38, accepting bid of M. Niederman for Lots 22, 23 and 24 Block 45 City Heights, sold at public auction on March 30, 1951, submitted by Carlon C. Hocutt, Licensed Real Estate Broker, in the sum of \$37,500.00, authorizing and directing the Mayor and City Clerk to execute a deed quitclaiming to Morris Niederman and Jeannette Niederman, David Simon and Mary Simon, Jerome Niederman and Anne Niederman, as joint tenants, authorizing the executed deed to be placed in escrow by said Supervisor of Properties; authorizing and directing the City Auditor and Comptroller to pay to Carlon C. Hocutt, Licensed Real Estate Broker, out of the proceeds of said sale, the real estate broker's commission for sale at the prevailing rate prescribed and used by the San Diego Realty Board, as provided for by Section 3 of Ordinance No. 2019 (New Series); authorizing and directing the City Clerk to return to Harry Farb the sum of \$60.00 deposited by him at the time he petitioned for sale of said property, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Prior to adoption of said Resolution, members of the Council asked questions, which were answered by the City Manager. The Manager said that there appeared to be considerable interest in the sale, one bidder only submitted a bid, the minimum figure which had been heretofore set by the Council, and that there were certain limitations attached to the sale of the property regarding its use, also that there were termites in the building.

Councilman Schneider questioned the advisability of continuing the Broker's fees in connection with sales of property, now that a City Properties Division has been created and is operating. He thought the Ordinance might well be repealed.

The City Manager expressed the belief that it was to the City's advantage to leave the Ordinance as is, resulting in receiving in some instances better bids and finding additional clients. He said that the City's Properties Division does not seek out purchasers for City property put up for sale.

Communication from the City Engineer, addressed to the City Manager and forwarded to the Council with the Assistant City Manager's stamp of approval, recommendation for purchase of additional earth fill for Mission Bay Project without competitive bidding, was presented.

RESOLUTION NO. 101870, recorded on Microfilm Roll No. 38, authorizing the Purchasing Agent to purchase and charge to the account of the Mission Bay Project, without competitive bidding, 25,000 additional cubic yards of earth fill from any available source at the best terms and prices as he may secure, pursuant to authority contained in Ordinance No. 4647 (New Series), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101871, recorded on Microfilm Roll No. 38, authorizing and directing the City Clerk to publish or cause to be published the proposed amendment of sub-section 1 of Section 1 of Rule X in full at least once in the official newspaper at least ten days prior to a hearing which is fixed as May 3, 1951, and to post a copy in full of such proposed amendment in three public places at least ten days prior to date of the hearing, having to do with annual vacation (specifically 18 calendar days with full pay for full time lifeguards, with not to exceed one day for each 25 days of service during the partial year), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101872, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to do all the work in connection with the digging of test holes for locating pipe elevations, preliminary excavation, and the possible removal of existing buildings and fences, for the proposed Lakeside Pumping Plant, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 101873, recorded on Microfilm Roll No. 38, ratifying and approving the engineering services performed and expenses incurred by the Simplex Valve & Meter Company in testing, checking and inspecting certain control equipment for the Alvarado Filtration Plant, amounting to \$1,001.39, authorizing the City Auditor and Comptroller to issue a warrant in favor of said Simplex Valve and Meter Company for said sum upon presentation of proper claim, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Accompanying said Resolution was communication from the Water Department Director, addressed to the City Manager and forwarded to the Council with the City Manager's stamp of approval, making such recommendation, and containing a detailed report thereon.

RESOLUTION NO. 101874, recorded on Microfilm Roll No. 38, granting revocable permit to Standard Oil Company of California, Standard Oil Building, 605 West Olympic Boulevard, P.O. Box 2437 Terminal Annex, Los Angeles, California, to install and maintain one 1000-gallon gasoline storage tank underneath the sidewalk at 3152 University Avenue, adjacent to Lot 24 Block 161 University Heights, to replace old gasoline tank at said location, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 4766 (New Series), designating the legal holidays authorized by the provisions of Section 194 of the Charter, and repealing Ordinance No. 4756 (New Series) adopted March 29, 1951, for the purpose of paying one and one-half times the prevailing or current rate of per diem wages for extra work performed by laborers, workmen or mechanics employed by or on behalf of the City upon any public work: Sunday; New Year's Day; Memorial Day; Independence Day; Labor Day; Armistice Day; Thanksgiving Day; Christmas; provided that if any of the holidays mentioned falls upon a Sunday, the Monday following is a legal holiday, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None Absent---Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The Vice Mayor requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

RESOLUTION NO. 101875, recorded on Microfilm Roll No. 38, appointing Mr. George C. Howard, General Agent of the PennMutual Life Insurance Company, 535 Spreckels Building, San Diego, as a member of the Board of Administration of the City Employees' Retirement System, for a term of six years, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The Vice Mayor pointed out that the City Clerk (Secretary of the Board of Administration of the City Employees' Retirement System) had advised him that an appointment should be made to the Board, under the newly-adopted Charter amendment.

RESOLUTION NO. 101876, recorded on Microfilm Roll No. 38, referring to Council Conference the matter of making an appointment to the Board of Administration of the City Employees' Retirement System, under the newly-adopted Charter amendment, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

The City Manager requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

RESOLUTION NO. 101877, recorded on Microfilm Roll No. 38, granting permission to All Souls' Episcopal Church to erect a tent on the church property at Catalina and Chatsworth Boulevards, for the purpose of holding a church fair therein on April 14, 1951,

provided that the erection of said tent shall meet with the approval of the Fire Marshal and the Building Inspection Department, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

The Vice Mayor requested, and was granted, unanimous consent, to present the next matter, not listed on the Council's agenda:

A Communication from Mayor Harley E. Knox, announcing that the term of office of Anderson Borthwick, now serving as a Harbor Commissioner, expires on April 14, submitting his name for re-appointment, and stating that all will agree that Mr. Borthwick has performed an outstanding job as chairman of the Harbor Commission, has an intense interest in the development of the Harbor and is serving the City faithfully, was presented.

RESOLUTION NO. 101878, recorded on Microfilm Roll No. 38, confirming the appointment by Mayor Harley E. Knox of Mr. Anderson Borthwick to succeed himself as a member of the Harbor Commission, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Councilman Swan requested permission for Colonel Shaw to be heard at this time.

Colonel Shaw appeared, as chairman of the Civic Committee for the Ocean Beach Community Center executive committee, and told of the third anniversary celebration to be held at the Center, next Thursday, Friday, and Saturday, to which he invited the Council.

Members of the Council thanked Colonel Shaw for the invitation, but no indication was given as to probable attendance.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Schneider, at the hour of 11:16 o'clock A.M.

George Kerrigan
Vice Mayor of the City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadsstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, April 12, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:12 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Knox
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

The Vice Mayor recognized three young girls who were present, representing the Camp Fire Girls, in connection with their annual "Donut Sale". The girls came forward, and took orders from members of the City Council and others. As they were leaving, the Vice Mayor wished them success in their undertaking.

The hour of 10:00 o'clock A.M. having arrived, the time to which the continued hearing on appeal of Clara Louise Merrick had been set, on the Zoning Committee's decision in denying permission to construct four living units on Lot Q Block 15 Mission Beach, at the northeast corner of Strandway and San Luis Rey Place, in Zone R-2, and for a waiver of the rear yard requirements, the Planning Director was heard.

Planning Director Glenn A. Rick spoke about his investigations made in the southerly area of Mission Beach. He said that the City had granted 14 variances, there are 3 living units constructed without record thereof, and told of various violations having 3 families on each of 5 places, and that he was unsure of some others which he believed to be in violation of the zoning. He stated that 40 property owners are in favor of the variance within 300 ft. radius of the property in question, and that 10 oppose, based upon signatures to that effect. Mr. Rick identified the properties being discussed upon a plat which he showed to the Council.

Asked about prosecution of violators of the zoning, Mr. Rick said that citations are not issued unless complaints are made by nearby property owners.

Councilman Wincote said he could understand why property owners would not want to stir up neighborhood squabbles by making complaints. He said that the ratio is 4 to 1 in favor of the variance. He pointed out that the average size of the lots in the district is 2400 square feet, but that the property upon which the hearing was being held is over 4000 square feet.

Petition of protest of property owners within 300 feet, some of whom had originally favored the variance but who now wished to oppose the variance, was presented.

A communication from Dorothy M. McDonald and L. G. McDonald, original signers for the variance, but now opposing it, was presented.

Communication from W. P. Adams, 4651 Tivoli Street, stating that in his opinion favorable consideration should be given to the variance for 4 units, based upon the size of the property and that it would be a definite asset to the surrounding property, was presented.

The Vice Mayor announced that the hearing had been closed at a previous meeting, but said that the Council in Conference this morning, had thought that it would be well to develop additional facts by their asking of questions.

Mr. Fielding presented the petition referred to previously, opposing the variance, mentioning that property owners who had previously favored the variance now oppose it.

Mrs. Merrick was asked to speak. She said that it was her impression that the hearing had been closed, so she had not solicited additional support. However, she handed in the communication from W. P. Adams, just referred to.

Reviewing those in favor and those opposed, Mr. Rick said that only 4 property owners had changed their minds, and that there were 3 additional protests.

Councilman Schneider said that the City should protect the present owners, on the investments which they had made, and said that the Council should be careful about overruling the Zoning Committee.

Councilman Wincote said that the Merrick property constitutes a usable difference, in that it is larger than any of the other lots, that it is on an alley and lane, referred to it as a pie-shaped lot. He said he thought that the compromise proposed at the previous hearing has merit.

Speaking about the compromise, Mr. Rick said he favored 3 units, but not the rear yard variance. He said that Mrs. Merrick had reported that she would not build if she could not get the yard variance.

Councilman Schneider moved to deny the appeal. There was no second.

Councilman Godfrey moved to deny the appeal, sustain the Zoning Committee, and grant 3 units, which motion was seconded by Councilman Swan.

Councilman Schneider asked Pat Brannan, who had spoke at the previous hearing about his feelings.

Mr. Brannan said he was amazed that the Council had proposed to proceed with a "closed hearing".

Councilman Godfrey replied that the Council wished to hear anybody who had something to offer, but that there was little point in going over and over the same type evidence, in that the hearing had to stop sometime.

Mr. Brannan continued, and said he felt that if the zone variance were granted it would constitute a rezoning of the whole area. He said that the Council should deny the appeal for 3 reasons: that the property is now in R-2 zone; that granting the variance nullifies the R-2 zone use; that a majority of the people actually oppose the variance, although many may have signified differently.

Asked about the proximity of his property to that of the Merricks, Mr. Brannan set it is 375 to 400 feet away. He said that if there is to be a compromise, it should be for 3 units only.

Councilman Swan asked about garages for the existing residences.

Mr. Brannan said that almost every unit has a garage.

Mrs. Merrick spoke again, and said that there are 2 units across the alley with no garages, and that "down a little" 2 or possibly 3 units have only 1 garage. She said she could go on citing similar conditions.

The motion was withdrawn at this time.

The City Attorney suggested that the matter be referred to his office for the preparation of the necessary papers.

RESOLUTION NO. 101879, recorded on Microfilm Roll No. 38, referring to the City Attorney the matter of denial of the appeal of Clara Louise Merrick from decision of the Zoning Committee in denying her request for variance to permit construction of 4 living units on Lot Q Block 15 Mission Beach, at the northeast corner of Strandway and San Luis Rey Place, and for permission to construct 3 units on the property, together with waiving of the rear yard, for presentation at the next meeting of the Council, was on motion of the Councilman Godfrey, seconded by Councilman Swan, adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilman Schneider. Absent---Mayor Knox.

RESOLUTION NO. 101880, recorded on Microfilm Roll No. 38, referring to Council Conference, for consideration at a future date, the matter of alleged "bootlegging of housing in the southerly area of Mission Beach, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The continued hearing on the appeal of Richard J. and Helen C. Kuhn from the decision of the Zoning Committee in denying variance to permit construction of a single-family residence on portion of Pueblo Lot 1209, east of Paul Jones Avenue and north of Brandywine Street, in Zone R-1, was brought up at this time.

A new report from the Zoning Engineer stating that another 1/2 acre of property has been acquired by the Kuhns and that the parcel fronts on a dedicated street, the Zoning Committee has now recommended permission to construct a residence on the south 315 feet of Partition of Lot 5 except south 160 feet, in Pueblo Lot 1209 located on Paul Jones Avenue, 160 feet north of Brandywine Street in Zone R-1, on condition that a concrete retaining wall be constructed on the property the full length of the private driveway abutting Paul Jones Ave., so that the driveway will be supported without encroachment on Paul Jones Avenue; that the 1-acre parcel be retained in a single ownership until such time as the Zoning Committee or City Council approved a division, and that an agreement to that effect be signed and recorded, was presented and read.

Mr. Kuhn said that the proposal is O.K. as recommended.

Mr. Rick said that Mr. Rowe (Claude W. Rowe, 3640 Brandywine Street, who had sold the property to Mr. and Mrs. Kuhn) had requested that the 1st condition be changed to 114 feet instead of full length. The Council consented, and the Planning Director made the change in blue pencil upon the recommendation.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was referred to the City Attorney for preparation and presentation of the necessary resolution, in accordance with recommendation of the Zoning Engineer dated April 9, 1951.

Petition of San Diego Public Safety Committee, dated April 7, 1951, signed by Hal H. Hobson, Secretary, commenting upon the number and type of accidents occurring on Broadway at the intersections from Kettner Boulevard to Twelfth Street, and that it has been reported that at certain of the intersections signals will be erected in the future, that ~~that~~ the other intersections would be left in the same category as they are now, was presented. Said petition recommended that the intersections on Broadway between Kettner and Twelve inclusive not regulated, be so regulated by boulevard stops affecting all travel approaching Broadway at those points until signals are installed.

Communication from the Harbor Department, signed by the Port Director, submitting Resolution authoring purchase in the open market of piles needed to maintain an adequate supply, was presented.

Carl Ruepsch, from the Harbor Department, made a verbal report. He said that it is to the City's advantage to handle the piling acquisition in this manner, due to failure of the City to receive bids upon advertising therefor in the past. Mr. Ruepsch told the Council that the request comes from the Purchasing Department, not from the Port Director.

Councilman Swan spoke about the used piles from the dismantled Mission Bay Bridge. He said that he had advocated retention of the piles, and said that the City would have profited by keeping them.

Mr. Ruepsch said that those piles are not available, and that the contractor who dismantled the bridge is using some of them in the new bridge.

Councilman Wincote said that the Atkinson Company bid was \$40,000.00 low, on the new bridge, and he felt that much of that was due to the used material being available from the other bridge.

RESOLUTION NO. 101881, recorded on Microfilm Roll No. 38, authorizing and directing the Purchasing Agent to purchase on the open market without advertising for bids, such piles as may be needed by the Harbor Department to maintain an adequate supply on hand at all times, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next-mentioned matter, which had been continued from the meeting of April 5, 1951, was brought up for consideration at this time.

Communication from the Purchasing Agent reporting on bids for installation of acoustical materials to the walls and ceilings of the Conference Building in Balboa Park, recommending award to Larson Bros., employing alternate No. 2, was presented.

RESOLUTION NO. 101882, recorded on Microfilm Roll No. 38, accepting bid of Larson Bros., of San Diego, for installation of acoustical materials to the walls and ceilings of the Conference Building in Balboa Park, awarding contract and authorizing the City Manager to execute the same, directing the City Clerk to return all bid checks submitted with exception of the checks submitted by the low bidder and the second low bidder whose bids meet specifications, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for grading parking area adjacent to U.S. Naval Hospital, Balboa Park, recommending award to Daley Corporation, the low bidder, was presented.

RESOLUTION NO. 101883, recorded on Microfilm Roll No. 38, accepting bid of Daley Corporation for the grading of parking area adjacent to U. S. Naval Hospital, Balboa Park, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, recommending rejection of all bids received as of February 14, 1951, for the installation of approximately 150 Parking Meter Standards, was presented.

RESOLUTION NO. 101884, recorded on Microfilm Roll No. 38, rejecting all bids received by the Purchasing Agent on February 14, 1951, for installation of approximately 150 Meter Standards, and that all checks received with bids be returned to the bidders, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the City Manager advising the Council of his appointment of Mr. Edward P. Scott, Assistant General Manager of City Chevrolet, to the City Planning Commission for a term of two years, effective April 6, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, said communication was ordered filed.

Communication from the City Manager reporting on communication from the California Institute of Social Welfare regarding the bus strike, and transmitting copy of his reply, was presented.

The City Manager's letter was ordered filed, on motion of Councilman Swan, seconded by Councilman Schneider, together with the matter upon which it reported.

Communication from the City Manager reporting on communication from Walter H. Lewis relative to claim filed against the City, and transmitting copy of his reply, was presented.

The City Manager's letter was ordered filed, on motion of Councilman Swan, seconded by Councilman Schneider, together with the matter upon which it reported.

Communication from the City Manager reporting on communication from Arthur J. Ruben suggesting that the City take over the bus company, and transmitting copy of his reply, was presented.

The City Manager's letter was ordered filed, on motion of Councilman Swan, seconded by Councilman Schneider, together with the matter upon which it reported.

Communication from the City Manager reporting on communications from the University Heights Mothers' Club and from a large number of citizens protesting proposed removal of the fountain from the Plaza, and transmitting copies of his reply, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, the City Manager's letter was ordered filed, together with the letters upon which it reported.

After action to file, there was further comment, during which Councilman Swan wondered when some decision is to be made on the ultimate development of the Plaza and consideration to construction of the servicemen's information building.

The City Manager read copies of his replies, to the Council.

Councilman Dail said that there is overwhelming opposition to the fountain's removal.

The City Manager said that plans for the booth are ready, as recommended by the Park Commission, and can be brought at any time.

RESOLUTION NO. 101885, recorded on Microfilm Roll No. 38, referring to a Conference for consideration at an early date, the matter of improvements in Horton Plaza, removal of the fountain therefrom, and erection of a servicemen's information booth, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Manager reporting on letter from James A. Brownell, 4147 Tennyson Street, relative to objectionable features connected with operation of stables at Catalina Boulevard Tennyson, upon which Mr. Brownell had made previous protests, was presented, together with detailed reply.

On motion of Councilman Wincote, seconded by Councilman Schneider, the entire file was ordered filed.

Communication from the City Attorney reporting on claim of Grade R. Canning which claim had been denied on recommendation of Pacific Indemnity Company, stating that to the best information available the Claims Adjuster's statement that no City street sweeper was in the 800 block on Missouri Street at the time of the alleged accident, is true, was presented. The report says, further that the matter has been discussed with the Adjuster and correspondence has been referred to him for further investigation.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the entire matter was ordered filed, following reading of the City Attorney's report.

Communication from the City Engineer's addressed to the City Manager, and forwarded to the Council with the Assistant City Manager's stamp of approval, was presented, which communication recommended entering into a contract with Robert W. Hunt Company for inspection of fabrication of steel for the Sunset Cliffs Boulevard Bridge.

Councilman Swan wanted to know about any unforeseen delay on the steel.

The City Manager said that the steel is stockpiled and contract for the bridge construction has been let.

RESOLUTION NO. 101886, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to enter into contract, for and on behalf of The City of San Diego, with Robert W. Hunt Company for specialized and professional services in connection with the inspection of the fabrication of the steel for the Sunset Cliffs Boulevard Bridge, for which the City will pay the sum of \$1.30 per ton, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101887, recorded on Microfilm Roll No. 38, authorizing lease with H. N. Peavey of 105 acres of land in the Tia Juana Valley, subject to encumbrances if any, being in Township 19 South, Range 2 West, for a term of 5 years commencing April 1, 1951, at a rental of \$250.00 per year, for stock grazing and agricultural purposes, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Prior to adoption of said Resolution, the City Manager made a verbal report, in which he said that the present lessee (Peavey) did not receive a notice of bids, but did not know the reason for that. He said that Mr. Peavey is willing to continue at \$50.00 over the present rate he is paying.

Asked about possible water development, the City Attorney told about a court order permitting limited water use for the benefit of the property leased. He said he thinks the City should get rid of the land, because it cannot be put to the use for which it had been acquired.

RESOLUTION NO. 101888, recorded on Microfilm Roll No. 38, entitled "Civil Defense and Disaster Resolution", outlining in great detail the organization and operation of the Civil Defense and Disaster Organization of the City, creating division of operating services, special services division, legal, American Cross, duties, and making appointments, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101889, recorded on Microfilm Roll No. 38, giving notice of the proposed annexation to the City of San Diego of a portion of Lot 53 Horton's Purchase, Rancho Ex-Mission, to be known and designated as "West Coast Tract", was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Manager made a verbal report. He said that there are certain conditions which have to be fulfilled before the annexation is made, but that the City cannot make them as conditions for the annexation. He said, also, that the City could not proceed until the conditions have been met (he did not disclose the details of the conditions).

The proposed Resolution approving change order No. 1 in connection with contract with Andrew N. Baird for installation of acoustical material in the Ocean Beach recreational buildings, which had been continued from the meeting of April 5, 1951, was brought up at this time. - Added cost would be \$804.00.

The City Manager recommended, verbally, that the matter be filed.

On motion of Councilman Swan, seconded by Councilman Wincote, said proposed Resolution was ordered filed.

The proposed Resolution approving change order No. 1 in connection with contract with Larson Bros. for installation of acoustical material in the recreational buildings in Pacific Beach, Presidio Park and University Heights, which had been continued from the meeting of April 5, 1951, was brought at this time. Added cost would be \$1,150.00.

The City Manager asked to have this matter returned to him.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said proposed Resolution was referred to the City Manager.

RESOLUTION NO. 101890, recorded on Microfilm Roll No. 38, approving request of Carroll & Foster for extension of time for period of 90 days from May 1, 1951 (Change Order No.) filed with the City Clerk as Document No. 431909, in connection with contract with Carroll & Foster for installation of a sprinkler system along Ventura Boulevard, contract bearing Document No. 1, completion time extended to August 1, 1951, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101891, recorded on Microfilm Roll No. 38, accepting deed of Delbert R. Fradenburg and Florence E. Fradenburg, bearing date March 6, 1951, conveying Lot 9 Block 3 Rosedale, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101892, recorded on Microfilm Roll No. 38, accepting quitclaim deed of Laurel E. Palmer, bearing date April 6, 1951, quitclaiming all right, title and interest in and to Lot 74 City Gardens, authorizing and directing the City Clerk to file said deed for record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101893, recorded on Microfilm Roll No. 38, accepting deed of Nellie V. Schneider, bearing date March 21, 1951, conveying Lot 4 Block 58 Campo del Dios Unit No. 3, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101894, recorded on Microfilm Roll No. 38, accepting deed of Leonard J. Drake and Norma M. Drake, bearing date March 30, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 1 and 2 Block 290 Pacific Beach, authorizing and directing the City Clerk to file said deed or record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101895, recorded on Microfilm Roll No. 38, accepting deed of Alice J. Ewing, bearing date February 20, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 3 Block "A" La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101896, recorded on Microfilm Roll No. 38, accepting deed of George M. Gere and Eve C. Gere, bearing date January 29, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 4 Block A La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101897, recorded on Microfilm Roll No. 38, accepting deed of Anita Oliver Lunn, bearing date January 3, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 5 Block A La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101898, recorded on Microfilm Roll No. 38, accepting deed of Charles Lambert Mann and Eva Mann, bearing date March 27, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 1 and 2 Block 12 Pacific Beach Vista Tract, First Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101899, recorded on Microfilm Roll No. 38, accepting deed of Jay Morrison, bearing date February 21, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 6 Block A La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101899, recorded on Microfilm Roll No. 38, accepting deed of Jay Morrison, bearing date February 21, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 6 Block A La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101900, recorded on Microfilm Roll No. 38, accepting deed of Howard B. Turrentine and Beverly B. Turrentine, bearing date March 26, conveying an easement

and right of way for sewer purposes in portion of Lot 1 Coronado Vista, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

The proposed Ordinance, continued until this meeting from the meeting of April 5, 1951, prohibiting any person in the City of San Diego from becoming a visitor to any place for the practice of gambling, prohibiting any person from playing or betting at or against any game not mentioned in Section 330 of the Penal Code of California, prohibiting soliciting another to visit any place for the purpose of prostitution or gambling, providing for penalty for its violation and repealing Ordinance No. 2342 (New Series), was presented at this time.

Fred S. Taub, attorney at law, presented a petition in behalf of all "26" game operators, by S.D. Tavern Owners Assn., 308 Spreckels Bldg., San Diego, requesting an extension of 30 days' time in which to assemble pertinent data and testimony from the taxpayers and businessmen who personally wish to be heard.

Said petition states that the revenue from sales of merchandise to the amount of 1/2 percent per dollar, to the City, helps keep taxes down; that the game returns 50 percent to the player in merchandise and the player must win before the merchandise is sold or consumed; that many persons depend on this means of livelihood particularly those unskilled in trade, that tobacco vendors and taverns who operate this Game legitimately will suffer loss of business, stating that it is not fair that where a minority abuse the privilege that all must suffer for their indiscretions.

Fred Taub, attorney, spoke in behalf of Tavern Owners and Tobacco Merchants. He said that the move is a sudden one on the part of the City. He said that several persons had been present at this meeting who wished to be heard, but had to leave to return to their places of business. Mr. Taub asked for a delay of 30 days, or so.

Councilman Dail said that the City had not contemplated any sudden move, or stampede.

Mr. Taub said he was not prepared with detailed evidence, at this time. He said that it is not an emergency, in that it has continued for some time.

Councilman Dail moved to set a hearing on the Ordinance 2 weeks from this date, which motion was seconded by Councilman Godfrey.

Before the roll could be called on the motion, there was further discussion.

The City Manager said that there might be a liability upon the Council if it permits continued operation of the "26" dice games through failure to adopt the ordinance prohibiting them. He said, further, that the Chief of Police interprets the "26" games as being in violation of the State law.

Councilman Godfrey withdrew his second to the motion setting the hearing, at this time.

The City Attorney recommended, verbally, that the matter not be put over for 2 weeks, but that it come before the Council again next Tuesday. He told of liability incurred through licensing of illegal games, and said that he wishes to investigate the matter further.

Councilman Godfrey moved to refer the matter to the City Attorney for advice on the status of the question, to come before the Council next Tuesday - April 17 - which motion was seconded by Councilman Schneider.

Before the roll could be called on that motion, 726 Broadway, spoke. He told of his past activities in the dice game, and considered his operations to be legitimate.

Councilman Swan wanted to know whose duty it is to enforce the State law.

The City Manager replied that even a citizen can enforce it, that it need not be by a police officer or Sheriff's representative.

Mr. Taub spoke again, and said that he has cases set in court for April 17 and for the following week, April 24. He asked for a continuance until May 1.

The City Attorney said that if investigation discloses the operation of the "26" game to be in violation of the Penal Code, no consideration need be given to any such thing as loss of business, or anything else, for that matter.

The roll was called on the motion, resulting in

RESOLUTION NO. 101901, recorded on Microfilm Roll No. 38, referring to the City Attorney for advice on the matter of "26" games proposed to be prohibited through adoption of an Ordinance "Prohibiting any person in the City of San Diego, California, from becoming a visitor to any place for the practice of gambling, prohibiting any person from playing or betting at or against any game not mentioned in Section 330 of the Penal Code of California, prohibiting soliciting another to visit any place for the purpose of prostitution or gambling, providing a penalty for violation, and repealing Ordinance No. 2342 (New Series)", was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 4767 (New Series), recorded on Microfilm Roll No. 38, relating to Civil Defense and Disasters, authorizing the preparation and carrying out of plans for Civil Defense of persons and property within The City of San Diego in the event of a disaster, defining offenses and prescribing penalties, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Said Ordinance was declared to be for the immediate preservation of the public peace, health, property and safety for reasons set forth in the preamble thereof, to take effect and be in force from and after its passage.

The Ordinance also recites that if any provision or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without invalid provision or application, and to that end the provisions of the Ordinance are declared to be severable.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 4768 (New Series), recorded on Microfilm Roll No. 38, amending Section 5 of Ordinance No. 3778 (New Series) adopted June 22, 1948, and repealing Ordinance No. 4655 (New Series) adopted January 9, 1951, having to do with water mains in new subdivisions, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

~~The final reading of such Ordinance was in full.~~

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 4769 (New Series), recorded on Microfilm Roll No. 38 - continued to this meeting from the meeting of April 5, 1951 - appropriating the sum of \$9,500.00 from the Capital Outlay Fund for the purpose of providing funds for the installation of acoustical materials to the walls and ceilings of the Conference Building in Balboa Park, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4770 (New Series), recorded on Microfilm Roll No. 38 - continued to this meeting from the meeting of April 5, 1951 - appropriating the sum of \$2,100.00 from the Capital Outlay Fund for the purpose of providing funds for installation of acoustical materials to the walls and ceilings of the Recital Hall in the Palisades Building in Balboa Park, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4771 (New Series), recorded on Microfilm Roll No. 38 - appropriating the sum of \$1,750.00 from the Unappropriated Balance Fund for the purpose of providing additional funds for the City's share of the cost of improving the Civic Center parking lots, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

Proposed Ordinance incorporating Lots 6 to 14 inclusive Block 23, all of Block 33 Bird Rock Addition, and other property in Bird Rock Villas, Pacific Riviera Villas and portion of P.L. 1783 into "R-4" and "RC" Zones as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinances No. 13294, No. 119 (New Series) and No. 3503 (New Series) insofar as they conflict, was presented.

On motion of Councilman Swan, seconded by Councilman Schneider, a hearing was set upon said proposed Ordinance for the hour of 10:00 o'clock A.M. of Thursday, April 26, 1951.

Proposed Ordinance establishing a set-back line of 10 feet from the proposed 40-foot service road, being 50 feet from the front property line on the north side of West Point Loma Boulevard between the northeasterly line of Lot 1 Block 32 Loma Alta No. 2 and the southeasterly line of Pueblo Lot 212, was presented.

On motion of Councilman Swan, seconded by Councilman Wincote, a hearing was set for the hour of 10:00 o'clock A.M. of Thursday, April 26, 1951.

ORDINANCE NO. 4772 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of the Alley in Block 52 Park Villa, between the south line of Landis Street and the north line of Dwight Street, was on motion of Councilman Schneider, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4773 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of Dodson Street, between the south line of Island Avenue and the south

line of Market Street, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas-- Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4774 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of 59th Street, between the south line of Kenwood Street and a line parallel to and distant 10.00 feet southerly from the south line of Kenwood Street, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4775 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of Hobart Street, between its termination in Millar Street and the westerly line of 63rd Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4776 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of Millar Street, between the termination of Millar Street in Hobart Street and the termination of Millar Street in Rose Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4777 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of Rose Street, between its termination at Millar Street and the westerly line of 63rd Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4778 (New Series), recorded on Microfilm Roll No. 38, establishing the grade of Stewart Street, between the east line of Millar Street and the westerly line of 63rd Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The following matters, listed on the agenda, were not presented to the Council, but were referred directly to the City Manager, to expedite action thereon:

- Communication from Native Daughters of the Golden West protesting removal of the fountain from the Plaza;
- Communication from I. C. Walker favoring retaining the fountain, and referring to further improvements for Horton Plaza;
- Petition of Wm. R. Brennan for sewer line at 2145 Belt Street for the Kelco Company with 1/8" grade to the foot;
- Communication from Hiller & Hillyer offering to settle street improvement bond on Lot 10 Block H Montclair, prior to bringing suit on behalf of Armistead B. Carter.

Councilman Swan made reference to the two first matters referred to the City Manager, and wondered if they should not be referred to Council Conference for consideration.

It was pointed out to Mr. Swan that the matter is now under consideration, that the City Manager has all the necessary data for and against the proposals to do certain work in the Plaza.

No action was taken at this time.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 11:55 o'clock A.M.

George Kerrigan
Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
April 17, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:11 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Knox
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

The Minutes of the Regular Meetings of Tuesday, April 10, 1951, and of Thursday, April 12, 1951, were presented to the Council by the Clerk. On motion of Councilman Schneider, seconded by Councilman Swan, the minutes were approved without reading, after which they were signed by the Vice Mayor.

At this time the City Manager introduce Mr. T. W. M. Ashby, chief administrator of Auckland, New Zealand, who was present for the opening of the meeting. The visitor acknowledged the introduction and responded briefly by saying that he is enjoying his stay in San Diego, and felt it a privilege to attend the meeting of the City Council.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Landis Street, the Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 City Heights Annex No. 1 and Block 3 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 101271, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:
The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of one thousand two hundred dollars, which bid was given Document No. 432026;
The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of one thousand two hundred dollars, which bid was given Document No. 432027;
The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of twelve hundred dollars, which bid was given Document No. 432028;
The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of thirteen hundred dollars, which bid was given Document No. 432029.
Thereupon, on motion of Councilman Dail, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1, for a period of one year from and after November 16, 1950, to and including November 15, 1951, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101902, recorded on Microfilm Roll No. 38, confirming the Engineer's Report and Assessment for Logan Avenue Lighting District No. 1 filed in the office of the City Clerk March 9, 1951, approving the same as a whole, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, for a period of one year from and after October 15, 1950, to and including October 14, 1951, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101903, recorded on Microfilm Roll No. 38, confirming the Engineer's Report and Assessment for Roseville Lighting District No. 1 filed in the office of the City Clerk March 9, 1951, approving the same as a whole, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 101643 of Preliminary Determination for the paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and Public Rights of Way, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101904, recorded on Microfilm Roll No. 38, determining that the proposed improvement of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and Public Rights of Way, within the limits and as particularly described in Resolution No. 101643 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1992 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 51 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 98040, the clerk reported that no written appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101905, recorded on Microfilm Roll No. 38, confirming and approving the Street Superintendent's Assessment No. 1992 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 51 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 98040, authorizing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1995 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 143 University Heights, within the limits and as particularly described in Resolution of Intention No. 97081, the Clerk reported that a written appeal had been received from Mrs. Martha M. Bombard, which appeal was presented to the Council.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no additional written appeals were presented.

RESOLUTION NO. 101906, recorded on Microfilm Roll No. 38, overruling and denying the appeal of Mrs. Martha M. Bombard from the Street Superintendent's Assessment No. 1995 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 143 University Heights, overruling and denying all other appeals therefrom, confirming and approving the Street Superintendent's Assessment No. 1995, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1993 made to cover the costs and expenses of the work of paving and otherwise improving of Columbia Street, within the limits and as particularly described in Resolution of Intention No. 98625, the clerk reported that a written appeal had been received from Evelyn G. and Joaquin M. Pires, which appeal was presented to the Council.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no additional written appeals were presented.

RESOLUTION NO. 101907, recorded on Microfilm Roll No. 38, overruling and denying the appeal of Evelyn G. and Joaquin M. Pires from the Street Superintendent's Assessment No. 1993 made to cover the costs and expenses of the work of paving and otherwise improving of Columbia Street, overruling and denying all other appeals therefrom, confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1994 made to cover the costs and expenses of the work of paving and otherwise improving of Plum Street, within the limits and as particularly described in Resolution of Intention No. 98627, the clerk reported that no written appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No written appeals were presented, and no one appeared to be heard, verbally.

RESOLUTION NO. 101908, recorded on Microfilm Roll No. 38, confirming the Street Superintendent's Assessment No. 1994 made to cover the costs and expenses of the paving and otherwise improving of Plum Street, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

At this time a majority of the members of the Council executed undertaking with San Diego Gas & Electric Company for furnishing electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating Lots 6 to 14 inclusive Block 23, all of Block 33 Bird Rock Addition; portion of Lot F, all of Lots G, H and I portion of Lots J, K, M, N, O, P and Q Block A, portion of Block B, Bird Rock Villas; Lots 1, 2, 3 and 4 Pacific Riviera Villas and portion of P.L. 1783 into "R-4" and "RC" Zones as defined by Ordinance No. 8924 of the Ordinances of the City of San Diego and amendments thereto, and repealing Ordinances Nos. 13294 approved August 31, 1931, No. 119 (New Series) adopted January 3, 1933, and No. 3503 (New Series) adopted August 19, 1947 insofar as the same conflicts (at the request of Carlos Tavares, although the Planning Commission had recommended against the request for rezoning from the existing R-1 Zone), a written protest which had been handed to the Clerk just before hearing time, was presented to the Council.

Glen A. Rick, Planning Director, reported verbally, and told of the history of the proceedings. He said that the hearing had been held on the entire proposed area, being the property requested originally by Mr. Tavares plus property added by the Planning Commission, to avoid a small "spot zone".

Carlos Tavares told of his original re-zoning request, and of the property which had been added, as stated by Mr. Rick. He said that he had expected no opposition. He has plans, he said, for construction of a 20,000 sq. ft. commercial building. Mr. Tavares said that Bird Rock area is a center and focal point of present population within a 5-mile radius, of 40,000 people. He contended that the La Jolla shopping center is inadequate for parking, and that the Pacific Beach area shopping center is being spoiled. He told of having recently been conference in Chicago with one of the officials of Marshal Field Co., who told of plans for building an enormous shopping center way out, where parking is available. He said that a shopping center is needed for Clairemar Apartments, where 400 persons live. He said that they do not shop in the Bird Rock area. Mr. Tavares said that he owns 400 acres, to be opened up for subdivision. He said that all will benefit from the logical shopping area. He mentioned that he had brought planners here from various parts of the country who advise that a shopping center should be installed. Existing business will not be killed, Mr. Tavares contended, stating that competition is a good thing. Mr. Tavares mentioned that he is a member and trustee of the La Jolla Town Council (opponents), but expressed the belief that he is right.

At this point the Vice Mayor inquired if anyone wished to be heard in protest.

John H. Dawson, of the La Jolla Town Council, spoke. He said he felt that the proposal does not constitute sound planning. He opposed spot zoning and the re-zoning of the larger area - both. He said no further commercial zone is wanted. He told of business vacancies and vacant lots in the existing commercial zone. He made reference to the Planning Commission's minutes of 1947, at the time it was considering the Tavares request for permission to build his Clairemar apartment project. He read from the minutes, which were produced by Mr. Rick, on request. He said there is nothing to change the situation from the conditions set out in those minutes. He lauded the proposed PC zone which would provide for commercial parking, but not Mr. Tavares' proposals. He re-iterated that it is not proper to rezone the property. Mr. Dawson pointed out that the Pacific Riviera people want no commercial zoning adjoining that development, despite the fact that they have to go some distance to do their shopping. At this time, Mr. Dawson handed in another written protest, in addition to the one filed just before the hearing commenced. He asked for a vote against spot zoning, and said that it is not sound zoning. He told of the 26 vacant stores, and 36 vacant lots in the commercial and RC zones, and mentioned other nearby vacancies.

Mr. Rick showed a plat, and said that there are 500 feet between the C zone and requested zone change.

Mr. Dawson spoke again, and referred to the proposed zone change to permit an elementary school in the location, which he felt to be a mistake, also.

Mr. Rick said that most elementary schools are located within the residential areas.

Richard B. Johnston spoke at this time. He said that all the signers of the petitions of protest are owners within the immediate area under discussion.

William Fitzgerald, a resident of the area, said that every person within a one-half mile radius opposed the proposed rezoning.

Mr. Dawson, heard again, said that there is sufficient commercial property in the area.

Asked about the area taken into consideration in connection with zone changes, Mr. Rick replied that it is 300 feet, inasmuch as those property owners are the ones most affected.

Mr. Fitzgerald said that all within 300 feet had signed the protest.

A round table discussion took place at this time over maps, and questions and answers were not recorded, inasmuch as the discussion was not clear to the clerk.

The Vice Mayor asked if the protest would be same on the rezoning of the 300 feet only as requested originally by Mr. Tavares, or upon the entire area proposed under hearing at this time.

A large group, not counted, stood in protest to the rezoning of the entire area, all remained standing when the same question was put on the rezoning of the 300 feet included in Mr. Tavares' request.

Mr. Tavares said protests can always be stirred up. He said that he could bring in a thousand people for his side, and pointed out that there had been no protests in the beginning of the rezoning proceedings.

Mr. Rick said that everybody who builds commercial structures in the area should provide parking for their stores. In answer to a question, he said he knows of no prohibition against parking on La Jolla Boulevard.

The City Engineer told the Council that plans are under way for widening of La Jolla Boulevard, to conform to the improvement already made adjoining the Clairemar Apartments.

Mr. Dawson said that several stores in Bird Rock area have off-street parking, but that patrons do not use them. He referred to Mr. Tavares' failure to provide the agreed "buffer zone" in his previous Clairemar Apartment rezoning. He said that in spite of the convenience to neighborhood shoppers, property owners do not want the zone changed, saying that they are willing to go some distance rather than have the commercial area border their homes. Mr. Dawson conceded that the apartments are not unattractive, as had been predicted.

Councilman Wincote emphasized that the Clairemar Apartments have improved the area, instead of damaging it, as had been contended at the re-zoning hearing for that project.

Mr. Dawson said that Mr. Tavares might change his plans again, as in the case of the apartments, where he failed to provide the buffer strip in spite of his statements that he would do so.

RESOLUTION NO. 101909, recorded on Microfilm Roll No. 38, sustaining the action of the City Planning Commission in recommending denial of petition for the rezoning from the existing R-1 zone to RC of the northerly 300 feet of Pueblo Lot 1783 lying between La Jolla Boulevard and Electric Avenue, and also the rezoning of Lots 4 through 7 of Block 33 Bird Rock Addition to Zone R-4, and hereby denying said petition, was on motion of Councilman Swan, seconded by Councilman Dail, adopted, by the following vote: Yeas--- Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilman Wincote. Absent-Mayor Knox.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing on the appeal of Richard J. and Helen C. Kuhn had been continued, for the purpose of adopting a zone variance resolution, it was pointed out by the Vice Mayor that the hearing itself had been concluded, and that consideration of the resolution prepared by the City Attorney was in order.

No discussion follows.

RESOLUTION NO. 101910, recorded on Microfilm Roll No. 38, granting permission to Richard J. and Helen C. Kuhn to construct a single family residence on approximately one-acre parcel, being the South 315 feet of Parcel 5, except the South 160 feet, in Pueblo Lot 1209 located on Paul Jones Avenue 160 feet north of Brandywine Street, on the following conditions:

1. That a retaining wall be constructed on the property along 114 feet of the private driveway abutting Paul Jones Avenue so that said driveway will be supported without encroachment on Paul Jones Avenue;

2. That the one-acre parcel be retained in single ownership until such time as the Zoning Committee or the City Council approves the division, and that an agreement to that effect be signed and recorded; granting variance to the provisions of Ordinance No. 100 (New Series), insofar as it relates to said property, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing on the appeal of Clara Louise Merrick had been continued, for the purpose of adopting a zone variance resolution, it was stated by the Vice Mayor that the hearing itself had concluded, that consideration of the resolution prepared by the City Attorney was in order.

Before the Council could proceed with the matter, Richard P. McNulty, attorney, appeared. He asked for a re-opening of the hearing, and said that he had no notice of the hearing (although two previous hearings had been held and a great many persons in the area had been heard). He said that he wanted to present a written protest, which he did.

Councilmen Wincote and Dail told Mr. McNulty that the hearing had been closed, and that the Council had spent several hours hearing both sides of the question

at two previous meetings.

Councilman Godfrey pointed out that if the hearing were re-opened, both sides would have to be notified, and the two conflicting groups heard again.

Louis Karp, Deputy City Attorney, told the Council that the hearing had been legally closed.

Councilman Dail spoke again, and said that the concluded hearing as announced on the agenda, had been closed, and that he did not want to hear the matter all over again.

Councilman Schneider said that while he was the only dissenter, he felt that all evidence has been presented, and that nothing would be gained in hearing anything further in the matter.

Mr. McNulty continued talking, at great length, in an attempt to get the Council to re-open the hearing.

Councilman Wincote moved that the hearing be not re-opened, which motion was seconded by Councilman Swan.

After further discussion, the roll was called on the motion, and it was definitely determined not to re-open the hearing.

The Vice Mayor read the proposed resolution, which contained no reference to the number of garages. (The Clerk had called that point to the Vice Mayor's attention at the time the motion was made to have the proposed Resolution prepared, but no heed was given to it.)

Councilman Godfrey expressed the belief that there should be only 5 garages, instead of the 6 originally petitioned for.

Glen A. Rick, City Planning Director, said he could see no objection to construction of 6 garages.

Mrs. Merrick spoke at this point, upon being asked her views in the matter, and said that she would be satisfied with either 5 or 6 garages.

Some members of the Council felt that it would be to the advantages of the area to provide more, rather than fewer garages, due to the shortage of them in the Mission Beach section.

The City Attorney was directed to add the words "and a minimum of 5 garages and a maximum of 6 garages, to the proposed Resolution.

The Resolution, as changed, through the addition of the matter about the garages, was presented.

RESOLUTION NO. 101911, recorded on Microfilm Roll No. 38, modifying petition of Clara Louise Merrick to construct four living units on Lot Q Block 15 Mission Beach, at the northeast corner of Strandway and San Luis Rey Place, with a 12 foot rear hard, to permit construction of three living units with a minimum of 5 garages and a maximum of 6 garages on said property, with a setback of 2 feet from the alley line, granting variance to the provisions of Ordinance No. 243 (New Series) and Ordinance No. 8924 Section 8-A in accordance with the particulars above stated, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays---Councilman Schneider. Absent---Mayor Knox.

Petition of Veterans of Foreign Wars of the United States local units, signed by Alexander McConnell, commander, First District, for permission to sell Buddy Poppies on the streets May 25 and 26, 1951, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said petition was referred to the City Manager.

Claim of Eugene Unger, 4108 39th Street, in the estimated sum of \$25.00, for damage to car paint by "thick grease-like substance", was presented.

RESOLUTION NO. 101912, recorded on Microfilm Roll No. 38, referring claim of Eugene Unger to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 101913, recorded on Microfilm Roll No. 38, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental to the renewal of fender system for B Street Pier, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with Document No. 431991 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 101914, recorded on Microfilm Roll No. 38, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the preparation of the site and installation of a memorial flagpole at Newport Avenue and Abbott Street, Ocean Beach, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with Document No. 431993 on file in the office of the City Clerk, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Prior to adoption of said Resolution, the City Manager showed sketches of the proposed improvement, and told of the work to be done under contract.

Communication from the City Manager recommending filing of three communications from the Ed Fletcher Co. relative to the City procuring water from his San Pasqual Valley copy, and transmitting copy of his reply, was presented.

The City Manager's reply to Col. Ed Fletcher quoted from a recommendation by the Water Department Director, which said that the City Attorney's office advises that there is a question as to the ownership or right to divert water from the San Dieguito basin and that indications are that the city has a prior right to the water, in which event it would develop its own supply. It mentioned, also, that the City owns lands both above and below the Fletcher property, and recommends that Mr. Fletcher be advised that the City has given the matter careful consideration but does not care to enter into a contract with him at this time.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's communication and the three letters from the Ed Fletcher Co. upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from San Diego Chapter of the Indoor Sports' Club, Inc. requesting resolution approving S/B 923 and A/B 1216, and transmitting copy of his reply, was presented.

The Manager's reply stated that the City, however sympathetic, has a policy of neither endorsing nor opposing any matter pending before a legislative body with which the City is not directly concerned, and that in accordance with the Council's policy, the City cannot comply with the request.

On motion of Councilman Schneider, seconded by Councilman Wincote, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on petition of F. L. McMechen, for reconveyance of property in Aurura Heights, stating that representatives of his office and Department of Public Works have informed Mr. McMechen that it is not to the best interest of the City to reconvey portions of Lilac Path, was presented.

The report said, further, that storm sewer connection work in the area requested by Mr. McMechen will be commenced by the City upon compliance with conditions established for purpose of correcting sewer line and manhole modification constructed by Mr. McMechen,

On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was ordered filed, in accordance with recommendation of the City Manager.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending amendment to proceedings for improvement of 59th Street, between Brooklyn Avenue and the south line of Kenwood Street, to include improvement of 59th Street from the south line of Kenwood Street to a line parallel to and 10 feet south-erly therefrom and to improve Kenwood Street for a distance of approximately 20 feet each side of its intersection with 59th Street, and removal of existing sidewalks and curbs as required, was presented.

RESOLUTION NO. 101915, recorded on Microfilm Roll No. 38, adopting the recommendation of the City Engineer and authorizing him to amend proceedings for improvement of 59th Street between Brooklyn Avenue and the south line of Kenwood Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition for amendment to proceedings for improvement of Jarvis Street and Scott Street, to include intersection of said streets and installation of gutters, was presented.

RESOLUTION NO. 101916, recorded on Microfilm Roll No. 38, adopting recommendation of the City Engineer for amendment to proceedings for improvement of Jarvis Street and Scott Street, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Superintendent of Streets, which had been continued from the meeting of April 10, 1951, recommending denial of petition for closing portion of Lister Street, was presented.

Louis Karp, Deputy City Attorney, said that the Council has to act upon the recommendation, and said that all interested City departments had reported and recommended against granting.

The City Manager said that streets cannot be closed unless the closing is found to be a public necessity.

Gregory Murphy, one of the singers of the petition, spoke in behalf of all the affected property owners, urging that the closing be made. He said that the street is of no benefit to anyone.

The Vice Mayor secured a file of reports from the City Manager, all of which he read, which reports were from the various City departments, all recommending against the closing. (The reports referred to were not made a part of the Clerk's file).

RESOLUTION NO. 101917, recorded on Microfilm Roll No. 38, denying petition to close portion of Lister Street between Hartford Street and Illion Street, as recommended by the Superintendent of Streets.

Following action, Lillian B. Spaulding, who had requested the original continuance of the matter until this meeting, spoke. She told of the steep grade of the street, and spoke about the impracticability of its improvement.

Told that there is heavy development to the east of the property in question, Mrs. Spaulding said that even if the street were needed for ingress and egress to that property, the adjacent property owners would not want to pay for its improvement.

No further action beyond the denial of the petition was taken.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Clairemont Unit No. 3 subject to posting of an adequate bond to insure required improvements, which had been continued at the request of the Union Title Insurance Co. until the meeting of April 19, 1951, was brought up at this time upon telephoned statement from the Title Co. that title to the property had now been acquired.

RESOLUTION NO. 101918, recorded on Microfilm Roll No. 38, authorizing the City Manager to execute a contract with Clairemont Land Company, a partnership, for

installation and completion of unfinished improvements and the setting of monuments required for Clairemont Unit No. 3, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101919, recorded on Microfilm Roll No. 38, adopting Map of Clairemont Unit No. 3, a subdivision of portions of Lots 135 to 141 inclusive of Morena, together with portions of Sough Avenue and Field Street closed, accepting on behalf of the public Field Street, Huxley Street, Fairfield Street, Jellett Street, Arnott Street, Gesner Street, Clairemont Drive and unnamed easements shown for public purposes, declaring the same to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets and easements are accepted on behalf of the public as hereinbefore stated, directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Redwood Village Unit No. 6 subject to the posting of an adequate bond to insure the required improvements, was presented.

RESOLUTION NO. 101920, recorded on Microfilm Roll No. 38, authorizing and directing the City Manager to execute a contract with Hubner Building Company, a partnership, for the installation and completion of the unfinished improvements and the setting of monuments required for Redwood Village Unit No. 6, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101921, recorded on Microfilm Roll No. 38, adopting Map of Redwood Village Unit No. 6, a subdivision of portion of Parcel "00" of Lot 19 Rancho Mission of San Diego, accepting Nelson Street, Kerch Street, Glade Street, Boren Street, Romo Street and portion of College Avenue and unnamed easements shown for public purposes, declaring the same to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets and easements are accepted on behalf of the public as hereinbefore stated, directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 3 sections of the Subdivision Ordinance in connection with the Tentative Map of Burnett Addition, was presented.

RESOLUTION NO. 101922, recorded on Microfilm Roll No. 38, suspending Sections 3E2, 4A8 and 6 of the Subdivision Ordinance in so far as they relate to the Tentative and Final Maps of Burnett Addition, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Burnett Addition, subject to 2 conditions, was presented.

RESOLUTION NO. 101923, recorded on Microfilm Roll No. 38, approving the Tentative Map of Burnett Addition, a subdivision of Block 495 Old San Diego into 5 building sites, located on Marilouise Way and Arista Street, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the Subdivision Ordinance in connection with Tentative Map of a portion of Lot 67 Rancho Ex-Mission, was presented.

RESOLUTION NO. 101924, recorded on Microfilm Roll No. 38, suspending Sections 3I2, 3I1, 3J6, 4A8 and 6 of the Subdivision Ordinance in so far as they relate to the Tentative Map of a portion of Lot 67 Rancho Ex-Mission, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of a portion of Lot 67 Rancho Ex-Mission, subject to 10 conditions, was presented.

RESOLUTION NO. 101925, recorded on Microfilm Roll No. 38, approving Tentative Map of a portion of Lot 67 Rancho Ex-Mission, lying southerly of Alvarado Canyon Road, between Adobe Falls State Park and the City limits, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the Subdivision Ordinance in connection with Tentative Map of Montezuma Heights, was presented.

RESOLUTION NO. 101926, recorded on Microfilm Roll No. 38, suspending Sections 3E5, 3J2, 3J6, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Montezuma Heights, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, reporting on Tentative Map of Montezuma Heights, recommending approval, subject to 10 conditions, was presented.

RESOLUTION NO. 101927, recorded on Microfilm Roll No. 38, approving Tentative Map of Montezuma Heights, a subdivision of a portion of Lot 12 La Mesa Colony, located at 63rd and Montezuma Road, consisting of 16 lots, subject to conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 4 sections of the Subdivision Ordinance in connection with the revised Tentative Map of Sunset Ridge, was presented.

RESOLUTION NO. 101928, recorded on Microfilm Roll No. 38, suspending Sections 3H3, 3I1, 4A8 and 6 of the Subdivision Ordinance, in connection with the revised Tentative Map of Sunset Ridge, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Sunset Ridge, subject to 7 conditions, was presented.

RESOLUTION NO. 101929, recorded on Microfilm Roll No. 38, approving the Tentative Map of Sunset Ridge, a subdivision of 44 lots, located in the vicinity of Hill Street and Moana Drive (a revision of Tentative Map heretofore approved by the Planning Commission and referred back to the Commission by the Council), subject to conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from Architectural Draftsmen's Guild, box 282 East San Diego 5, California, signed by William C. Berry, Pres. A.D.G., stating that its members are not certified architects or structural engineers, was presented.

When it was suggested that the matter be referred to the City Manager, he replied that it was a routine follow up of a former communication, and need only be filed.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from San Diego County Building & Construction Trades Council, 3909 Centre Street, San Diego 3, dated April 12, 1951, signed by W. J. DeBrunner, Business Manager, listing revised wage rates for certain building trades, was presented.

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

RESOLUTION NO. 101930, recorded on Microfilm Roll No. 38, directing notice of filing of the Street Superintendent's Assessment No. 1998 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 136 University Heights, within the limits and as particularly described in Resolution of Intention No. 98444, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101931, recorded on Microfilm Roll No. 38, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, approving Plat No. 2253 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk upon the passage of the resolution of intention therefor to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Proposed Resolution setting date for hearing on protest against closing portion of Washington Street, was presented.

Aubrey Davis spoke in connection with the matter. He said that it should have been concluded today, and told of the manner in which the property had been acquired for the street and of the future title in the property with the City after closing. Mr. Davis referred to the closing as being in connection with the large development by Sears Roebuck Co.

The City Manager and the City Attorney said that despite the merits of the matter, a hearing is required, due to protest of the State Highway Department.

Mr. Davis felt that he could show the Highway Department where the proposed closing would be satisfactory to all.

RESOLUTION NO. 101932, recorded on Microfilm Roll No. 38, setting Tuesday, the 24th day of April, 1951, at the hour of 10:00 o'clock A.M. in the Council Chamber of the Civic Center as the time and place for hearing protest of the Division of Highways against proposed closing of portion of Washington Street, under Resolution of Intention No. 101332, directing the City Clerk to give notice thereof, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 101933, recorded on Microfilm Roll No. 38, accepting bid of V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Company, for the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101050,

was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

A written report from the City Engineer stated that the low bid was 25.7% below the estimate.

RESOLUTION OF AWARD NO. 101934, recorded on Microfilm Roll No. 38, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for the paving and otherwise improving of Waverly Avenue and Colima Street, within the limits and as particularly described in Resolution of Intention No. 101200, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

A written report made by the City Engineer stated that the low bid was 27.7% below his estimate.

RESOLUTION NO. 101935, recorded on Microfilm Roll No. 38, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, for a period of one year from and including September 15, 1950, to and including September 14, 1951, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 101936, recorded on Microfilm Roll No. 38, for the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1950, to and including October 12, 1951, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 101937, recorded on Microfilm Roll No. 38, for the furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1, for a period of one year from and including October 1, 1950, to and including September 30, 1951, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 101938, recorded on Microfilm Roll No. 38, for the closing of portion of 29th Street, within the limits described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 101939, recorded on Microfilm Roll No. 38, for the changing of the grade in the Alley in Block 55 La Jolla Park, in accordance with map showing official property line grades to be changed and filed under Document No. 429179 in the office of the City Clerk on February 6, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 101940, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101941, recorded on Microfilm Roll No. 38, ascertaining and declaring the wage scale for the paving and otherwise improving of Franklin Avenue, within the limits set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101942, recorded on Microfilm Roll No. 38, ascertaining and declaring the wage scale for the paving and otherwise improving of Jewell Street, within the limits set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101943, recorded on Microfilm Roll No. 38, ascertaining and declaring the wage scale for the paving and otherwise improving of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, and other streets, alleys, and public rights of way, within the limits set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101944, recorded on Microfilm Roll No. 38, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Draper Avenue, within the limits and as particularly described in Resolution of Intention No. 100471, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101945, recorded on Microfilm Roll No. 38, adopting recommendation of the City Engineer for amendment to proceedings for the improvement of the Alley in Block 1 Ocean View and the Alley in Block 1, Sunset Grove, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101946, recorded on Microfilm Roll No. 38, granting permission to Roger T. Pelton and Clyde Hufbauer to install sanitary sewers in Torrey Pines Road near Princess Street to serve a portion of Pueblo Lot 1285, by private contract, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101947, recorded on Microfilm Roll No. 38, authorizing and directing the Purchasing Agent to advertise for sale of a house located at 750 South 34th Street, which is no longer needed for City purposes, to be moved by the purchaser, all expenses in connection with the sale to be deducted from the proceeds received from the sale, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Prior to adoption of said Resolution, the City Manager made a verbal explanation in the matter to the Council.

RESOLUTION NO. 101948, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to execute an amendment to the lease agreement executed on the 1st day of August, 1948, with Wilbur Folsom, Jr., filed with the City Clerk as Document No. 389976, which amendment provides for establishment of fixed rent periods for payment by the lessee, and establishes the primary purpose of the lease, all in accordance with the terms of the First Amendment to Lease Agreement filed with the City Clerk as Document No. 432113, was on motion of Councilman Godfrey, seconded by Councilman Schneider.

Prior to adoption of said Resolution, the City Manager said that the lease is at the Municipal Golf Course club house, and said that it changes the operation and the accounting to make auditing more accurate. The City Auditor made a similar report.

RESOLUTION NO. 101949, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to execute an amendment to the concession agreement executed on the 14th day of July, 1950, with Clay W. Summerville and filed with the City Clerk as Document No. 420405, which amendment permits the concessionaire to rent motors and poles and handle bait, and changes the time of payment to the City, all in accordance with the terms of that First Amendment to Concession Agreement filed with the City Clerk as Document No. 432114, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Prior to adoption of said Resolution, the City Manager told the Council about the manner of operation of the concession, and explained that the amendment was an improvement.

RESOLUTION NO. 101950, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to execute a contract with The United States of America for the furnishing of sanitary sewerage service to the Naval Air Station, San Diego, for a term not to exceed 5 years from and after July 1, 1950, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Prior to adoption of said Resolution, the City Manager told the Council that the new contract provides a considerably increased charge by the City for the service above what has been collected heretofore.

RESOLUTION NO. 101951, recorded on Microfilm Roll No. 38, approving change and extra work order No. 41, dated March 29, 1951, heretofore filed with the City Clerk as Document No. 432005, issued in connection with the contract with Daley Corporation for construction of Wabash Freeway, Section A, which contract is contained in Document No. 414553 on file in the office of the City Clerk, changes amounting to an increase in the contract price of \$294.40, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101952, recorded on Microfilm Roll No. 38, granting request of Ets-Hokin and Galvan for an extension of time for a period of 60 calendar days from and after April 2, 1951 (Change Order No. 2) heretofore filed with the City Clerk as Document No. 432006 in connection with contract for installation of lights at Midway Drive and Ventura Boulevard, contract contained in Document No. 424695 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101953, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to do all the work in connection with the repair of the leakage in the Bay View Reservoir, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 101954, recorded on Microfilm Roll No. 38, authorizing Harvey M. Cole, Sewer Design Chief, City Engineer's Office, to attend the 1951 California Sewage Works Convention, to be held at Fresno, California, April 25 to and including April 28, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4779 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$30,000.00 from the Capital Outlay Fund, for the purpose of providing funds to defray costs incident to the construction and equipping of the Sewage Treatment Plant, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4780 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$6,800.00 from the General Fund Reserve for Improvements Projects, for the purpose of providing funds to defray the cost of the grading of the parking area adjacent to the U. S. Naval Hospital in Balboa Park, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4781 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$1,000.00 from the Unappropriated Balance Fund, for the purpose of providing funds for the purchase of copies of the Uniform Building Code from the Pacific Coast Building Officials Conference, and for the City's membership in said Conference, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4782 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$650.00 from the Unappropriated Balance Fund, for the purpose of providing funds in addition to the funds heretofore appropriated by Ordinance No. 4596 (New Series), for the purchase and outfitting of an ocean-going lifeguard patrol boat, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4783 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$200.00 from the Unappropriated Balance Fund, and transferring the same to maintenance and support, City Auditor and Comptroller's Fund, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

The City Manager requested, and was granted, unanimous consent to present the next two matters, not listed on the Council's agenda:

RESOLUTION NO. 101955, recorded on Microfilm Roll No. 38, granting permission to Nathaniel Thayer, 3557 Pershing Avenue, and William J. Garfield, 5386 Orange Avenue, San Diego, to install a four-inch cast iron sewer line with proper connections and clean outs to run from a point 80 feet north of the property line on the north side of Orange Avenue extending ~~north of the property line on the north side of Orange Avenue~~ 3 feet from the western boundary of Lot 11 Orange Crest Addition, to the trunk line sewer crossing 54th Street about one block north of Orange Avenue across property of Herbert Woodward, who has granted an easement thereof, to serve dwelling at 5386 Orange Avenue, being Lot 10 said Addition, and new dwelling on Lot 11, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

At this time the City Manager presented the opinion prepared by the City Attorney at the request of the Council, in connection with the proposed Ordinance which would prohibit operation of "26" game of dice.

The Manager said that Fred S. Taub, attorney representing the Tavern Owners' Association and the Tobacco Merchants, had asked that the matter be brought up at 2:00 o'clock P.M., today, and not at this morning's session. It was said that Mr. Taub wished to appear before the Council again on the subject.

At the request of the Council, the Clerk read the last three paragraphs of

the City Attorney's letter.

Louis Karp, Deputy City Attorney, when asked if the City Attorney had written the opinion himself, he replied that Mr. DuPaul had done so personally. He pointed that if the Council fails to adopt the ordinance, the City is in jeopardy. Mr. Karp reviewed the opinion.

Asked if the ordinance might be made an emergency measure, Mr. Karp said that there is no need for declaring it to be an emergency.

Councilman Godfrey moved to place the proposed Ordinance on its final passage at its first reading, which motion was seconded by Councilman Schneider.

Before the roll was called, Harry Florentine, representing the Tavern Owners Association, spoke. He asked for a continuance, to permit Mr. Taub to be heard.

Members of the Council pointed out that they must take the City Attorney's advice. It was pointed out that there is no reluctance on the Council's part to hear Mr. Taub, but that the Council has to take the action indicated.

Mr. Florentine said that adverse newspaper publicity in the matter had hurt business.

The motion and second were withdrawn.

On motion of Councilman Schneider, seconded by Councilman Dail, the matter was continued until the hour of 3:30 o'clock this date. Mr. Florentine was asked to notify Mr. Taub of the continuance, which he replied he would do.

Members of the Council said that they had an important conference with members of the San Diego County Water Authority board of directors at 2:00 o'clock, and that it might be later than 3:30 before they were able to return to the Council Chamber for consideration of the proposed Ordinance.

Mr. Florentine said that he and Mr. Taub "would await the Council's pleasure".

On motion of Councilman Godfrey, seconded by Councilman Dail, the Council took a recess until the hour of 3:30 o'clock this date - at the hour of 12:15 o'clock Noon.

Upon re-assembling, at the hour of 3:50 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Knox
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

The matter of the proposed ordinance in connection with the banning of the "26" dice games, was resumed.

Councilman Godfrey said that this meeting on the subject is a gesture, only. He said that the City Attorney's opinion has to be followed, and that the Council has no choice except to act upon his advice. He said that if the opposition wants to challenge the opinion, it would be under a test case in court after adoption of the ordinance.

Fred S. Taub, attorney, spoke at this time. He contested the City Attorney's opinion, and mentioned an opinion prepared by the Attorney General of the State of California, which he read, having to do with the playing of the "26" game for merchandise. He said he thinks the matter is a "scare", and that the "26" game is not a violation of the State law, where the play is for merchandise.

Louis Karp said that the DuPaul opinion discusses various cases, including a Washington case on the subject. He pointed out that the Attorney General's opinion, referred to and read by Mr. Taub, is not a court opinion and has no effect. Mr. Karp said that merchandise as winnings on the "26" dice game is illegal, and read from the Penal Code, where winning or losing is a matter of chance. He said if the Williams case, referred to previously in the discussion, were to come up now, it would be held illegal under the present Penal Code.

Mr. Taub contended that the quotes by Mr. Karp refer to pin ball games, and have no bearing on the case in question.

Councilman Swan was excused from the meeting at this time.

Councilman Schneider said that the Council is not a court of law, and not competent to pass upon the various legal phases of the matter.

Mr. Taub asked for a continuance, to permit the City Attorney (who was not present) to review the previously-mentioned Attorney General's opinion.

Councilman Swan returned to the meeting.

Shelley J. Higgins, Assistant City Attorney, said that the Legislature has covered the matter under merchandise, and said, further that it is gambling.

The City Manager said that the Council now has 2 opinions. He said that the City Attorney's opinion has to be followed, unless it is questioned by the Council. He said, also, that it is a matter of policy.

Councilman Dail expressed the belief that, as a result of the discussions and opinions, that the liability has been lessened. He said that it is the cheap chislers who are forcing out all the dice shaking games.

Councilman Wincote questioned the "more than six sides" dice reference made in the quotation which Mr. Karp had read. He said that he has a doubt in the matter, but not a legal doubt, because he actually does not know.

Mr. Karp said he thinks that 8-sided dice are more of a "gyp" than the 6-sided ones.

Councilman Wincote felt that Section 330-a of the Penal Code did not apply to 6-sided dice.

Mr. Taub said he felt that Mr. DuPaul would reverse his own decision based

upon his (Taub's) brief.

Mr. Karp said that Mr. DuPaul had the opinions before him in the Williams and Lowery cases when he write his opinion.

Councilman Swan was excused again.

Councilman Godfrey said that Mr. DuPaul has been ably represented in the matter under discussion by Deputy City Attorney Karp and Assistant City Attorney Higgins. Councilman Godfrey moved to place the proposed Ordinance upon its final passage at its first reading, which motion was seconded by Councilman Schneider.

More discussion was had, before the question could be put by the Chair.

Mr. Karp said that declaratory relief can be brought by the injured parties if they so desire.

Mr. Taub admitted that the "26" dice games and card rooms can be prohibited by the City. He said that the Council has the right to close them.

Mr. Karp recited the provisions of the Ordinance being considered.

Mr. Higgins explained "declaratory relief" action. He said, further, that the Council has no power to prohibit games as gambling, if they are not gambling. He pointed out that if a court holds that the "26" game is not gambling, the Ordinance has no effect. If it is gambling, the Council is liable if the game is permitted to operate.

ORDINANCE NO. 4784 (New Series), recorded on Microfilm Roll No. 38, declaring it to be unlawful for any person within the limits of The City of San Diego to exhibit or expose to view in any barred or barricaded house or room or in any place built or protected in a manner to make it difficult of access or ingress to police officers, where three or more persons are present, any cards, dice, dominoes, fan tan table or layout, or any part of such layout, or any gambling implements whatsoever, or for any person to visit or resort to any such barred or barricaded house or room or other place in the City, built or protected in a manner to make it difficult of access or ingress of police officers, where any cards, dice, dominoes, fan tan table or layout, or any part of such layout, or any gambling implements whatsoever are exhibited or exposed to view when three or more persons are present; declaring it to be unlawful for any person to become a visitor at any place where gambling is in progress in the City of San Diego; declaring it to be unlawful for any person to play or bet at or against any game, not mentioned in Section 330 of the Penal Code of the State of California, which is played, conducted, dealt or carried on with dice, dominoes or checkers for money, checks, chips, credit, or any other representative of money, or any other valuable consideration, including, but not limited to, liquor, cigars, cigarettes, and/or tobacco; declaring it to be unlaw for any person, through invitation or device, to solicit another person to visit any place for the purpose of prostitution or gambling; enacting the validity and penalty clauses, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Councilman Swan, Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Councilman Swan, Mayor Knox.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

The following matters had been referred, previously, by the Clerk to the City Manager, to expedite action, and were listed on the Council's agenda for their information:

Petition of residents for garbage and trash collection in the Alley, between Reed Avenue and Oliver Avenue, in Pacific Pines;

Communications from La Jolla Real Estate Brokers Association and from La Jolla Town Council relative to the work and the activities of the San Diego Humane Society.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Dail, at the hour of 4:35 o'clock P.M.

ATTEST:
FRED W. SICK, City Clerk

By A. M. Hadstrom
Deputy

George Kerrigan
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, April 19, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:10 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey.
Absent----Mayor Knox
Clerk-----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the construction of the Morena Boulevard Bridge, over the San Diego River Flood Control Channel, the Clerk reported to the Council that 7 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of M. H. Golden Construction Company, 3485 Noell Street, San Diego 1, California, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid, which bid was given Document No. 432168;

The bid of C. B. Tuttle Co., 268 Belmont Avenue, Long Beach 3, California, accompanied by bond written by United Pacific Insurance Company in the sum of ten percent of the amount of the bid, which bid was given Document No. 432169;

The bid of Charles C. MacClosky and Walter F. Maxwell, co-partners dba Charles MacClosky Company, 112 Market Street, San Francisco, California, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of ten percent of amount bid, which bid was given Document No. 432170;

The bid of National Steel and Shipbuilding Corporation, 28th Street and Harbor Drive, San Diego, accompanied by bond written by New York Casualty Company in the sum of thirty five thousand dollars, which bid was given Document No. 432171;

The bid of F. W. Case Company and Harry Gast, a Joint Venture, 7700 Balboa Avenue, Van Nuys, California, accompanied by bond written by Founders' Insurance Company in the sum of ten percent of the amount bid, which bid was given Document No. 432172;

The bid of Guy F. Atkinson Company, 223rd and Santa Fe Avenue, Long Beach 10 (P.O. Box 259, Long Beach), accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of ten percent of the amount of the attached bid, which bid was given Document No. 432173;

The bid of Johnson Western Constructors, P.O. Box 248, San Diego, California, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of ten percent of the amount of the attached bid, which bid was given Document No. 432174.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Mitchell N. Angus and Peggy Ann Angus, continued until this meeting from the meeting of April 5, 1951, the Vice Mayor said that a request had been received by telephone from Mr. Angus for continuance one more week.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said continued hearing was continued for another week - to the hour of 10:00 o'clock A.M., Thursday, April 26, 1951.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Robert J. Lee and Agnes M. Lee from the decision of the Zoning Committee in denying application for a zone variance to permit conversion of a non-conforming beauty shop on Lot 33 and the south 8 feet of Lot 34 Block 2 City Heights Annex No. 1, at 4036 Highland Avenue, in Zone R-4, into a living unit, making a total of 3 living units on the property, two of which units would be served by a 6 ft. 6 in. access court, a report from the Zoning Engineer was presented and read.

Mr. Agnes M. Lee spoke. She said that she felt the denial was unfair. No one, she said, would be harmed, and that the granting of the variance would be a benefit, in that it is desired to convert the beauty shop into a studio apartment. There are no objections, Mrs. Lee pointed out.

The Planning Director made a verbal report, as outlined in the written report. He showed a plat of the property to members of the Council.

RESOLUTION NO. 101956, recorded on Microfilm Roll No. 38, sustaining the appeal of Robert J. Lee and Agnes M. Lee from the Zoning Committee's decision in denying by its Resolution No. 5435 application No. 9185, for variance to the provisions of Ordinance No. 8924 Section 8a, to permit a non-conforming beauty shop to be converted into a living unit, making a total of 3 living units on the property, 2 of which units will be served by a 6 ft. 6 in. access court, on Lot 33 and the south 8 ft. of Lot 34 Block 2 City Heights Annex No. 1, at 4036 Highland Avenue, in Zone R-4, overruling said Committee

decision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set on the Planning Director's report in connection with request of property owners for dedication of alleys in Block 294 Pacific Beach, which had been continued from the meeting of April 5, 1951, for further report in the matter, the Planning Director spoke. He said that two of the affected property owners are not willing to go along with his recommendation. Mr. Rick said that C. S. Kirchmaier (a new owner in the block) wants to be paid for any property he would dedicate. He said that Mr. Denton wanted the same arrangement as Mr. Kirchmaier would receive.

Mr. Rick said that the proposal offered by him for providing of access to the various parcels of property in the block so as to give proper ingress and egress in order to make it legally possible to grant building permits is not acceptable. He suggested, therefore, that the matter be referred back to the Planning Commission, so that zone variances might be granted to Mr. Clark, and perhaps others, to permit them to build.

Ferdinand Fletcher, attorney, who had appeared in the matter at a previous hearing, said that Mr. Rick's solution is satisfactory.

Mr. Kirchmaier spoke. He said he possibly had a solution, in that he was willing to exchange property with Mr. Denton, thereby giving more property together. He said it would be an advantage to him and to Mr. Denton.

The Planning Director pointed out that Mr. Kirchmaier's proposal would be between himself and Mr. Denton, and that the City could not enter into that phase of the problem. He said that the City would only be able, through the Planning Commission, to grant variance to make it possible for building upon some of the parcels.

RESOLUTION NO. 101957, recorded on Microfilm Roll No. 38, referring back to the City Planning Department the matter of working out a procedure to permit property owners to build upon properties in Block 294 Pacific Beach, in accordance with verbal suggestions made by the City Planning Director at this meeting, was on motion of Councilman Schneider, seconded by Councilman Swan.

After the vote was taken, it was indicated that other property owners would desire to do the same thing, and ~~that~~ they were told by members of the Council and the Planning Director that the matter should be handled through application for zone variances to the Planning Department.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed ordinance incorporating portions of Pueblo Lots 1788 and 1209 into "M2" Zones, lying between Pacific Highway and Santa Fe Railway, northerly of Balboa Avenue, awaiting further report from the Planning Department on application for zone variance to permit construction and operation of surplus materials salvage yard, it was indicated that the matter was not actually a continued hearing, but just being held in abeyance.

The Clerk pointed out that the Council's action on April 5, had been to continue the hearing, and to see at this time what action had been taken by the petitioners, if any.

Fred S. Bunker, who had appeared at the previous several hearings, as representative of the interested parties, spoke. He said that application for the variance had not been filed, inasmuch as location for the railroad tracks had not been established, and could not be with a topographical map. Mr. Bunker told the Council that such maps have been ordered. He asked for another continuance, so as not to cancel the option on the property, which is contingent on the Council's action. He said that if the Council denies the re-zoning at this time, the option would automatically expire.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said hearing was continued for two more weeks - to the hour of 10:00 o'clock A.M., of Thursday, May 3, 1951.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing in the matter of the petition for removal of the setback line on the easterly side of Pacific Highway, between West Washington and Witherby Streets, Louis Karp, deputy City Attorney said that he had received word from J. A. Donnelley asking for another two weeks' continuance.

On motion of Councilman Schneider, seconded by Councilman Dail, said hearing was continued until the hour of 10:00 o'clock A.M., of Thursday, May 3, 1951.

Claim of Frances Voller, 4184 Wilson Avenue, San Diego, in the sum of \$61.00, for personal injuries sustained in fall on broken sidewalk in the 4100 block on Wilson Avenue, was presented.

RESOLUTION NO. 101958, recorded on Microfilm Roll No. 38, referring claim of Frances Voller to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids for the improvement of Wabash Boulevard, 40th Street Section, between Wightman Street and University Avenue, recommending award to Daley Corporation, the low bidder of 4 bids received, was presented.

The City Manager made a verbal report, in which he said it is logical to include the additional block in the improvement of the project, and said he did not know why it had not been made a part of the big development.

RESOLUTION NO. 101959, recorded on Microfilm Roll No. 38, accepting bid of Daley Corporation for the improvement of Wabash Boulevard, 40th Street Section, between Wightman Street and University Avenue, for the sum of \$37,825.85, awarding contract and authorizing its execution by the City Manager, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101960, recorded on Microfilm Roll No. 38, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing safety lighting on the Sunset Cliffs Boulevard Bridge, for Mission Bay Improvement, bearing Document No. 432109, authorizing and directing the Purchasing Agent to advertise for bids for said work, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101961, recorded on Microfilm Roll No. 38, approving plans and specifications for the furnishing of all labor, tools, materials, equipment, transportation and other expense necessary or incidental for the furnishing and installation of traffic signal and safety lights on Wabash Boulevard, 40th Street Section, bearing Document No. 432105, authorizing and directing the Purchasing Agent to advertise for bids for said work, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the City Manager reporting on request of residents in Druckers Subdivision, relative to plans for improving the area, was presented.

The report stated that there are no grades established on the streets because the surrounding land is below elevations which would be necessary to get adequate street drainage, that there are no plans being initiated by the City to correct the condition, that improvement should be initiated by a majority petition from property owners requesting work under the 1911 Act, and that a copy thereof had been sent to Mrs. Harold Oldson, 3370 Nashville Street, and filing recommended.

On motion of Councilman Wincote, seconded by Councilman Schneider, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from Miss Eleanor N. Johnston offering to sell her property at 3950 - 5th Avenue, to the City for \$25,000.00, together with a copy of his reply, was presented.

The Manager's reply thanked Miss Johnson for advising the City of the availability of the property, but declined the offer since there is no indication that the City would ever have a use therefor.

On motion of Councilman Wincote, seconded by Councilman Schneider, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communications from Mrs. I. C. Walker, 2722 - 29th Street, and from San Diego Parlor No. 208 Native Daughters of the Golden West, signed by Dorothy Ritter, recording Secretary, 2430 Union Street, both protesting removal of the fountain from Horton Plaza, was presented.

Also presented were copies of the Manager's replies thanking the writers for expressing their views, and pointing out that the request for the information booth had originated with the Navy and Marine Corps, also stating that the Council will consider suggestions before making final decision.

On motion of Councilman Schneider, seconded by Councilman Wincote, the City Manager's communication and the letters upon which it reported, were ordered filed.

After the roll had been called, Councilman Swan spoke on the subject. He said that the information booth, proposed, is past due. Mr. Swan said that there is no point in continued delay of the matter.

It was stated by other members of the Council that the subject has already been referred to Council conference. Mr. Swan said that he knows of that action, but said that although it is in conference, nothing is done about. He wanted a definite time set for consideration.

There was considerable discussion, and a variety of motions, resulting in a confused situation. As questions were being called for, and efforts made to introduce new motions, the chairman declared the table cleared, and invited a new motion, resulting in

RESOLUTION NO. 101962, recorded on Microfilm Roll No. 38, referring to Council Conference, for consideration at the hour of 2:00 o'clock P.M. on next Tuesday - April 24, 1951 - the matter of rehabilitation of Horton Plaza, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Manager reporting on communication from the Shoreline Planning Association of California relative to membership in the association for the fiscal year 1951-52, stating that an appropriation therefor has been included in the proposed budget, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's communication was ordered filed, together with the matter upon which it reported.

Communication from Mayor Harley E. Knox attaching communication from Dr. Jessie M. Ostrander, resigning as a member of the Psychology Commission, and suggesting that the matter be referred to the incoming Mayor, was presented.

RESOLUTION NO. 101963, recorded on Microfilm Roll No. 38, accepting the resignation of Dr. Jessie M. Ostrander, addressed to Mayor Harley E. Knox, as a member of the Psychology Commission, requesting the Vice Mayor to address a letter of thanks on behalf of the City of San Diego for her services, referring the matter to incoming Mayor John D. Butler for consideration in connection with filling the vacancy, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Superintendent of Streets, bearing the Assistant City Manager's stamp of approval, reporting on petition for closing portion of Ocean View Boulevard (should say "Ocean Boulevard", in accordance with the petition) adjacent to Block 44 Ocean Beach, stating that the boulevard occupies a portion of the beach under water at high tide and a portion of the adjacent bluff, that it has no physical access except across private property, and could not be used for street purposes except at prohibitive expense, that no utilities are involved, and recommending granting, was presented.

RESOLUTION NO. 101964, recorded on Microfilm Roll No. 38, granting petition for the closing of portion of Ocean Boulevard adjacent to Block 44 Ocean Beach, directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Superintendent of Streets, bearing the Assistant City Manager's signature of approval, reporting on request of the City Engineer for closing portion of Plaza del Norte Street, in conjunction with an advantageous realignment of the intersection with Neptune Place, stating that it is in the public interest and recommending approval, was presented.

RESOLUTION NO. 101965, recorded on Microfilm Roll No. 38, granting petition for closing portion of Plaza del Norte Street, in conjunction with realignment of intersection of Neptune Place, directing the City Engineer to furnish a description of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Planning Department, signed by the Asst. Planning Director, recommending suspension of 4 sections of the Subdivision Ordinance, in connection with the Tentative Map of Burgener's Holly Glen Unit No. 1, was presented.

RESOLUTION NO. 101966, recorded on Microfilm Roll No. 38, suspending Sections 3E5, 3I1, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Burgener's Holly Glen Unit No. 1, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Burgener's Holly Glen Unit No. 1, subject to 9 conditions, was presented.

RESOLUTION NO. 101967, recorded on Microfilm Roll No. 38, approving the Tentative Map of Burgener's Holly Glen Unit No. 1, a subdivision of a portion of Pueblo Lot 1256, near the intersection of Muirlands Drive and El Paso Real, into 5 building sites, subject to conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Mrs. C. J. Goy, 4926 73rd Street, in behalf of a number of property owners in the area bounded by Amherst, Harbison, 73rd Streets and El Cajon Boulevard, stating that among themselves they have raised by subscription two-thirds of the amount required to complete sewer installation, requesting that the City contribute the amount necessary to enable them to proceed with the construction at once, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said communication was referred to the City Attorney for preparation and presentation of the necessary Resolution.

Communication from Pacific Indemnity Company, dated April 17, 1951, signed by J. M. MacConnell, recommending denial of claim of Arthur Jacobs, manager of the Hopkins News Agency for damage to his vehicle on December 20, 1950, stating that investigation fails to disclose damage caused through any negligence of the City or any of its employees, was presented.

RESOLUTION NO. 101968, recorded on Microfilm Roll No. 38, denying claim of Hopkins News Agency, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from Pacific Indemnity Company, dated April 13, 1951, signed by J. M. MacConnell, recommending denial of claim of Harrison Mercer Kleinschmidt by his attorney Melvin B. Adams of San Francisco, stating that investigation indicates that it is felt that it is not a valid claim against the City of San Diego or Police Officers Grady, Newby and Wood, was presented.

RESOLUTION NO. 101969, recorded on Microfilm Roll No. 38, denying claim of Harrison Mercer Kleinschmidt, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101970, recorded on Microfilm Roll No. 38, accepting bid of Jose Medina for the sale at public auction of portions of Lots 2, 20 and 21 Block "D" El Nida, sale conducted by the Supervisor of Properties at 10:00 o'clock A.M., April 10, 1951, at \$200.00; authorizing and directing the Mayor and City Clerk to execute a deed quitclaiming said property (more particularly described in said Resolution) to Jose Medina and Mary Medina, husband and wife, as joint tenants, reserving unto the City the right of access from the above described property in and to the Washington Boulevard Freeway, directing that upon execution of said deed, it be placed in escrow by the Supervisor of Properties, was

on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101971, recorded on Microfilm Roll No. 38, authorizing and directing the City Manager to make application to the Board of Supervisors of the County of San Diego, and to take all necessary steps to acquire from the State of California, tax-deeded lands in Rancho Ex Mission in Horton's Purchase and W. G. Werth's Addition (more particularly set forth in said Resolution), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101972, recorded on Microfilm Roll No. 38, determining that until the Council takes further action, the fishing privileges at San Vicente Reservoir subject to the usual Water Department rules and regulations governing fishing, said Reservoir to be open to fishing and that portion along the shore of the Reservoir immediately adjacent to Mussey Grade Section of the old Lakeside-Ramona paved County Highway to be open for shore fishing on all days except Monday and Friday of each week or on any holiday which falls on Monday or Friday, prohibiting hunting upon said Reservoir, repealing Resolution No. 101142 adopted February 1, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Prior to adoption of said Resolution, the City Manager made a verbal explanation of the proposal to the Council.

RESOLUTION NO. 101973, recorded on Microfilm Roll No. 38, declaring that the furnishing of a crane by Pioneer Truck Company, pursuant to requisition No. E-15090, for the hoisting of pipe on the Midway Drive Bridge (estimated by the Water Distribution Division to be \$1000. but was used to such an extent that rental became \$1679), was done under circumstances rendering compliance of Section 94 of the Charter impossible, authorizing payment to the Pioneer Truck Company in the sum of \$1679, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101974, recorded on Microfilm Roll No. 38, approving change and extra work order No. 2, heretofore filed with the City Clerk as Document No. 432134, issued in connection with the contract between the City and Andrew Baird, for installation of acoustical materials on the walls and ceilings of the Ocean Beach Gymnasium, changes amounting to an increase in the contract price of \$60.00, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101975, recorded on Microfilm Roll No. 38, approving change and extra work order No. 3, heretofore filed with the City Clerk as Document No. 432136, issued in connection with the contract between the City and H. W. Grizzle for construction of Fire Station #5, at Ninth and University Avenues, amounting to an increase in contract price of \$286.88, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101976, recorded on Microfilm Roll No. 38, approving change and extra work order No. 2, heretofore filed with the City Clerk as Document No. 432138, issued in connection with contract between the City and Elton H. Larson, d/b/a Larson Bros., for installation of acoustical materials on walls and ceilings of the recreation building in Presidio Park, amounting to an increase in contract price of \$385.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101977, recorded on Microfilm Roll No. 38, authorizing Pacific Employers Insurance Company to cancel, from May 1, 1951, Bond No. B-8818 issued to the City of San Diego in connection with lease agreement executed with Larry Finley and Warner Austin, dated June 11, 1946, for auto parking and boat rental concession at Bonita Bay, which lease will be terminated May 1, 1951, releasing and discharging said Insurance Company from any and all claims and/or demands whatsoever under said Bond in consequence of or arising from any loss, damage or accident occurring on or after the date of cancellation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 101978, recorded on Microfilm Roll No. 38, accepting deed of Jack H. Seedorf, Sr. and Martha A. Seedorf, Jack H. Seedorf, Jr. and Laura L. Seedorf, bearing date April 17, 1951, conveying an easement and right of way for street purposes in portion of Lot 34 Lemon Villa, setting aside and dedicating said land to the public use as and for a public street, and naming the same Ogden Street, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4785 (New Series), recorded on Microfilm Roll No. 38, amending Section 9-1/2 of Ordinance No. 10792 of the Ordinances of The City of San Diego entitled "An Ordinance Establishing a City Employees' Retirement System for the Employees of The City of San Diego," adopted November 29, 1926, as amended, relating to assignments of the right of a person to a pension, annuity or retirement allowance, etc., for specific purposes set forth in said Ordinance, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote,

to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 4786 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$385.00 from the Capital Outlay Fund, for the purpose of providing additional funds for installation of acoustical material to the walls and ceiling of the Recreation Building, Presidio Park, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

Proposed Ordinance incorporating portion of Block 42 Marilou Park and R.R. Right of Way into "C" Zone, repealing Ordinance No. 35 New Series insofar as the same conflicts, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., of May 3, 1951.

ORDINANCE NO. 4787 (New Series), recorded on Microfilm Roll No. 38, authorizing execution of a lease of portion of Pueblo Lot 300 lying west of Morena Boulevard, containing 1.33 acres, with Beacon Lumber and Hardware Company, for a period of four years beginning June 1, 1951, at a rental of \$75.00 per month payable monthly in advance, cancelling the existing lease with said Company from and after the 1st day of June, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4788 (New Series), recorded on Microfilm Roll No. 38, changing the name of portion of Niagara Avenue to Catalina Boulevard, portion of Catalina Boulevard to Niagara Avenue, and portion of Playa del Norte Street to Neptune Place, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Prior to the passage and adoption of said Ordinance, Councilman Swan asked for details on the proposed street name changes. The City Manager showed a plat of the streets involved, and explained that they cover little remnants of properties for street rights of way, and to provide for a complete naming thereof.

The City Manager requested, and was granted, unanimous consent, to present the next two matters, not listed on the Council's agenda:

RESOLUTION NO. 101979, recorded on Microfilm Roll No. 38, directing the City Clerk, in compliance with Section 10 of the Charter, to make the canvass of the votes cast at the Municipal General Election held on the 17th day of April, 1951, and to certify the results of said canvass to the Council, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101980, recorded on Microfilm Roll No. 38, authorizing the City Manager to enter into a modification of the following contracts heretofore executed by and between The City of San Diego and Royal A. Brown, Organist; Leonard L. Dowling, Organ Tuner; Fred W. Reif, Custodian, Serra Museum; John W. Davidson, Director, Serra Museum; Armin V. Schmidt, Preparator, Natural History Museum; Clark Evernham, Executive Manager, Museum of Man; Victoria Drasil, Curator, Museum of Man; Anella Skeen, Clerk, Museum of Man; Edythe Rosenberger, Part Time Curator, Museum of Man; so as to provide that each of said contract employees, in consideration of the willingness on behalf of each to perform such services as may be required of them in connection with their work in Balboa and Presidio Parks on Saturdays, Sundays and legal holidays, shall receive from the City an increase of compensation of not to exceed ten per cent to the nearest dollar of the sum provided in each of the several contracts hereinabove referred to, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Prior to adoption of said Resolution, the City Manager told the Council that the changed rates would be contract salaries in line with the increases granted recently to other City employees.

The following matters had been referred, previously, by the Clerk to the City Manager, to expedite action, and were listed on the Council's agenda for their information:

Petition of Residents for hearing to consider evidence that the house at 5154 Long Branch Street constitutes a public nuisance;

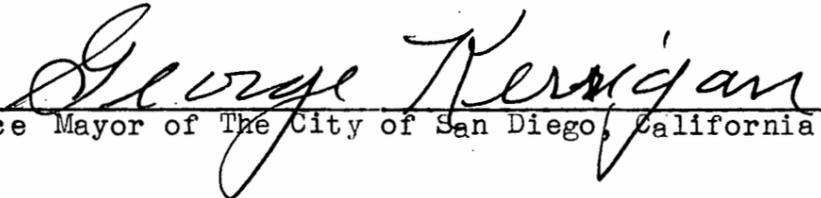
Petition of John A. and William Sommer for special sewer line permit to serve Lots 24 and 25 Block 58 H. M. Higgins;

Appeal of Wm. & Thelma Nation from work on paving of the Alley in Block 143 University Heights - received after the hearing had been concluded and the assessment confirmed;

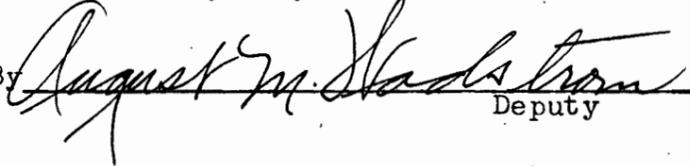
Communication from Mrs. Charles Hammond offering to deed 25-foot easement for access road in Pueblo Lot 1119, under specified conditions;

Communication from Ladies Auxiliary Fleet Reserve Association, protesting proposed removal of the fountain from Horton Plaza.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Swan, seconded by Councilman Godfrey, at the hour of 11:00 o'clock A.M.


Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, April 24, 1951

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by the Vice Mayor at the hour of 10:15 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Knox
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

At this time the Vice Mayor recognized a group of students from Grossmont High School known as the "Junior Statesmen", and welcomed them to the meeting. Upon the Vice Mayor's invitation, the visiting students arose.

As a special order of business, the City Clerk presented his certificate, pursuant to Section 10 of Article II of the City Charter, and to Resolution No. 101979 adopted by the Council on Thursday, April 19, 1951, of the results of the canvass of the Municipal General Election, held in the City of San Diego and in the San Diego Unified School District Outside the City of San Diego.

Also, the following 3 Resolutions were presented to the Council at this time:

RESOLUTION NO. 101981, recorded on Microfilm Roll No. 38, declaring the result of the Municipal Election held in The City of San Diego on Tuesday, the 17th day of April, 1951, for the election of Mayor; Members of the Council from Districts Nos. 2, 5, 6 and Member of the Board of Education; amendments to Section 59 of Article V of the Charter; Section 117 of Article VIII of the Charter; use of portion of Collier Park for public road purposes; Ordinance No. 4713 (New Series) authorizing leasing for a period in excess of 15 years or the sale of portions of Pueblo Lots 1193 and 1210; Ordinance No. 4725 (New Series) authorizing leasing for a period in excess of 15 years or sale of Pueblo Lots 1231 and 1232 and unnumbered Pueblo Lot lying easterly of Pueblo Lot 1233; as follows:

For Mayor:

John D. Butler received 46,400 votes
Gerald C. Crary received 31,501 votes

John D. Butler was declared elected to the office of Mayor of The City of San Diego.

For Member of the Council from District No. 2:

Charles B. Wincote received 49,194 votes
J. Francis Mergen received 20,399 votes

Charles B. Wincote was declared elected to the office of Member of the Council from District No. 2

For Member of the Council from District No. 5:

Charles C. Dail received 48,529 votes
Willie W. Kennerly received 23,307 votes

Charles C. Dail was declared elected to the office of Member of the Council from District No. 5

For Member of the Council from District No. 6:

Vincent T. Godfrey (the sole candidate) received 59,859 votes

Vincent T. Godfrey was declared elected to the office of Member of the Council from District No. 6

For Member of the Board of Education:

Edward Radcliff received 33,582 votes
Kenneth R. Rearwin received 40,539 votes

Kenneth R. Rearwin was declared elected to the office of Member of the Board of Education

On Proposition No. 1 - Section 59 of Article V of the Charter

For said proposition 49,995 votes
Against said proposition 16,197 votes

On Proposition No. 2 - Section 117 of Article VIII of the Charter

For said proposition 44,706 votes
Against said proposition 18,092 votes

On Proposition No. 3 - Collier Park use as boulevard, street or highway and made a part of the public street and road system

For said proposition 50,087 votes
Against said proposition 12,061 votes

On Ordinance No. 4713 (New Series)

For said Ordinance 47,201 votes
Against said Ordinance 14,050 votes

On Ordinance No. 4725 (New Series)

For said Ordinance 46,867 votes
Against said Ordinance 13,888 votes

Proposition No. 1 has received the vote of a majority of the qualified voters voting thereon at said election.

Proposition No. 2 has received the vote of a majority of the qualified voters voting thereon at said election.

Proposition No. 3 has received the vote of two-thirds of the qualified voters voting thereon at said election.

Proposition submitting Ordinance No. 4713 (New Series) for ratification has been ratified by a majority of the qualified voters voting thereon at said election.

Proposition submitting Ordinance No. 4725 (New Series) for ratification has been ratified by a majority of the qualified voters voting thereon at said election.

The number of votes given in each precinct to each person, and for and against each measure or proposition, is recorded in the election returns book, which book is part of the records of the Council.

The Clerk is authorized and directed to enter in the minutes of the Council and also in the election returns book a statement showing in respect of said election the matters and things required by Section 10 of the Charter of The City of San Diego, and to make the results of the canvass of said election returns public immediately by publishing said returns in The San Diego Union, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101982, recorded on Microfilm Roll No. 38, declaring the result of the Municipal General Election held on Tuesday, the 17th day of April, 1951, in that portion of the San Diego School District lying outside the corporate limits of The City of San Diego, for the purpose of voting on the election of candidates for Member of the Board of Education, in pursuance of the provisions of Section 10 Article II and Section 66 Article VI of the Charter of The City of San Diego, and of the provisions of Ordinance No. 4720 (New Series) proclaiming said Municipal General Election in said District outside the corporate limits, as follows:

For Member of the Board of Education:

Edward Radcliff received 127 votes
Kenneth R. Rearwin received 119 votes

The Clerk is directed to cause said Resolution to be published once in the official newspaper, to-wit: The San Diego Union.

The City Clerk is authorized and directed to enter in the minutes of the Council and also in the election returns book a statement showing, in respect of said election, the matters and things required by Section 10 of the Charter of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101983, recorded on Microfilm Roll No. 38, stating the result of the canvass of the returns of the special Municipal Bond Election held April 17, 1951,

as ordered by Ordinance No. 4723 (New Series), as follows: "Water Bond Proposition:

Shall The City of San Diego incur a bonded indebtedness in the principal sum of \$2,000,000 for the acquisition and construction by said City of a certain municipal improvement, to-wit: improvements of and additions to the water distribution system of said city, including the construction of reservoirs, pumping plants, water pipe lines and other distribution facilities, and including the acquisition of all land, rights of way, equipment, pipe, apparatus, materials and other property necessary therefor?"

The whole number of votes cast in The City of San Diego on said bond measure is 74,782; that the number of votes given in the City for said bond measure is 67,707; that the number of votes given in the City against said bond measure is 7,075; that the number of votes given in each precinct for and against said bond measure is recorded in the elections returns book of The City of San Diego and said book shall be considered as a part of the records of the Council.

Votes of more than two-thirds of the voters of The City of San Diego voting at said election were cast in favor of said bond measure, and said measure is declared to be carried.

The City Clerk is ordered to enter on the minutes a statement showing the measure voted upon, the whole number of votes cast in the City upon said measure, the number of votes given in the City for and against said measure, and a statement that the number of votes given in each precinct for and against said measure are recorded in the election returns book.

The results of the canvass were directed to be made public by publication of a copy of said Resolution, was on motion of Councilman ~~of Councilman~~ Schneider, seconded by Councilman Swan, adopted.

Following adoption of said Resolutions declaring the results of said Elections, the Vice Mayor presented certificates of election to the three re-elected Members of the Council: Charles B. Wincote, District No. 2; Charles C. Dail, District No. 5; Vincent T. Godfrey, District No. 6.

At this time the City Clerk swore in the three re-elected Councilmen.

The Minutes of the Regular Meetings of Tuesday, April 17, 1951, and of Thursday, April 19, 1951, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Vice Mayor.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the paving and otherwise improving of Hancock Street and Clayton Street, within the limits and as particularly described in Resolution of Intention No. 101329, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of seventeen hundred dollars, which bid was given Document No. 432365;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of eighteen hundred dollars, which bid was given Document No. 432366;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of one thousand six hundred dollars, which bid was given Document No. 432367;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of two thousand dollars, which bid was given Document No. 432368.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the construction of the fresh water backflow protection unit at the Sewage Treatment Works, the clerk reported that 1 bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of M. H. Golden Construction Company, accompanied by bond written by Pacific Indemnity Company in the sum of 10% amount bid, which bid was given Document No. 432369.

The City Engineer was asked the estimated amount of the proposed contract work. He replied that it was \$42,710.00. (The sole bid was \$72,852.00).

Councilman Wincote, moved to refer the bid to the City Manager and to the City Attorney for report and recommendation.

Although there was a motion on the floor, Councilman Schneider moved to reject the bid. The Clerk called Mr. Schneider's attention to the motion before the house.

Councilman Schneider expressed the belief that the contract should not be awarded on the lone bid, at the high figure.

Other members of the Council said that reference to the Manager and Attorney did not imply that acceptance of the bid and award of contract were contemplated, but that a report should be received in the matter.

The roll was called upon the motion above referred to for reference of the bid for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1; for a period of one year from and including December 1, 1950, to and including November 30, 1951, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 101984, recorded on Microfilm Roll No. 38, confirming the Engineer's report and assessment for El Cajon Boulevard Lighting District No. 1, filed in the office of the City Clerk March 16, 1951, adopting said report as a whole, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing protest against the proposed closing of portion of Washington Street closing, the City Manager made a verbal report, in which he said that the State Division of Highways' objection to the closing is being withdrawn and it had been shown that sufficient arrangements are being made to care for the matter of rights of way adjoining the street.

Some members of the Council felt, in view of the City Manager's statement, that no protest now exists, but others expressed the belief that in order to clear the record the protest made by said Division of Highways should be overruled.

RESOLUTION NO. 101985, recorded on Microfilm Roll No. 38, overruling and denying the protest of Division of Highways, District XI, by E. E. Wallace, District Engineer, dated March 28, 1951, and bearing Document No. 431820, in connection with the proposed closing of portion of Washington Street, within the limits and as particularly described in Resolution of Intention No. 101332, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 101986, recorded on Microfilm Roll No. 38, for the closing of portion of Washington Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Petition of Hillyer & Hillyer, by William Hillyer, attorneys in behalf of George G. Edes and Lieut. and Mrs. David Work for the granting of building permit to construct a duplex on each of Lots 15 and 16 Block 1 Ocean Spray Addition, upon which the Building Department allegedly refuses to issue permit unless at least 5 of the surrounding owners consent to the construction, which property is within Zone R-2, was presented.

The City Manager made a verbal report in the matter, and suggested reference to his office, stating that it is a matter of architectural control involved.

On motion of Councilman Schneider, seconded by Councilman Swan, said petition was referred to the City Manager.

Claim of Mrs. R. W. Berg, 4381 Maryland Avenue, for damage from backed-up sewer, in the sum of \$63.00, was presented.

RESOLUTION NO. 101987, recorded on Microfilm Roll No. 38, referring claim of Mrs. R. W. Berg to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Claim of Hazel W. Hassell (Mrs. C. J.), 2684 Jonquil Drive, in an unstated amount, for personal injuries sustained in fall on a broken place in the sidewalk, in the 3100 block on James Street, was presented.

RESOLUTION NO. 101988, recorded on Microfilm Roll No. 38, referring claim of Hazel W. Hassell to the Pacific Indemnity Company was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Claim of Helen M. Henderson, 3288 University Avenue, in the sum of \$50.00, for damages to her car by a City dump truck, was presented.

RESOLUTION NO. 101989, recorded on Microfilm Roll No. 38, referring claim of Helen M. Henderson to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Claim of Aloysius J. Monschein and Harriet E. Monschein, 2449 Brinser, for damage to car from spray painting of tanks at the Sewage Disposal Plant, in an estimated amount of \$30.00, was presented.

RESOLUTION NO. 101990, recorded on Microfilm Roll No. 38, referring claim of Aloysius J. Monschein and Harriet E. Monschein to the Pacific Indemnity Company, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

The claim of Mildred A. Oster (Mrs. John E.), 3424 McCandless Street, for damage to car from spray painting of the tanks at the Sewage Disposal Plant, in an estimated amount of \$30.00, was presented.

RESOLUTION NO. 101991, recorded on Microfilm Roll No. 38, referring claim of Mildred A. Oster to the Pacific Indemnity Company, was on motion of Councilman Schneider, adopted.

Communication from the City Manager reporting on communication from Earl S. Casey, 3769 Highland Avenue, San Diego 5, suggesting "Caution" instead of "Stop" signs at University Avenue intersections with Wilson and Central Avenues, during certain hours, was presented.

Accompanying said report, was a copy of his reply to Mr. Casey, stating that in view of the circumstances mentioned in his reply it will not be possible to grant the request.

On motion of Councilman Schneider, seconded by Councilman Wincote, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from Hillyer & Hillyer, offering to settle street bond owned by Armistead B. Carter, attaching a copy of his reply which says that the City of San Diego owns many parcels of land on which there are delinquent street bonds that are not collectible and not forecloseable, and that in view of the City Attorney's advise and that of the Property Department, it was stated that the City will not honor the demand, presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from Ladies Auxiliary, Fleet Reserve Association protesting removal of fountain from the Plaza, attaching a copy of his reply to the effect that the Council will consider their views, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on petition of residents on Oliver and Reed Avenues for trash and garbage collection in the alley, stating that the City is complying with the request, was presented.

On motion of Councilman Swan, seconded by Councilman Wincote, the City Manager's communication and the matter upon which it reported, were ordered filed. The City Manager stated that collections are being made as requested.

Communication from the City Manager reporting on communication from Martha Perrill Wyttenbach complaining of oil dropped from planes, suggestions for economies, and attaching copies of his replies, was presented.

One of the replies stated that the Civil Aeronautics Association reports that oil dripping from aircraft is most unlikely to be noticed on automobiles, houses, etc. since drippings from planes several hundred feet up would be fairly well dissipated by the time it hit the ground, and that it is practically impossible to stop such minute quantities of oil coming from aircraft while flying; also thanking the writer for her thoughtful suggestions relative to water conservation, in the other reply.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the City Manager's communication and the matters upon which it reported, were ordered filed.

Communication from the City Manager recommending installation of 5 600 c.p. overhead street lights, was presented.

RESOLUTION NO. 101992, recorded on Microfilm Roll No. 38, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Willow Street at Canon Street;
Akron Street at Canon Street;
Reo Drive at Deauville Street;
Reo Drive at Roakoke Street;
Plum Street at Fenelon Street,

was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Manager recommending granting excess width driveway to Francis P. Fidler, on Addison Street, was presented.

RESOLUTION NO. 101993, recorded on Microfilm Roll No. 38, granting permission to Francis P. Fidler, 3617 El Cajon Boulevard, to install a 36-foot driveway as measured at the top of the full height curb, on the northerly side of Addison Street, between Rosecrans Street and Locust Street, adjacent to Lot 2 Block 13 Roseville, curb removed for said driveway to be approximately between points 54.5 feet and 90.5 feet east of the east line of Locust Street, to provide access to four garages which will serve a four-unit apartment being constructed at said location, in compliance with City regulations, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Manager recommending granting excess width driveway to Pearl K. Flanigan, on Rosecrans Street, was presented.

RESOLUTION NO. 101994, recorded on Microfilm Roll No. 38, granting permission to Mrs. Pearl K. Flanigan, 314 Rosecrans Street, to install a 42-foot driveway, as measured at the top of the full-height curb, on the easterly side of Rosecrans Street approximately between points 104 and 146 feet south of the south line of Kellogg Street, adjacent to the south 50 feet of Lot 2, and the north 10 feet of Lot 1, Block 121 La Playa, to serve four-car garage, part of a newly-constructed apartment unit at said location, in compliance with City regulations, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending that parking be prohibited at 54th Street and University Avenue, was presented.

The resolution affecting this matter follows the next item of business.

Communication from the City Manager recommending the granting of excess width driveways on Cedar Street between Pacific Highway and California Street, for the Shell Oil Company.

RESOLUTION NO. 101995, recorded on Microfilm Roll No. 38, granting permission to Shell Oil Company, Box 13098, San Diego 13, to install two 30-foot driveways as measured at the top of the full-height curb, on the north side of Cedar Street between points 7 and 37 feet, and points 65 and 95 feet east of the east property line of Pacific Highway, adjacent to Lot 9 Block 287 Middletown, subject to all existing driveway area on the northerly side of Cedar Street between points 0 and 103 feet east of the east curb line of Pacific Highway not falling within the bounds above mentioned for driveways be removed and the curb and sidewalk properly restored, subject to meeting City requirements for access to service stations, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 101996, recorded on Microfilm Roll No. 38, prohibiting the parking of automobiles at all times on either side of University Avenue, between points 200 feet west of 54th Street and 200 feet east of 54th Street, authorizing and directing the installation of the necessary signs and markings on said street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting in the manner of through streets in the downtown area, recommending establishing of "through highways" and "intersection stops", was presented.

RESOLUTION NO. 101997, recorded on Microfilm Roll No. 38, creating and establishing the following streets as "Through Highways":

FIRST AVENUE between the south line of B Street and the north line of Broadway;

FIRST AVENUE between the south line of Broadway and the north line of Market Street;

B STREET between the east line of India Street and the west line of State Street;

B STREET between the east line of State Street and the west line of First Avenue;

B STREET between the east line of First Avenue and the west line of Tenth Avenue;

declaring the following to be "Intersection Stops":

B STREET and FIRST AVENUE, affecting traffic in all directions - 4-way stop;

B STREET and STATE STREET, affecting traffic in all directions - 4-way stop;

authorizing and directing the installation of the necessary signs and markings to be made on said streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 101998 - See page 196

Communication from the City Attorney, submitting opinion written by H. F. Landgraf of his office, reporting on claim of Harrison Mercer Kleinschmidt, for damages caused by being falsely arrested by a police officer who at the time of the arrest was acting in the course and scope of his employment, recommending reference to the Pacific Indemnity Company, was presented.

Councilman Schneider moved to refer the claim to the Pacific Indemnity Company, which motion was seconded by Councilman Swan.

Clerk's note:

The claim was not referred, or a resolution written to refer the claim to the Pacific Indemnity Company in accordance with Council's motion, inasmuch as the claim had already been processed by the insurance company, and denied by Council Resolution No. 101969 on April 19, 1951 upon recommendation of said company.

Communication from the City Attorney, submitting opinion written by H. F. Landgraf of his office, reporting on claims Carl Schroder and Gertrude Schroder, c/o William A. Graham, 710 San Diego Trust & Savings Building, in the amount of \$1575.00; and of Edward Herman Schachtebeck and Catherine U. Schachtebeck, c/o William A. Graham, 710 San Diego Trust & Savings Building, in the amount of \$1,700.00, in connection with damages for the dumping of sand and debris in connection with the Mission Bay Flood Control Project, heretofore recommended for denial by Pacific Indemnity Company, stating "the aforementioned claims against The City of San Diego are covered by our insurance policy with the Pacific Indemnity Company", was presented.

RESOLUTION NO. 101999, recorded on Microfilm Roll No. 38, denying claim of Carl Schroder and Gertrude Schroder, c/o William A. Graham, 710 San Diego Trust & Savings Building, in the amount of \$1575.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102000, recorded on Microfilm Roll No. 38, denying claim of Edward Herman Schachtebeck and Catherine U. Schachtebeck, c/o William A. Graham, 710 San Diego Trust & Savings Building, in the amount of \$1,700.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Pacific Indemnity Company reporting settlement of claim of Agnes Whitfield, in behalf of her ward, Doris Whitfield, age 19, in the sum of \$175.00 as claimed, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was ordered filed.

Communication from the Superintendent of Streets, bearing the Assistant City Manager's signature of approval, recommending granting petition for the closing of the Alley in Block 77 Pt. Loma Heights Subdivision (petition reads Alley on the southeasterly side of Santa Barbara Street between Point Loma Avenue and Bermuda Street, adjacent to Lots 1, 2 and 24 Block 77 Point Loma Heights, and Lots 1 and 6 of Block C Chatsworth Estates), was presented.

RESOLUTION NO. 101998, recorded on Microfilm Roll No. 38, granting petition for the closing of the Alley in Block 77 Pt. Loma Heights Subdivision, directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from Jesse B. Gay, 641 San Geronio Street, San Diego, dated April 20, 1951, as president of the Democratic Club of San Diego County, inviting the Mayor and members of the Council to hear an address upon a Housing Authority at a meeting of the Club, 315 Bank of America Building, April 26, 1951 at 8 P.M., by B. M. Pettit former Assistant Administrator of the Housing Division of the PWA and later Director-Secretary-Treasurer of the Housing Authority of New Haven, Connecticut, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said communication was ordered filed.

Communication from San Diego Chamber of Commerce, signed by Stanley Grove, General Manager, submitting its third quarterly report for the fiscal year 1950-1951 under contract for advertising and publicity, and requesting conference on the subject, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed, together with the report which it submitted.

In filing the matter, without setting a conference, it was the Council's feeling that future conferences on the budget appropriations for the Chamber were desired, and that such would be arranged at a later date.

RESOLUTION NO. 102001, recorded on Microfilm Roll No. 38, directing notice of filing of the Street Superintendent's Assessment No. 1999, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Hornblend Street, Dawes Street, Reed Avenue, Oliver Avenue, Alley in Block 2 Braemar, Haines Street and Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 98042, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102002, recorded on Microfilm Roll No. 38, directing notice of filing of the Street Superintendent's Assessment No. 2000, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Dalbergia Street, within the limits and as particularly described in Resolution of Intention No. 99397, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 102003, recorded on Microfilm Roll No. 38, accepting bid of Daley Corporation, for the paving and otherwise improving of Landis Street, the Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 City Heights Annex No. 1 and Block 3 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 101271, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

The City Engineer, in a written report, notified the Council that the low bid was 19.2% below the estimate.

RESOLUTION NO. 102004, recorded on Microfilm Roll No. 38, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alleys in Block 1 Ocean View, and Block 1 Sunset Grove, and Brighton Avenue, approving Plat No. 2246 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102005, recorded on Microfilm Roll No. 38, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 59th Street and Kenwood Street, approving Plat No. 2254 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102006, recorded on Microfilm Roll No. 38, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Jarvis Street and Scott Street, approving Plat No. 2259 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102007, recorded on Microfilm Roll No. 38, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Wightman Street, 38th Street, and 41st Street, approving Plat No. 2244 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102008, recorded on Microfilm Roll No. 38, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1950, to and including October 12, 1951, in accordance with the Engineer's report and assessment filed March 2, 1951 in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102009, recorded on Microfilm Roll No. 38, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1, for a period of one year from and including October 1, 1950, to and including September 30, 1951, in accordance with the Engineer's report and assessment filed March 2, 1951, in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102010, recorded on Microfilm Roll No. 38, for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1950, to and including November 15, 1951, in accordance with the Engineer's report and assessment filed March 9, 1951, in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102011, recorded on Microfilm Roll No. 38, for the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, for a period of one year from and including October 15, 1950, to and including October 14, 1951, in accordance with the Engineer's report and assessment filed March 9, 1951, in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 102012, recorded on Microfilm Roll No. 38, for the closing of portion of the westerly 16.00 feet of Front Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION CHANGING GRADE NO. 102013, recorded on Microfilm Roll No. 38, on portion of Sutherland Street, in accordance with map showing the official property line grades to be changed between the northerly line of Pacific Highway and the northerly line of Kurtz Street, signed by A. K. Fogg, City Engineer, and filed under Document No. 427984 in the office of the City Clerk on January 10, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 102014, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of Franklin Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 102015, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of Jewell Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 102016, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, Glenfield Street, Heather Street, Manzanita Place, Marlborough Avenue, Pepper Drive, Snowdrop Street, Tuberosa Street, Violet Street, Fairmount Avenue, The Northwesterly and Southeasterly Alley in Block 37 Lexington Park, the Alley lying Northeasterly of and contiguous to Lot 31 Block 38 Lexington Park, Hollywood Park, Quince Street and Public Right of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102017, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of the Alleys in Block 1 Ocean View, and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly

described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102018, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of portions of 59th Street and Kenwood Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102019, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of portions of Jarvis Street and Scott Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102020, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of portions of Wightman Street, 38th Street and 41st Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102021, recorded on Microfilm Roll No. 38, ascertaining and declaring the wage scale for the paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and Public Rights of Way, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102022, recorded on Microfilm Roll No. 38, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alleys in Block 18 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 100220, and to be assessed to pay the expenses thereof, directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102023, recorded on Microfilm Roll No. 38, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 317 Reed and Daley's Addition, 29th Street, and other streets, within the limits and as particularly described in Resolution of Intention No. 100221, and to be assessed to pay the expenses thereof, directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102024, recorded on Microfilm Roll No. 38, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 16 Sunset Cliffs, within the limits and as particularly described in Resolution of Intention No. 100382, and to be assessed to pay the expenses thereof, directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102025, recorded on Microfilm Roll No. 38, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Oliphant Street, Poe Street and Locust Street, within the limits and as particularly described in Resolution of Intention No. 100060, and to be assessed to pay the expenses thereof, directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102026, recorded on Microfilm Roll No. 38, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Quimby Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 100061, and to be assessed to pay the expenses thereof, directing the City Clerk at the same time of said approval, to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102027, recorded on Microfilm Roll No. 38, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alleys in Block L Plumosa Park, within the limits and as particularly described in Resolution of Intention No. 100470, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102028, recorded on Microfilm Roll No. 38, authorizing the City Engineer to initiate proceedings for the change of grade on Faulconer Street for its entire length, in Balboa Vista; Pirotte Drive for its entire length in O. D. Arnold's Westwood Hills Unit No. 2; Balboa Vista Drive between the northerly line of Faulconer Street and a line parallel to and distant 25.00 feet westerly from said norther line, in accordance with his recommendation filed in the office of the City Clerk under Document No. 432092, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer recommending granting petition for installation of sewers in Electric Avenue to serve the Bird Rock Elementary School, stating that plans have been checked by the Engineering Department, and that said department will stake out the work and provide necessary inspection and will bill the school district for the service, was presented.

RESOLUTION NO. 102029, recorded on Microfilm Roll No. 38, granting petition to construct sewer main in Electric Avenue, from the existing sewer main to the Bird Rock Elementary School, at private contract by the San Diego City Schools, in accordance with the various terms of said Resolution, and in accordance with plans, drawings, typical cross-sections and specifications filed in the office of the City Clerk under Document No. 432095, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102030, recorded on Microfilm Roll No. 38, declaring the bid submitted by Guy F. Atkinson Company for the construction of a steel beam and concrete deck highway bridge on Morena Boulevard over the San Diego River Flood Control Channel, as included in Schedules "A" and "B" of said bid, to be the lowest bid received, and that said Guy F. Atkinson Company is the lowest, responsible and reliable bidder, rejecting all bids received for said work, except the bid of Guy F. Atkinson Company at the unit prices set forth in its bid which unit prices amount to a total estimated sum of \$758,221.40; authorizing and empowering the City Manager to execute, for and on behalf of the City, a contract with Guy F. Atkinson Company for construction of said bridge, upon execution by said company of said contract, and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102031, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego an amendment to the lease agreement executed on March 13, 1950 by and between THE CITY OF SAN DIEGO and PAUL CHALLET, dba MISSION VALLEY BRICK AND MATERIAL COMPANY and filed with the City Clerk as Document No. 417819, which amendment increases the area included in said lease, with R. E. Hazard and Bruce Hazard, pursuant to assignment of lease from Paul Challet, in accordance with terms of First Amendment of Lease Agreement filed with the City Clerk of The City of San Diego as Document No. 432439, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102032, recorded on Microfilm Roll No. 38, granting request of Wulff's Automatic Sprinkler Co. for extension of time for 30 days from and after March 30, 1951 (Change order No. 1) heretofore filed with the City Clerk as Document No. 432283, in connection with contract for installation of automatic sprinkler system in the War Memorial Building, in La Jolla, contained in Document No. 429478, extending time of completion to April 29, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102033, recorded on Microfilm Roll No. 38, granting application of Perry Black, 2014 Bacon Street, San Diego, pursuant to provisions of Section 2 Ordinance No. 3564 (New Series), City Clerk's Document No. 431570, to operate one additional taxicab under the name of A B C Cab Company of Ocean Beach, in addition to the two now licensed, as recommended by the Chief of Police and the City Manager, subject to compliance with all ordinances and regulations of The City of San Diego pertaining to the operation of taxicabs within The City within the periods of time prescribed, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102034, recorded on Microfilm Roll No. 38, granting permission to Southern Counties Gas Company of California, a corporation organized and existing under and by virtue of the laws of the State of California, to excavate for, install, maintain, remove and/or replace approximately 170 feet more or less, of insulated cable with approximately 200 feet of steel pipe for ground connections, to be located at least 24 inches below the surface of the ground, for Cathodic Protection purposes, across portion of Pueblo Lot 1314, at the location particularly shown on drawing accompanying the Company's application, on file in the office of the City Clerk as Document No. 432273, upon a revocable basis, on conditions more particularly set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102035, recorded on Microfilm Roll No. 38, granting permission to Studebaker Broadcasting Company, Inc., 630 F Street, San Diego 1, to install and maintain in connection with installation of a broadcast tower for radio station KSON, ground wires under and across Boston Avenue, Newton Avenue and the Alley in Block 289 Seaman and Choate's Addition; a transmission line under, along and across Boston Avenue, Cottonwood Street, Pluto Street and the street presently known as Wabash Boulevard, in accordance with plats marked Exhibit "A" and "B" attached to application, on file in the

office of the City Clerk, wholly at the expense of the permittee, upon a revocable basis, and in accordance with conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102036, recorded on Microfilm Roll No. 38, granting permission to Wm. R. Brennan, for the Kelco Company to install a sewer line to serve said Company at 2145 Belt Street, with 1/8" to foot grade, instead of 1/4" per foot as required in Code, inasmuch as it is impossible to get a greater grade, upon approval of the City Manager and the Department of Public Health, upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102037, recorded on Microfilm Roll No. 38, granting permission to R. A. Laughlin, for installation of 4" cast iron sewer line between the property line and the sidewalk, to be placed one foot outside the property line and run in a southeasterly direction, parallel to the northeasterly line of Lots 8, 9, 10, 11, 12 Block 70 Roseville Subdivision, to point of intersection with public sewer, to serve property at 1517 Clove Street, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102038, recorded on Microfilm Roll No. 38, granting permission to Thomas H. Lowery Plumbing Co., to use type K-1-1/4" copper tubing with copper fittings for traps and waste lines from indirect fixtures at Safeway Store, located at 4059 El Cajon Boulevard, in lieu of 1-1/2" galvanized screw pipe with Durham fittings, upon approval of the City Manager and the Department of Public Health, upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102039, recorded on Microfilm Roll No. 38, granting permission to Thomas H. Lowery Plumbing Co., to use type K-1-1/4" copper tubing with copper fittings for traps and waste lines from indirect fixtures at Safeway Store, located at 3035 Cedar Street, in lieu of 1-1/2" galvanized screw pipe with Durham fittings, upon approval of the City Manager and the Department of Public Health, upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102040, recorded on Microfilm Roll No. 38, granting permission to Thomas H. Lowery Plumbing Co., to use type K 1-1/4" copper tubing with copper fittings for traps and waste lines from indirect fixtures at Safeway Store, located at 2302 Linda Vista, in lieu of 1-1/2" galvanized screw pipe with Durham fittings, upon approval of the City Manager and the Department of Public Health, and upon express conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102041, recorded on Microfilm Roll No. 38, granting permission to Thomas H. Lowery Plumbing Co., to use type K 1-1/4" copper tubing with copper fittings for traps and waste lines from indirect fixtures at Safeway Store, located at 2509 Imperial Avenue, in lieu of 1-1/2" galvanized screw pipe, with Durham fittings, upon approval of the City Manager and the Department of Public Health, and upon condition set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102042, recorded on Microfilm Roll No. 38, granting permission to Thomas H. Lowery Plumbing Co., to use type K 1-1/4" copper tubing with copper fittings for traps and waste lines to indirect fixtures at Safeway Store, 4905 Newport Avenue, in lieu of 1-1/2" galvanized screw pipe with Durham fittings, upon approval of the City Manager and the Department of Public Health, and upon express conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102043, recorded on Microfilm Roll No. 38, granting permission to Thomas H. Lowery Plumbing Co., to use type K 1-1/4" copper tubing with copper fittings for traps and waste lines from indirect fixtures at Safeway Store, located at 3757 Park Boulevard, in lieu of 1-1/2" galvanized screw pipe with Durham fittings, upon approval of the City Manager and the Department of Public Health, and upon express conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102044, recorded on Microfilm Roll No. 38, granting permission to Thomas H. Lowery Plumbing Co., to use type K 1-1/4" copper tubing with copper fittings, for traps and waste lines from indirect fixtures at Safeway Store, located at 812 - 12th Avenue, in lieu of 1-1/2" galvanized screw pipe with Durham fittings, upon approval of the City Manager and the Department of Public Health, and upon express conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102045, recorded on Microfilm Roll No. 38, granting permission to Thomas H. Lowery Plumbing Co., to use type K 1-1/4" copper tubing with copper fittings for traps and waste lines from indirect fixtures at Safeway Store, located at 831 West Laurel Street, in lieu of 1-1/2" galvanized screw pipe with Durham fittings, upon approval of the City Manager and the Department of Public Health, and upon the express conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102046, recorded on Microfilm Roll No. 38, granting permission to Thomas H. Lowery Plumbing Co., to use type K 1-1/4" copper tubing with copper fittings for traps and waste lines from indirect fixtures at Safeway Store, located at 4193 University Avenue, in lieu of 1-1/2" galvanized screw pipe with Durham fittings, upon approval of the City Manager and the Department of Public Health, and upon the express conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102047, recorded on Microfilm Roll No. 38, authorizing and empowering the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of, The City of San Diego, a quitclaim deed quitclaiming to Violet Cotton, a married woman, portion of Pueblo Lot 1203, more particularly set forth in said Resolution, authorizing and directing the City Clerk to deliver said quitclaim deed to the Supervisor of Properties with instructions that the same be delivered to Violet Cotton upon receipt by the City of a deed granting to the City the portion of Pueblo Lot 1202 needed in connection with the proposed development of City land in Pueblo Lot 1203, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said resolution recites that the City desires to acquire a small parcel of land in P/L 1202 southeasterly of Linda Vista Road adjoining City property in P/L 1203, that Violet Cotton, the owner of said parcel is willing to deed the same to the City in exchange for a small parcel in P/L 1203 belonging to the City, that the values of the parcels are not disproportionate and that the City Manager has recommended the exchange.

The City Manager requested, and was granted, unanimous consent to present the following matters, not listed on the Council's agenda, which items he explained to the Council:

RESOLUTION NO. 102048, recorded on Microfilm Roll No. 38, accepting offer of Mrs. C. J. Goy, 4926 73rd Street, to construct forthwith a sewer and connect the same with the City's sewer system for the purpose of serving the area of the City bounded by Amherst Street, Harbison Street, 73rd Street and El Cajon Boulevard, provided that the City contributes approximately a third of the cost of installation, authorizing the City Manager to have the City Engineer supervise the installation by said property owners, and see that the same is properly connected with the sewer system of the City, authorizing and directing the City Manager to permit property owners who have contributed to the cost of such sewer installation to connect to the same without charge, and as to all future connections with said line to permit such connections by the property owners interested in securing such services only upon payment to the City of the proportionate share of the cost of said sewer installation, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 4789, (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$1,500.00 from the Capital Outlay Fund for the purpose of providing funds to pay the City's share of the cost of construction of public sewer installation in an area of the City bounded by Amherst Street, Harbison Street, 73rd Street and El Cajon Boulevard, authorizing and directing the City Auditor and Comptroller to draw a warrant in favor of the contractor for said amount of money upon the filing of a claim for the contribution with said Auditor for the amount to be contributed by the City upon completion of the sewer, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4790 (New Series), recorded on Microfilm Roll No. 38, appropriating the sum of \$5000.00 from the Unappropriated Balance Fund for the purpose of providing additional funds for use of the Chamber of Commerce in promoting and advertising the City, and particularly in promoting a welcome to members of the U. S. Marine Corps returning from the Korean War, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

RESOLUTION NO. 102049, recorded on Microfilm Roll No. 38, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids, two tank cars of 8,000 gallon capacity each of Anhydrous Ferric Chloride for use by the City at the Sewage Treatment Plant, at a cost of not to exceed \$4.40 cwt. plus sales tax, f.o.b. Sewage Treatment Plant, San Diego, one of said tank cars to be delivered immediately and

the other on or before June 1, 1951, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said resolution recites that the Superintendent of the Sewage Treatment advises that the City is in immediate need of obtaining additional Anhydrous Ferric Chloride for use at the Sewage Treatment Plant, and that the only source available at the present is from the Great Western Division of the Dow Chemical Company, at Pittsburg, California, and that it would therefore be impossible to secure such chemicals if the City advertises for bids for the necessary supply, and it would, therefore, be in the interest of the City to purchase the same in the open market, without competitive bids.

The following items had previously been referred by the City Clerk to the City Manager, to expedite action, and were listed on the agenda for the Council's information:

Unit No. 2: Petition of Property Owners for street lighting system in Collwood Park,

The other items went to the City Engineer:

Petitions for establishing grade of Oliphant Street, between Capistrano and Tustin Streets; Amalfi Street, between Torrey Pines Road and Pueblo Lot 1285.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Dail, at the hour of 10:38 o'clock A.M.

George Kerrigan
 Vice Mayor of the City of San Diego, California

ATTEST:
 FRED W. SICK, City Clerk

By *August M. Hadstrom*
 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
 Thursday, April 26, 1951

A Regular Meeting of the Council of The City of San Diego, was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey.
 Absent---Mayor Knox
 Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

Mayor-elect John D. Butler attended the meeting, as an observer.
 The Vice Mayor invited him to occupy his place at the Council table while he presided, but Mr. Butler declined and sat at the press table.

The Vice Mayor recognized Tom Sharp, owner of radio station KFSD, and asked if he wished to be heard in the matter he had discussed with Mr. Kerrigan by telephone. Mr. Sharp said he could like to tell the Council about a situation, and enlist the Council's assistance in a problem. He said that the Federal Communication

Commission had frozen TV channels for the San Diego area as of September 30, 1948, to study the entire matter. Also, he told of additional bands which have now been granted to San Diego: one educational, one commercial. He mentioned the two channels which had been assigned to Tijuana, with its small population. Mr. Sharp thought that one of the Tijuana station bands should be transferred to San Diego. He said that it is an emergency matter, and that if the Council would support his idea, a Resolution would have to be in Washington not later than May 7. Now, he said, there is only one television station in San Diego, which single station cannot possibly give adequate service in the TV picture.

The Vice Mayor asked Mr. Sharp if San Diego County area and Tijuana area might possibly be considered as one, in the allocation of the bands. Mr. Sharp's reply was that he thought not. He said Tijuana stations might be on the same bands as San Diego, and cause interference. He said additional stations - 3 or 4 - are needed for complete coverage of this area. Mr. Sharp told the Council that FCC's final allocations have not yet been made.

Asked if Clinton D. McKinnon, San Diego County representative in Congress, might not know more about the matter than the Council, and if Mr. Sharp thought it would be well to make the FCC approach through him, Mr. Sharp replied that he thought Mr. McKinnon would know nothing of the particular situation in this area. Members of the Council pointed out that Mr. McKinnon would at least be in a position to get accurate information.

Mr. Sharp was asked about the number of channels in Los Angeles, to which he replied that there are 7. He said, further, that 5 could be used here successfully without Los Angeles interference.

Mr. Wincote expressed the belief that San Diego should stand on its own, and that this area would have no control of the Mexico stations.

Mr. Sharp said that there have been 4 San Diego applications, one of which had been withdrawn - 3 still stand. He said that only 2 are considered "serious": the Columbia and National.

Councilman Swan asked for an explanation of the frequencies, which Mr. Sharp explained. He said, further, upon being asked, that the Educational channel in Los Angeles is not in use.

Councilman Godfrey wanted the matter referred to the City Manager and to the City Attorney for recommendation, after study, consistent with the dead-line mentioned by Mr. Sharp. He thought that Mr. Sharp ought to get in contact with Mr. McKinnon.

RESOLUTION NO. 102050, recorded on Microfilm Roll No. 38, referring to the City Manager and to the City Attorney, for study and recommendation, for the meeting of Tuesday, May 1, 1951, the verbal request of Tom Sharp, of Radio Station KFSD, for endorsement of his request that one of the bands assigned to Tijuana for television be transferred to San Diego, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

After the Resolution was adopted, Mr. Sharp emphasized that the assignment of the TV band was not for him, but for the benefit of the community.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance establishing set-back line from proposed service road on the north side of West Point Loma Boulevard, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4791 (New Series), recorded on Microfilm Roll No. 38, establishing a set-back line of 10 feet from proposed 40-foot service road, being 50 feet from the front property line on the north side of West Point Loma Boulevard, between the north-easterly line of Lot 1 Block 32 Loma Alta No. 2 and the southeasterly line of Pueblo Lot 212, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Mitchell N. Angus, 4805 Lila Drive, from the decision of the Zoning Committee in denying application by its Resolution No. 5401 for permission to erect a trellis-covered patio with no side yard on Lot 119 Talmadge Park Estates Unit No. 3, in Zone R-1, having arrived (continued from two previous meetings), the Vice Mayor told the Council that he had looked at the property. He reported that there was a wall, over 6 feet high - about 7-1/2 feet - and that 6 feet is legal. He said that it would be agreeable to the owner to take the wall down to 6 feet rather than have any fuss about the matter.

The Vice Mayor said - also - quite aside from the hearing being conducted, that the property is in a new subdivision, and that the streets are going to pieces, before the houses are "hardly cold".

Planning Director Glenn A. Rick told the Council of the Commission's objections. He said that he had looked at it, anticipating questions from the Council, and he took the view that "it is not bad". He said, however, that if the matter were permitted to proceed further, it may not stop there, but may keep going. He felt that the error should not be condoned.

Councilman Wincote said that 6 feet is not high enough to provide comfortable shelter for patios in some areas.

RESOLUTION NO. 102051, recorded on Microfilm Roll No. 38, denying appeal of Mitchell N. Angus, 4805 Lila Drive, from the decision of the Zoning Committee in denying by its Resolution No. 5401, application for variance to the provisions of Ordinance No. 8924 Section 8a, to permit Peggy Ann and Mitchell N. Angus to erect a trellis-covered patio with no sideyard on Lot 1195 Talmadge Park Estates Unit No. 3, at said address, in Zone R-1, sustaining said Committee's decision, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Following the calling of the roll on the Angus appeal, the City Manager reverted to the matter brought up by the Vice Mayor about Lila Drive and other streets in new subdivisions. He said that E. W. Blom, Assistant City Manager has a meeting scheduled with contractors for the working up of better specifications.

Application Thomas L. Henderson and Raymond B. Beach, 1640 Broadway, for a cabaret license at their on-sale general liquor establishment, the Broadway Top Hat, located at said address, was presented, together with recommendations for granting from the affected City Departments.

RESOLUTION NO. 102052, recorded on Microfilm Roll No. 38, granting permission to Thomas L. Henderson and Raymond B. Beach, 1640 Broadway, to conduct a cabaret with paid entertainment at the Broadway Top Hat, located at said address, where liquor is sold but no dancing conducted, subject to the regular license fee and to compliances with existing ordinances and regulations, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Application of Harry H. and Teresabelle Tolen, 364 Parkway, Chula Vista, for Class "C" Dine & Dance license at the La Bamba Club and Cafe, 2001 Logan Avenue (previously licensed as Class "A"), was presented, together with recommendations for granting from the affected City Departments.

RESOLUTION NO. 102053, recorded on Microfilm Roll No. 38, granting application of Harry H. Tolen and Teresabelle Tolen, 364 Parkway, Chula Vista, for a Class "C" license to conduct public dance at La Bamba Club and Cafe, 2001 Logan Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Claim of Jean Laderer, 4914 Santa Monica Avenue, in the sum of \$5,500.00, for personal injury sustained upon the sidewalk at or near the southwest corner of the intersection of Niagara and Bacon Streets, in "a substantial hole", was presented.

RESOLUTION NO. 102054, recorded on Microfilm Roll No. 38, referring claim of Jean Laderer to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102055, recorded on Microfilm Roll No. 38, ratifying, confirming and approving in all respects the Tidelands Lease (Agreement for amendment of lease heretofore entered into and being on file in the office of the City Clerk under Document No. 421650), a copy of which Agreement for Amendment of Tidelands Lease is on file in the office of the City Clerk under Document No. 432351, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Accompanying said Resolution was a communication from the Harbor Commission, signed by John Bate, Port Director, stating that the amendment changes the description of the existing lease by adding approximately 3,000 sq. ft. of land area and 4,125 sq. ft. of water area and provides for increase in rental in accordance with established rental for premises in that area. (Driscoll Brothers Boat Works).

RESOLUTION NO. 102056, recorded on Microfilm Roll No. 38, ratifying, confirming and approving in all respects the Tidelands Lease for a period of 6 months, with yearly options to renew until June 30, 1955, upon conditions and terms contained in form of lease a copy of which is on file in the Office of the City Clerk under Document No. 432350, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Accompanying said Resolution was a communication from the Harbor Commission, signed by John Bate, Port Director, stating that the lease covers 3.6 acres of land at the intersection of Pacific Highway and Harbor Drive used as a parking lot for navy and civilian personnel working at North Island, rental established at 3¢ per square foot per year. (U.S. Navy).

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the construction of a shelter at the Shuffleboard Court at Highland Avenue and Landis Street, recommending award to Loring and Boyle Construction Company, the low bidder (there were 3 bidders), was presented.

RESOLUTION NO. 102057, recorded on Microfilm Roll No. 38, accepting bid of Loring and Boyle Construction Company for construction of a shelter at the Shuffleboard Court at Highland Avenue and Landis Street, in the sum of \$3177.00, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for Butane-Propane Gas for a period of 6 months commencing May 16, 1951, was presented.

RESOLUTION NO. 102058, recorded on Microfilm Roll No. 38, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing to the City of San Diego its requirements of Butane-Propane Gas for a period of six months commencing May 16, 1951, in accordance with specifications on file in the office of the City Clerk bearing Document No. 432448, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102059, recorded on Microfilm Roll No. 38, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the erection of a Utility Building with Comfort Stations on the Municipal Golf Course, Balboa Park, bearing official Document No. 432451, authorizing and directing the Purchasing Agent to proceed to publish notice to contractors calling for bids for said work, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on petition of San Diego Public Safety Committee for additional traffic signals on Broadway, from 12th Avenue west, and suggestions for boulevard stops entering Broadway until such time as signals are installed, was presented, together with copy of his reply.

The Manager's reply stated that signals will be installed early in the next fiscal year on Broadway at Kettner Boulevard, State Street and First Avenue, that they will be synchronized so as to regulate traffic at a moderate speed after which it probably will be helpful and desirable to post the intermediate crossings between signals at India Street, Columbia Street, Front Street and Second Avenue.

On motion of Councilman Wincote, seconded by Councilman Schneider, the matter was ordered filed.

Communication from the City Manager reporting on communication from Southcrest Civic Club requesting an entrance into Southcrest Park by way of 42nd Street, stating that the matter has been investigated by the City Planning Director, Park Superintendent and City Engineer, and that in view of the excessive cost and because of other essential public works with increased cost estimates it is recommended that the request be postponed, was presented.

Also, it was stated that the secretary of said Club has been informed of the Manager's report, and that filing is recommended.

On motion of Councilman Wincote, seconded by Councilman Swan, the matter was ordered filed.

Communication from the City Manager reporting on communication from Mrs. Elsie M. H. Walker, 2840 Columbia Street, reporting on objections to sign board in the 2800 Block on India Street, together with copy of his reply, was presented.

The report from the Manager to Mrs. Walker stated that the Planning Director has investigated and advised that the sign is in a commercial zone in an area designated for retail business, which zone does not prohibit outdoor advertising structures. Also, it was reported that the sign is in the appropriate zone, its construction is structurally sound, and complies with standards of the Inspections, that therefore suggestions made in the letter cannot be complied with. It reported, further, that in the view of the foregoing it would appear that such matters must be considered as one of the sacrifices for living in close proximity to retail business or commercial zones.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

Communication from the City Manager submitting for the Council's information and for filing a copy of communication from the State of California Water Resources Board advising that Resolution No. 105 adopted by the Board makes the sum of \$667,576.62 available to the City of San Diego for reallocation, which action was taken by the Water Resources Board pursuant to the City's request authorized by Resolution No. 101800, was presented.

The City Manager made a brief explanation of the matter to the Council.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from the Superintendent of Streets, bearing the Assistant City Manager's signature of approval, recommending denial of petition for the closing of the Alley in Block 264 Pacific Beach, stating that various utilities installed serve not only said property but adjacent property as well, was presented.

RESOLUTION NO. 102060, recorded on Microfilm Roll No. 38, denying petition bearing Document No. 430553 on file in the office of the City Clerk, for the closing of the Alley in Block 264 Pacific Beach, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102061, recorded on Microfilm Roll No. 38, authorizing and directing the Purchasing Agent to advertise for sale of houses no longer needed for City purposes, which houses are to be moved by the purchaser, with all expenses of sale to be deducted from proceeds received:

House at 1267 18th Street;

House at 1253 18th Street;

Keeper's house at Pueblo Farms, on Pueblo Lot 1311;

House at 254 South River Street, Lakeside, California;

was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102062, recorded on Microfilm Roll No. 38, authorizing and directing the City Manager to make application to the Board of Supervisors of the County of San Diego, and to take all necessary steps to acquire from the State of California, tax-deeded lands located in City Heights and in Partition of Pueblo Lot 168, as more particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102063, recorded on Microfilm Roll No. 38, authorizing and directing the City Manager to do all the work in connection with the lowering of approximately 600 feet of six-inch water main in Sequoia Street, from Pacific Beach Drive to Crown Point Drive, by appropriate City forces, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102064, recorded on Microfilm Roll No. 38, granting request of Pipe Linings, Inc., dated April 12, 1951, for an extension of time of 75 calendar days from and after March 30, 1951, to and including June 13, 1951, heretofore filed with the City Clerk as Document No. 432463, in which to complete contract for cleaning and cement mortar lining various water mains in La Jolla, which contract is contained in Document No. 426743 on file in the office of the City Clerk, extending contract until said date, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102065, recorded on Microfilm Roll No. 38, granting permission to William E. Sommer and John A. Sommer, Suite 726 Bank of America Building, San Diego 1, to install a four-inch cast iron soil line in the outside parking next to the sidewalk in a southerly direction, 110 feet to an alley connection to be installed by the City Sewer Department, to serve Lots 23 and 24 Block 58 H. M. Higgins Addition, on conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102066, recorded on Microfilm Roll No. 38, authorizing Roy Butler, Director, and Frederick Whitney, Public Information Service Chief, San Diego Office of Civil Defense to go to Sacramento, California, for the purpose of attending a conference in the Civil Defense headquarters on the program of Public Information and Education, and to incur all expenses necessary in connection therewith, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102067, recorded on Microfilm Roll No. 38, authorizing and directing the Mayor and City Clerk to execute, on behalf of The City of San Diego, a deed in form and substance similar to that attached to said Resolution and made a part thereof, to Studebaker Broadcasting Company, a corporation, of portions of Lots 1 to 20 and 28 to 45 Block 289 Seaman & Choate's Addition, directing the City Clerk to place said deed, when executed, in the hands of the Supervisor of Properties of The City of San Diego to be delivered by him to Studebaker Broadcasting Company, Inc., a corporation, in exchange for deeds from said Company to The City, as set forth in agreement between the City and the Company for exchange of lands necessitated by construction of Wabash Freeway, form and terms being more particularly set out as Document No. 429457 on file with the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102068, recorded on Microfilm Roll No. 38, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date March 27, 1951, wherein said parties subordinate all right, title and interest in and to a portion of Lot 40 Block 262 Guions Addition, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102069, recorded on Microfilm Roll No. 38, accepting subordination agreement, executed by Central Federal Savings and Loan Association of San Diego, beneficiary and Southern Title and Trust Company, trustee, bearing date March 14, 1951, wherein said parties subordinate all right, title and interest in and to a portion of Lots 37 and 38 Block 262 Guions Addition, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102070, recorded on Microfilm Roll No. 38, accepting subordination agreement, executed by Liston M. Edwards and Erma L. Edwards, beneficiaries, and Southern Title and Trust Company, trustee, bearing date March 17, 1951, wherein said parties subordinate all right, title and interest in and to portion of Lot 14 Block B Arlington, to the right of way and easement for storm drain purposes heretofore conveyed, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102071, recorded on Microfilm Roll No. 38, accepting subordination agreement, executed by C. L. Mooney and Frances Ann Mooney, beneficiaries, and Southern Title and Trust Co., trustees, bearing date March 9, 1951, wherein said parties subordinate

all their right, title and interest in and to a portion of Lots 37 and 38 Block 262 Guions Addition, to the right of way and easement for storm drain heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102072, recorded on Microfilm Roll No. 38, accepting subordination agreement executed by Harriet C. Wilson and Clara W. Schulte, beneficiaries, and Southern Title & Trust Company, trustee, bearing date March 21, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 14 Block B Arlington, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego for storm drain purposes, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102073, recorded on Microfilm Roll No. 38, accepting deed of Walter A. Marek and Betty Lee Marek, bearing date April 9, 1951, conveying a portion of Lot 8 Trojan Heights, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102074, recorded on Microfilm Roll No. 38, accepting deed of Ernest L. Bartlett, bearing date April 4, 1951, conveying a portion of Lot 1 Block G Turnbull's Subdivision, and a portion of Lots 9, 10, 11 Block H Turnbull's Subdivision, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102075, recorded on Microfilm Roll No. 38, accepting deed of Walter A. Marek and Betty Lee Marek, bearing date April 9, 1951, conveying a portion of Lot 8 Trojan Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same 54th Street, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102076, recorded on Microfilm Roll No. 38, accepting deed of Ernest L. Bartlett, bearing date April 4, 1951, conveying a portion of Lot 1 Block G Turnbull's Subdivision, and a portion of Lots 9, 10 and 11 Block H Turnbull's Subdivision, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102077, recorded on Microfilm Roll No. 38, accepting deed of Carmen Rosas, formerly Carmen Appel, bearing date April 10, 1951, conveying a portion of Lot 8 Block G Turnbull's Subdivision, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102078, recorded on Microfilm Roll No. 38, accepting deed of Wade Furr and Lola Furr, bearing date April 2, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 7 Block F Villa Tract, La Jolla Park, and adjacent portions of Crespo Street and Kearsarge Road, as closed to public use, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102079, recorded on Microfilm Roll No. 38, accepting deed of Stanley Picard, bearing date March 27, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 294 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102080, recorded on Microfilm Roll No. 38, accepting deed of Meta Marie Shumway and Merle Irene Porter, bearing date March 26, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 1 and 2 Block 55 Ocean Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102081, recorded on Microfilm Roll No. 38, accepting deed of Miguel Acenas and Mabel Acenas, executed in favor of The City, bearing date February 23, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 40 Block 262 Guions Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102082, recorded on Microfilm Roll No. 38, accepting deed of Arthur W. Coltrain and Berniece M. Coltrain, bearing date March 26, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 5 Block 3 Center Addition to La Jolla Park, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102083, recorded on Microfilm Roll No. 38, accepting deed of Manuel Joe Gonzales and Mary M. Gonzales, bearing date January 5, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 37 and Lot 38 Block 262 Guions Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102084, recorded on Microfilm Roll No. 38, accepting deed of Norman C. Miller and Angel Miller, bearing date February 9, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 14 Block B Arlington, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102085, recorded on Microfilm Roll No. 38, accepting deed of J. H. A. Pilgrim, bearing date March 27, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 34 Block 3 Center Addition to La Jolla Park, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102086, recorded on Microfilm Roll No. 38, accepting deed of Joseph C. Ramos, also known as Joseph H. Wallace, bearing date February 6, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 15 Block B Arlington, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102087, recorded on Microfilm Roll No. 38, accepting deed of Ellen Slattery, bearing date February 8, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 11 Block B Arlington, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102088, recorded on Microfilm Roll No. 38, accepting deed of Frank W. Smith and LaNora P. Smith, bearing date March 1, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 38 and 39 Block 262 Guions Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102089, recorded on Microfilm Roll No. 38, accepting deed of Russell G. Stone and Ellen M. Stone, bearing date February 26, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 9 Block B Arlington, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

ORDINANCE NO. 4792 (New Series), recorded on Microfilm Roll No. 38, dedicating certain public land as and for a portion of a public street in Lot 24 of Rancho Mission of San Diego, and naming the same Vista Street, and dedicating certain public land for a portion of a public alley in Acre Lot 48 of Pacific Beach, all as more particularly set forth in said Ordinance, was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Dail, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Nays---Councilmen None. Absent---Mayor Knox.

*

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Wincote, at the hour of 10:40 o'clock A.M.

George Kerrigan
Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadstrom*
Deputy

* The following matters had been referred by the City Clerk to the City Manager, to expedite action, and were listed on the Council's agenda for its information:

- Protest of residents against San Diego Humane Society being moved;
- Petition of El Cortez Hotel for permit to replace gasoline tank;
- Petition of San Diego Unified School District for closing Emerald Street;
- Notice from Morse Construction Co. re furnishing material on City contract.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, May 1, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:07 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Knox
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

Mayor-elect John D. Butler attended the meeting, as an observer.

The minutes of the Regular Meetings of Tuesday, April 24, 1951, and of Thursday, April 26, 1951, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said minutes were approved without reading, after which they were signed by the Vice Mayor.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the reading of bids for the paving and otherwise improving of the Alley in Block 323 Reed and Daley's Addition, and 29th Street, within the limits and as particularly set forth in Resolution of Intention No. 101405, the clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Robert A. Crist, doing business as Cast Stone Co., accompanied by bond written by Pacific Employers Insurance Company in the sum of six hundred dollars, which bid was given Document No. 432667;

The bid of Joseph G. Shea and Antonio De Carli, dba Shea and De Carli, accompanied by bond written by Glens Falls Indemnity Company in the sum of six hundred dollars, which bid was given Document No. 432668;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of six hundred fifty dollars, which bid was given Document No. 432669.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of the Alleys in Block 69 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 101713, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Fortuna Avenue, within the limits and as particularly described in Resolution of Intention No. 101714, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Swan, seconded by Councilman Schneider, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Oliver Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101715, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 101788 of Preliminary Determination, for the paving and otherwise improving of Oliver Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102090, recorded on Microfilm Roll No. 38, determining that the proposed improvement of Oliver Avenue, within the limits and as particularly described in Resolution No. 101788 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 101789 of Preliminary Determination for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road, Alleys in Blocks 2, 5, 8 La Mesa Colony, and Public Rights of Way, within the limits and as particularly described in said Resolution, the Clerk reported that a written petition had been received, requesting that the improvement on said streets be by 5 inches of Portland cement concrete, which protest was presented to the Council, and read.

The Vice Mayor and the City Attorney told of the proceedings which had already been taken (they had been abandoned, earlier, and re-instituted), and the effect of the petition for change in the paving type.

Mrs. Raspberry spoke about asphalt paving, as recommended by the City Engineer. She handed in several communications, as she stated, in favor of proceeding with the 4" a.c. paving as specified by the Engineer. The 5" cement concrete is not needed, she said, and is too expensive.

The City Engineer made a verbal report, in which he said that the 4" asphalt concrete had been determined upon because it is both adequate for the area and would be satisfactory. Also, he said, that there would be a delay of 2 months if the type of pavement were to be changed.

Mrs. Raspberry said that the paving is needed, as quickly as possible, to relieve the dust condition.

Mr. Chappel said that there had been a meeting in the neighborhood, at which a Portland cement representative was present. The cement man had told the people at the meeting, Mr. Chappel said, that cement concrete is needed in the area.

The City Engineer said that soil tests prove that asphalt would be satisfactory. He said, further, that the soil would be thoroughly compacted over the sewers. He pointed out that he recommends cement concrete where it is needed, but expressed the belief that the area under discussion does not need the more expensive paving.

Mrs. L. F. Obyrne spoke at this point. She said that it was she who had asked the cement man to come out. She identified herself as a one-time City Engineering Department employee, and that she knows differences in the paving types. Mrs. Obyrne said she sponsored the concrete petition, knowing that it would cost more. She said that she wants cement concrete on her own street, and advocated letting others have what they want on theirs.

The City Engineer said that he could not defend a demand, on his part, for cement concrete on the job. He told of soil tests, on bearing ratios, and said that there would be no trouble resulting from asphalt concrete. He said that the types of paving could be split, if the Council wants the job done that way, but pointed out that there would be fewer bids, inasmuch as not so many bidders would be available to do the combined type of job as if it were done under one type only.

Richard Steck, who did not identify his interest in the matter, said that cement is on the critical list, and said that contractors whom he represents have learned that to be the case. He said that he does not go out and disturb property owners on paving types.

Mrs. Obyrne said that the concrete man had not tried to sway property owners to his type of pavement, but that he had come out at her request, had made his statement to the meeting after which time he left. She said that 60% or better in the area she had canvassed, want cement concrete. She said that she and a lot of her neighbors "want the best", and that she thinks cement concrete is the best.

Mr. Cain questioned the statement made that cement concrete petitioners had asked for a change, were in the majority. He contended that the majority wants asphalt. Mrs. Foote spoke about sewers, and her question was answered by the Engineer.

Paul Hunter said that he is interested in the cost, and wants the paving done as planned by the City Engineer.

Mrs. McIntosh said that she wants the paving done as specified by the Engineer, and sewers.

Mrs. Ralph Poe asked about cost differences. She said she thought that the higher cost would be justified under concrete if it stands up better than asphalt. The City Engineer was quoted as having said that the difference in the cost on the job would be between \$15,000. and \$21,000. He said that he could not give a more definite figure. Either type of improvement, he pointed out, would make a satisfactory job.

Mrs. Raspberry said that she had been asked by the signers of the petition (individual communications) which she presented, to represent them.

Councilman Schneider moved to continue the hearing for one week, which motion was not seconded at this time.

H. A. Schenck spoke at this time. He said that the engineer (could not recall who it was) had told him that asphalt would last from 8 to 10 years, whereas the concrete would hold up 40 to 50 years. He said, also, that nobody in the area needs sidewalks.

The City Engineer said that the sidewalk matter had been before the Councilmen previously, and that those who want sidewalks will get them; others will not. He said that no one had such a statement in his office about the relative lasting qualities of two types of paving. He said that the City would maintain the paving, regardless of what type is installed. He said that asphalt costs more to maintain.

Mrs. Douglas B. Clark said that she took the petition around in her block, and that 4 out of 5 were for cement concrete.

Councilman Schneider moved to direct the City engineer to inquire from property owners if they would feel the same way about the higher-priced cement concrete at the time of the levying of the assessment.

There was no second to the motion at this time.

Mrs. Kenneth Kresser asked about storm drain not being included. The City Engineer invited her to look at maps, which he showed. (Conversation is not reported here, inasmuch as it was not heard by the Clerk).

Mrs. W. A. Nissen asked about Mohawk between 67th Street and "the draw", and spoke about the drainage.

The City Engineer said that it is difficult to point out each drainage problem and situation during a hearing, and said that he would be glad to go into the individual cases in his office with anyone who cared to ask about it.

Mrs. Obyrne spoke regarding people mentioned by Mrs. Raspberry, regarding husbands and wives who were divided on the issue as to paving types. She said she had not presented petitions or letters from couples who disagreed.

Councilman Godfrey pointed out that there would be an increased cost per square foot, on both types, where the proceeding would be split into the two.

Councilmen Dail and Wincote spoke of percentages on the district, or on the whole job, in relation to the two types of paving.

Mrs. Helen Natzke said that she had signed no petition for cement concrete, and that today's discussion was the first she had heard on the subject.

The roll was called on the motion, resulting in
RESOLUTION NO. 102091, continuing the hearing on Resolution of Preliminary Determination No. 101789 for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, and other streets, and Alleys in Blocks 2, 5, 8 La Mesa Colony and Public Rights of Way, for one week from this date, for investigation and report, said report to be based also upon inquiry from property owners if they would feel the same way about the higher-priced cement concrete at the time of the levying of the assessment, was on motion of Councilman Godfrey, adopted.
seconded by

RESOLUTION NO. 102092, recorded on Microfilm Roll No. 38, giving notice of the proposed annexation to The City of San Diego of Lot 37 and a portion of Lot 40 Rancho Mission of San Diego, Lots 21, 22 and 34 New Riverside, and Lot 11 of David's Subdivision, in the County of San Diego, to be known and designated as "Fletcher Tract", was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

The City Manager presented two Resolutions in connection with television bands for allocations to this area, which had been presented verbally to the Council last week by Tom Sharp, of Radio Station KFSD. He explained them, and they were read by the Clerk. The City Manager read a letter from the Board of Education regarding the retention of an education band.

Councilman Wincote questioned the matter of the population of Tijuana area in Mexico (to which two VHF commercial television channels were being allocated. He pointed out that the resolution mentions its population as 50,000, whereas it is actually 65,000 to 66,000. He felt that the matter should stand upon its own merits, and make no reference to Tijuana, especially to the error of the population being not in excess of 50,000 as "reliably stated" in the Resolution.

A motion, which had been made and seconded to adopt the two resolutions, was withdrawn.

The City Attorney was requested to re-draft the proposed Resolution, regarding the commercial bands, and was put before the Council for adoption on that basis, resulting in

RESOLUTION NO. 102093, recorded on Microfilm Roll No. 38, protesting to the Federal Communications Commission against the tentative allocation of only two VHF commercial television broadcasting channels to the City of San Diego, requesting that in the final allocation of television broadcasting channels provision be made by the FCC for at least three VHF commercial television channels for the City and County of San Diego, directing that certified copies of said Resolution be submitted to the FCC in the matter concerning the reservation of television channels and that copies be forwarded to the applicants who have applications pending before said Commission and to other interested parties, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

The City Manager pointed out that although the City Attorney had been requested to prepare and present a Resolution covering the Educational and Commercial Bonds, two separate Resolutions had been prepared, inasmuch as interests in the matter were separate and should not be included in one.

RESOLUTION NO. 102094, recorded on Microfilm Roll No. 38, requesting the Federal Communications Commission to continue to reserve a very high frequency (VHF) television channel for use by the San Diego Unified School District and other educational institutions in this area in the public interest for "schools of the air" and for rendering public service to community organizations for non-commercial educational purposes, directing that certified copy thereof be forwarded to the FCC in the matter concerning the reservation of television channels and certified copies be forwarded to any applicant or

applicants who have now pending before said Commission any application for television channels, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Petition of Eleventh Naval District Public Works Office, signed by A. I. Flaherty, Captain, CEC, USN, District Public Works Officer, for permission to install water main from the south gate of the Naval Hospital to the intersection of 18th and B Streets, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Petition of Fraternal Order of Eagles, Pacific Beach Aerie #3039, for permission to stage a carnival in Grand Avenue, in connection with "Pacific Beach Fun Daze", on June 13, 14, 15, 16, 17, 1951, was presented.

On motion of Councilman Dail, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Petition of San Diego County Club of Adult Blind, 3519 Wightman Street, San Diego, signed by the Chairman, National White Cane Week, requesting permission to sell miniature white canes on the street for benefit of the blind, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said petition was referred to the City Manager.

Petition of San Diego Unit No. 6, American Legion Auxiliary, in behalf of all auxiliaries of the Legion in the City, for permission to sell Poppies on the streets, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said petition was referred to the City Manager.

Petition of San Diego Veterans War Memorial Building, Inc., requesting an appropriation of \$2400.00 in the budget for the next fiscal year in connection with operation of the Building, in Balboa Park, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said petition was referred to the City Manager.

Claim of Proctor & Gamble Distributing Co., 1151 South Broadway, Los Angeles 15, for damage to car, in an unspecified sum, by a City truck, was presented.

RESOLUTION NO. 102095, recorded on Microfilm Roll No. 38, referring claim of The Proctor & Gamble Distributing Co. to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Claim of Peggie Collins, 2100 - 6th Avenue, for damage to car, in the sum of \$12.31, by a City truck, was presented.

RESOLUTION NO. 102096, recorded on Microfilm Roll No. 38, referring claim of Peggie Collins to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Harbor Department, signed by the Port Director, stating that it desires to keep the Council informed of the status of the current appropriating ordinances by which various capital improvement projects were authorized, to-wit: Ordinance 4180 N.S. adopted September 13, 1949, amount of \$1,396,000.00 provided for:

	Total Cost
10th Street Pier	599,485.10
Extension of 28th St. Pier	229,813.47
Dredging, Embarcadero Basin	91,303.80
Dredging Yacht Harbor, Commercial Basin and Completion of Shelter Island	347,691.00;

the final cost was \$1,268,293.37, leaving an unexpended balance of \$127,706.

Also, the communication said, that to preclude the necessity of additional appropriating ordinances, the Auditor and Comptroller has been asked to transfer said unexpended balance to the Harbor Department projects of Ordinance 4608 N.S., all of which projects have or will be approved by the City Council prior to advertisement for bids and for acceptance of contracts.

Carl Reupsch, representing the Harbor Department spoke about the matter, and said that it is in the interest of reducing red tape that the request is being made. The City Auditor spoke about the funds.

Mr. Reupsch spoke about another item on the agenda, being a report from the Purchasing Agent recommending award to Griffith Co. in connection with bids for pavement, drainage, curbs and walks on G Street Pier. He said that before an award can be made, an appropriating Ordinance is needed.

The City Auditor said that the award can be made, and that he will furnish the certificate of available funds later.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the matter was referred to the City Attorney for the making of a complete report to an early Conference of the Council.

(See later entry in these minutes for the number of the Resolution referring the matter).

Councilman Swan referred back to the Fraternal Order of Eagles petition, which had already been referred to the City Manager.

The Vice Mayor told of the procedure to be followed.

The City Manager gave a verbal report, in which he said that the matter is already under way, and that it involves the taking out of a number of permits.

No further action was taken.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received for the furnishing of Cast Iron Pipe and Fittings, Asbestos Cement Pipe, Fire Hydrants and Gate Valves (in an approximate amount of \$242,000.) recommending award to ten bidders, upon their low bids, was presented.

RESOLUTION NO. 102097, recorded on Microfilm Roll No. 38, accepting bid of Standard Iron Works for furnishing Cast Iron Fittings and Fire Hydrants: Items Nos. 26, 27, 46, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102098, recorded on Microfilm Roll No. 38, accepting bid of National Steel and Ship Building Corporation, of San Diego, for furnishing Cast Iron Fittings: Items Nos. 25, 29, 30, 31, 52, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102099, recorded on Microfilm Roll No. 38, accepting bid of Crane Company, of San Diego, for furnishing Valves and Cement Asbestos Pipe: Items Nos. 54, 67, 68, 69, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102100, recorded on Microfilm Roll No. 38, accepting bid of Mission Pipe and Supply Company for furnishing Gate Valves: Items Nos. 53, 55, 56, 57, 58, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102101, recorded on Microfilm Roll No. 38, accepting bid of Johns-Manville Sales Corporation, San Diego, for furnishing Cement Asbestos Pipe Adapters, Cement Asbestos Pipe: Items Nos. 66, 70, 71, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102102, recorded on Microfilm Roll No. 38, accepting bid of Western Metal Supply Company, of San Diego, for furnishing Cast Iron Fittings: Items Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 47, 48, 49, 50, 51, 59, 60, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102103, recorded on Microfilm Roll No. 38, accepting bid of Pacific States Cast Iron Pipe Company for furnishing Cast Iron Pipe and Mechanical Joint Pipe, Items Nos. 61, 62, 63, 64, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of storm drains in Alleys in Blocks 15 and 16 Point Loma Heights, Oliphant Street, Wawona Drive and Poe Street, recommending award to Carroll & Foster, the low bidder, was presented.

RESOLUTION NO. 102104, recorded on Microfilm Roll No. 38, accepting bid of Carroll & Foster for construction of storm drains in Alleys in Blocks 15 and 16 Point Loma Heights, Oliphant Street, Wawona Drive and Poe Street, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent reporting on bids for construction of pavement, drainage structures, curbs and walks on G Street Pier, recommending award to Griffith Company, the low bidder, was presented.

RESOLUTION NO. 102105, recorded on Microfilm Roll No. 38, accepting bid of Griffith Company for construction of pavement, drainage structures, curbs and walks on G Street Pier for the Harbor Department, awarding contract and authorizing a majority of the members of the Harbor Commission to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102106, recorded on Microfilm Roll No. 38, rejecting the sole bid of M. H. Golden Construction Company for construction of fresh water backflow protection unit at the Sewage Treatment Works, reported by the City Engineer and City Mgr. to be 70.5% over the estimate for said work, authorizing and directing the City Engineer to prepare new plans and specifications for construction of said unit, so that the plumbing, electrical and concrete work may be let by three separate contracts, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Manager recommending, in the interests of parking congestion and accidents on Pacific Highway north of Washington Street, that parking be prohibited on the northeasterly side of Pacific between Washington and Sutherland Streets, between 3:30 o'clock P.M. and 6:00 o'clock P.M., Sundays, was presented.

RESOLUTION NO. 102107, recorded on Microfilm Roll No. 38, prohibiting the parking of automobiles, between the hours of 3:30 o'clock P.M. and 6:00 o'clock P.M., Sundays and holidays excepted, on the northeasterly side of Pacific Highway, between Washington Street and Sutherland Street, authorizing and directing installation of the necessary signs and markings to be made on said street, declaring that said Resolution will cease to be operative 6 months after receipt by the City of written Notice of Withdrawal of Approval by the State Department of Public Works, repealing any resolutions or parts of resolutions in conflict, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Manager reporting that the Division of Highways is preparing to reconstruct and channelize intersections of Pacific Highway with Ash Street and with Broadway to provide special left-turn lanes with green arrows providing special left-turn movement from Pacific Highway on to those streets, and recommending elimination of parking opposite those special lanes, was presented.

RESOLUTION NO. 102108, recorded on Microfilm Roll No. 38, prohibiting the parking of automobiles at all times on the easterly side of Pacific Highway between Broadway and a point 600 feet north of Broadway; on the easterly side of Pacific Highway between the north line of A Street and the south line of Cedar Street; on the westerly side of Pacific Highway between points 100 feet south of Broadway and 625 feet north of Broadway; on the westerly side of Pacific Highway between the south line of Ash Street and a point 170 feet south of the south line of A Street, authorizing and directing installation of the necessary signs and markings to be made on said street, declaring that said Resolution will cease to be operative 6 months after receipt by the City of written Notice of Withdrawal of Approval by the State Department of Public Works, repealing any resolutions or parts of resolutions in conflict, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Manager reporting on the large volumes of northbound peak-hour traffic on 32nd Street at Market Street, seriously inconvenienced by the presence of parked cars which reduce the street to one lane in each direction, and that said street will become increasingly congested after Wabash Freeway is open to traffic, recommending elimination of parking during the afternoon peak period, was presented.

RESOLUTION NO. 102109, recorded on Microfilm Roll No. 38, prohibiting the parking of automobiles between the hours of 4:00 p.m. and 6:00 p.m., Sundays and holidays excepted, on the east side of 32nd Street, between Market Street and Island Avenue, authorizing and directing installation of the necessary signs and markings to be made on said street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting that plans have been completed by the City Engineer to installation of islands at the intersection of University Avenue and Ray Street to control traffic when its one-way direction on Ray Street is changed to northbound, recommending change in direction of traffic so that Ray Street be established as a one-way street for northbound traffic between Upas Street and University Avenue, also that Resolution No. 91302 establishing the present south-bound direction of traffic be repealed, was presented.

RESOLUTION NO. 102110, recorded on Microfilm Roll No. 38, declaring Ray Street to be a one-way street, between University Avenue and Upas Street, for northbound traffic, authorizing and directing installation of necessary signs and markings on said street, repealing Resolution No. 91302, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Manager recommending installation of 4 overhead street lights, was presented.

RESOLUTION NO. 102111, recorded on Microfilm Roll No. 38, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Bancroft Street at Maple Street;
Bancroft Street at Juniper Street;
Tenth Avenue at Ash Street;
Kendall Street at Pacific Beach Drive,

was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Manager returning communication from San Diego County Building and Construction Trades Council notifying the City of revised wage scales for certain building trades, stating that all the affected City departments have been informed, recommending filing, was presented.

On motion of Councilman Swan, seconded by Councilman Godfrey, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the Planning Commission, dated April 25, 1951, signed by the Planning Director, urging Council action on previous recommendations for the creation of 3 new zones, and making reference to membership of the Zoning Committee and to the simplification of procedure, recommending that the matter be sent to the City Attorney for preparation of an ordinance if such action has already not been taken, was presented.

RESOLUTION NO. 102112, recorded on Microfilm Roll No. 38, referring communication from the City Planning Director urging action on previous request for amendments to the Zoning Ordinance, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, reporting upon its hearing on establishment of an M-1 zone in the vicinity of 39th and Z Streets, requested by the Council following the appeal of Lester Loeser in connection with his permit to store automobiles on the property at the northeast corner of 39th and Z Streets, was presented. A large protest from property owners on the proposed re-zoning was reported, and the recommendation from the Commission was for denial. Mrs. Lester Loeser attempted to speak as soon as the matter was called up.

The Vice Mayor asked Mrs. Loeser to wait until the report was read, and the Clerk read the Commission's report to the Council.

Mrs. Lester Loeser then spoke regarding the Yesterlaid Eggs, which had been a controversial issue at previous hearings before the Council, and about other non-conforming uses in the area.

Councilman Wincote asked about the non-conforming uses and about possible extension of their variances when they expire.

Planning Director Glenn A. Rick said he does not know whether extensions of the variances would or would not be granted by the Zoning Committee. That matter, he said, will have to be handled at the time they expire, and there is no way a determination of future action can be made at this time.

Councilman Wincote urged the Council to establish the area in a manufacturing zone, expressing the belief that the character of the neighborhood had been established by non-conforming uses.

Councilman Dail objected to Mrs. Loeser speaking at this time, pointing out that this was not a hearing, and said that if she is to be heard, others will have to be invited in before the Council so that both sides of the issue can be represented.

Councilman Dail moved to set a hearing before the Council on May 15. That motion was not seconded.

Councilman Wincote maintained that the Loeser variance should be extended, if the Yesterlaid Egg enterprise is permitted to continue.

Mrs. Loeser spoke again, over objections of some members of the Council, regarding operation of the automobile storage yard operated under their extended zone variance.

Councilman Schneider said that the territory involved is a new area, close in, and is good for development of homes. He said that, in spite of existing commercial and manufacturing uses, the property owners do not want new "troubles" added.

Councilman Dail moved to sustain the Planning Commission for denial of the proposed re-zoning, which motion was seconded by Councilman Schneider.

After Mrs. Loeser had spoken disparagingly about the Yesterlaid Eggs activity, Estelle Henderson arose and defended its operators as being wonderful people.

Councilman Wincote reiterated that he wanted the Loeser variance extended to the date of the Yesterlaid expiration.

The roll was called on the motion, resulting in

RESOLUTION NO. 102113, recorded on Microfilm Roll No. 38, sustaining the action of the City Planning Commission in its recommendation for denial of the proposed re-zoning of an area in the vicinity of 39th Street and Z Street from the existing R-4 zone to Zone M-1, upon which said Commission had conducted a hearing on April 25, 1951, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Councilman Wincote pursued the Loeser matter further.

Mr. Rick pointed out that it is not the Council's prerogative to extend the Loeser variance, as it had already done, but that it is a matter for Planning Commission action.

The City Attorney agreed with Mr. Rick.

The Council's attention was called to the large number of protests on the re-zoning which had been received, but no further action was taken other than to adopt Resolution No. 102113, which in effect also sustained the protests.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending reapproval of the Tentative Map of McKellar Subdivision and reapproval of the suspension of sections of the Subdivision Ordinance, inasmuch as they had expired on April 18, 1951, was presented.

RESOLUTION NO. 102114, recorded on Microfilm Roll No. 38, approving the Tentative Map of McKellar Subdivision under the same name as by Resolution No. 97581 on April 18, 1950, by re-approval, subject to 5 conditions, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102115, recorded on Microfilm Roll No. 38, re-approving the suspension of Sections 3J5 and 3J6, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of McKellar Subdivision, heretofore suspended by Resolution No. 97580, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the Council took a recess, at the hour of 12:05 o'clock Noon until the hour of 1:45 o'clock P.M., this date.

Upon re-assembling, at the hour of 1:55 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail
Absent---Councilman Godfrey, Mayor Knox
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor George Kerrigan presided.

RESOLUTION NO. 102116, recorded on Microfilm Roll No. 38, making a finding that the use of property at 953 8th Avenue, being Lot B Block 47 Horton's Addition, for making and wholesale sale of dress shields, baby bibs and similar articles by M. C. Barry is not more obnoxious or detrimental to the welfare of the particular community than other permitted uses in the C Zone, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

A communication from the Planning Commission, recommending such a finding, accompanied the Resolution.

RESOLUTION NO. 102117, recorded on Microfilm Roll No. 38, making a finding that the use of property at 5022 Santa Monica Avenue, being Lot 19 Block 74 Ocean Beach, for the raising and sale of Chinchillas and equipment, by Benjamin W. Hobson and V. W. McKinstry is not more obnoxious or detrimental to the welfare of the particular community than other permitted uses in the C Zone, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

A communication from the Planning Commission, recommending such a finding, accompanied the Resolution.

A communication from Estelle Henderson, 1546 - 5th Avenue, Chairman San Diego Real Property League, dated April 26, 1951, expressing her opinions on Horton Plaza, the Wilde fountain located thereon, and the pigeons, was presented and read.

On motion of Councilman Dail, seconded by Councilman Wincote, said communication was ordered filed.

Mrs. Henderson spoke briefly along the lines of her communication.

Communication from the League of California Cities, dated April 20, 1951, signed by Richard Graves, Executive Director, expressing appreciation for continued support and interest, evidenced by payment of the special assessment, was presented.

Councilman Schneider moved to file said communication, which motion was seconded by Councilman Swan, resulting in the filing without reading.

Communication from E. H. Shields, 223 Davidson Street, Chula Vista, proposing the diversion of water from Spook Canyon, west of Escondido, through a tunnel into Lake Hodges, including snapshots of water standing on the property, was presented.

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

RESOLUTION NO. 102118, recorded on Microfilm Roll No. 38, directing notice of filing of the Street Superintendent's Assessment No. 2001 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 5 Alhambra Park, within the limits and as particularly described in Resolution of Intention No. 98194, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102119, recorded on Microfilm Roll No. 38, directing notice of filing of the Street Superintendent's Assessment No. 2002 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 99 City Heights, within the limits and as particularly described in Resolution of Intention No. 98442, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION OF AWARD NO. 102120, recorded on Microfilm Roll No. 38, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, for the paving and otherwise improving of Hancock Street and Clayton Street, within the limits and as particularly described in Resolution of Intention No. 101329, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

The City Engineer notified the Council, in writing, that the low bid was 20.5% below the estimate.

RESOLUTION NO. 102121, recorded on Microfilm Roll No. 38, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of portion of Riley Street, approving Plat No. 2256 showing the exterior boundaries of the district to be included in the assessment for the work and improvement and directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102122, recorded on Microfilm Roll No. 38, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1950, to and including November 15, 1951, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102123, recorded on Microfilm Roll No. 38, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, for a period of one year from and including October 15, 1950, to and including October 14, 1951, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102124, recorded on Microfilm Roll No. 38, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for a period of one year from and including December 1, 1950, to and including November 30, 1951, in accordance with the Engineer's Report and Assessment filed March 16, 1951, in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION CHANGING GRADE NO. 102125, recorded on Microfilm Roll No. 38, on portion of Orange Avenue, in accordance with map showing official property line grade signed by the City Engineer and filed under Document No. 428550 in the office of the City Clerk on January 24, 1951, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 102126, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 102127, recorded on Microfilm Roll No. 38, for the furnishing of electric current in Talmadge Park Lighting District Number Four, for a period of one year from and including April 1, 1951, to and including March 31, 1952, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 102128, recorded on Microfilm Roll No. 38, for the furnishing of electric current in University Avenue Lighting District Number Two, for a period of one year from and including March 16, 1951, to and including March 15, 1952, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102129, recorded on Microfilm Roll No. 38, for the paving and otherwise improving of Riley Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102130, recorded on Microfilm Roll No. 38, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Garnet Street-Lighting District No. 1, for a period of one year from and including January 30, 1951, to and including January 29, 1952, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102131, recorded on Microfilm Roll No. 38, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Sunset Cliffs Lighting District No. 1, for a period of one year from and including January 15, 1951, to and including January 14, 1952, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102132, recorded on Microfilm Roll No. 38, granting petition for the paving and otherwise improving of portion of Avenida Comercial, directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, including removal and installation of curbs as required, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102133, recorded on Microfilm Roll No. 38, granting petition for installation of sidewalks around Block 2 and adjacent to Lots 42 through 48 in Block 1 Laurel Heights, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102134, recorded on Microfilm Roll No. 38, granting John Sedlack permission to install sewers in Hilltop Drive, Quail Street, Broadway and the Alley in Block 15 Marilou Park, by private contract, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 432238, on conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102135, recorded on Microfilm Roll No. 38, referring communication from the Harbor Department, signed by the Port Director, under date of April 26, 1951, requesting transfer of unexpended balance funds heretofore appropriated by Ordinance No. 4180 N.S. adopted September 13, 1949, to the Harbor Department projects set forth in Ordinance No. 4608 N.S., to the City Attorney for a complete report to an early Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted. (Councilman Godfrey is shown making the motion, being present in the morning when the motion was made, although absent in the afternoon, at which point the resolution is shown).

RESOLUTION NO. 102136, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to do all the work in connection with installation of 570 feet of six-inch water main and one fire hydrant in Loring Street, from Lamont Street to the eastern terminus of Loring Street, by appropriate City forces, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102137, recorded on Microfilm Roll No. 38, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of 670 feet of two-inch and one and one-half inch W.I. pipe, and the installation of 1020 feet of six-inch water main and one fire hydrant in Reed Avenue, from Cass Street to Mission Boulevard, by appropriate City forces, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102138, recorded on Microfilm Roll No. 38, granting request of California Electric Works for an extension of 20 calendar days from and after April 4, 1951, heretofore filed with the City Clerk as Document No. 432626, in which to complete its contract for installation of Roque Court Lighting, in Balboa Park, which contract is contained in Document No. 429173 on file in the office of said City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102139, recorded on Microfilm Roll No. 38, granting permission to San Diego Unified School District to install special plumbing in New Horace Mann Junior High School to be constructed at 54th Street and El Cajon Boulevard, by reason of the fact that construction limitations preclude standard run of vents in wall spaces: 1. Circuit-vent systems and horizontal runs for Domestic Science Kitchens; 2. Venting systems for Demonstration Desk sinks in Science Rooms; 3. Indirect floor drains in Cafeteria Kitchen, and for Shower and Locker rooms; on conditions set forth in said Resolution, and upon the understanding that the Department of Public Health may review and approve the final plans for special plumbing installations before construction, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102140, recorded on Microfilm Roll No. 38, approving and accepting agreement between The City of San Diego and R. E. Hazard and Edward T. Hale, executed on March 29, 1951, providing for connection of buildings and structures on a portion of Lot 67 Rancho Mission of San Diego to the City of San Diego's sewer main, and for acceptance and disposal of such sewage as may be transported through said connections by The City, authorizing the City Clerk to file said agreement for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102141, recorded on Microfilm Roll No. 38, authorizing Shelley J. Higgins, Assistant City Attorney, and Louis M. Karp, Deputy City Attorney, to go to Sacramento, California, for the purpose of representing The City of San Diego at the hearing before the Legislative Committee on the San Diego-Coronado Tunnel Bill; authorizing the expenses necessary in connection therewith, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102142, recorded on Microfilm Roll No. 38, authorizing and directing the Mayor and City Clerk, on behalf of The City of San Diego, to execute a quitclaim deed to the United States of America to portion of Sixth Street Extension Closed, in the Linda Vista Housing Project, in exchange for portions of Pueblo Lot 1180, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the U.S.A. and The City mutually desire to exchange the real property described in said Resolution, that the best interests of the City require that such exchange be effectuated.

ORDINANCE NO. 4793 (New Series), recorded on Microfilm Roll No. 38, amending Section (we) of Ordinance No. 11648 entitled "An Ordinance relating to and regulating sanitary plumbing and drainage, prescribing the conditions under which plumbing may be carried on in the City of San Diego, California, and repealing ordinances numbered 8628, 8848 and 9323, and all ordinances and parts of ordinances in conflict herewith", approved March 28, 1928, having to do with apprentices, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent---Councilman Godfrey, Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Knox. The final reading of such Ordinance was in full.

Prior to adoption of said Ordinance, the City Manager explained the reason for the ordinance, and its provisions, and pointed out that the matter had been called to his attention in order to clarify the apprentice portion of the plumbing ordinance.

The City Manager requested, and was granted unanimous consent to present the next matter, not listed on the agenda:

RESOLUTION NO. 102143, recorded on Microfilm Roll No. 38, authorizing O. W. Campbell, City Manager, and John Butler, Mayor elect, to go to Sacramento, and to Berkeley for the purpose of attending a legislative session of the League of California Cities to be held on Friday, May 4, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102144, recorded on Microfilm Roll No. 38, accepting deed of Arthur J. Novello and Margaret M. Novello, bearing date March 19, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 27 and 28 Block 1 Walker's Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Dail, seconded by Councilman Swan, the meeting was recessed, at the hour of 2:08 o'clock P.M., until the hour of 3:00 o'clock P.M., this date.

The Vice Mayor and Councilman Schneider appeared in the Council Chamber at the hour of 5:13 o'clock P.M., and adjourned the meeting, for lack of a quorum.

The following matters had been referred by the City Clerk directly to the City Manager to expedite their handling, and were listed on the agenda for the Council's information:

Petition for naming the east-west Alley in Block 389 Pacific Beach "Wave Crest Court";

Copies of letters objecting to two duplexes on Lots 15 and 16 Block 1 Ocean Spray (the matter, on petition of the owners' attorney had been referred by the Council to the Manager, for the granting of building permits which had allegedly been denied by the Building Inspection Department.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, May 3, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:07 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Knox
Clerk----Fred W. Sick
In the absence of the Mayor, Vice Mayor Kerrigan presided.

Councilman Dail introduced Lt. Deptula, of the 1st Marines, USMC, and said that he had come into port with that group from Korea.

Lt. Deptula thanked the Council for the wonderful welcome reception that the Marines received when they arrived.

The Vice Mayor and other members of the Council, in turn, addressed the Lt. and said that it was the Marines who should be thanked for their wonderful work in Korea.

Lt. Deptula again thanked the Council and the City for their hospitality and for the reception accorded the returning Marines, and said that they were quite overwhelmed by the warm greetings.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance approving and adopting the proposed amendment of Sub-section 1 of Section 1 of Rule X, Rules of the Civil Service Commission of The City of San Diego (having to do change in vacation time for Lifeguards from 18 days - when they were under the Police Department - to 14 days per year under the Recreation Department), the Clerk reported that no protests or communications had been received.

The Vice Mayor inquired if any interested persons were present who desired to be heard. No one appeared to be heard, and no communications were presented.

ORDINANCE NO. 4794 (New Series), approving and adopting amendment of Sub-Section 1 of Section 1 of Rule X, Rules of the Civil Service Commission of The City of San Diego, relating to Annual Vacation, was on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Dail. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Dail. Nays--Councilmen None. Absent--Mayor Knox.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed annexation to The City of San Diego of a portion of Lot 53 Horton's Purchase, Rancho Ex-Mission, in The County of San Diego, State of California, to be known and designated as "West Coast Tract", the Clerk reported that no protests had been received.

Thereupon, the Vice Mayor inquired if any interested persons were present who desired to be heard. No one appeared to be heard, and no communications were presented.

ORDINANCE NO. 4795 (New Series), recorded on Microfilm Roll No. 39, approving the annexation to The City of San Diego of a portion of Lot 53 Horton's Purchase, Rancho Ex-Mission, in The County of San Diego, designated as "West Coast Tract", as more particularly described in said Ordinance, authorizing and directing the City Clerk to file a certified copy of said Ordinance in the office of the Secretary of State of the State of California, also authorizing and directing said City Clerk to file in the office of the Recorder of the County of San Diego an affidavit stating that all requirements of the laws hereinabove in Section 1 of said Ordinance have been complied with, which affidavit shall be accompanied by a certified copy of the boundary description as set forth in said proceedings and also by a map delineating such boundary on or before the first day of February, 1952 with the County Assessor whose assessment roll is used for the tax levy, and with the State Board of Equalization a statement of the change of boundaries of The City of San Diego setting forth the legal description of the boundaries of the city changed, together with a map or plat indicating the boundaries, directing said Ordinance to be published once in the official newspaper, was on motion of Councilman Swan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilman Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portions of Pueblo Lots 1788 and 1209 into "M-2" Zone, on the easterly side of Pacific Highway and northerly of Balboa Avenue, which had been continued until this time, the Vice Mayor suggested continuance for another two weeks, stating that affected property owners had made such a request.

On motion of Councilman Wincote, seconded by Councilman Swan, said hearing was continued until the hour of 2:00 o'clock P.M., Thursday, May 17, 1951.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on petition for removal of setback line from the easterly side of Pacific Highway, between West Washington and Witherby Streets, which had been continued until this time, the Vice Mayor stated that request had been made for a two weeks' continuance.

On motion of Councilman Wincote, seconded by Councilman Swan, said hearing was continued until the hour of 10:00 o'clock A.M., Thursday, May 17, 1951.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed ordinance incorporating portion of Block 42 Marilou Park and R.R. right of way into "C" Zone, having arrived, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4796 (New Series), recorded on Microfilm Roll No. 39, incorporating a portion of Block 42 Marilou Park and R.R. right of way into "C" Zone as defined by Ordinance No. 8924 and amendments thereto; repealing Ordinance No. 35 (New Series) adopted September 12, 1932, insofar as the same conflicts, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Frederick W. and Dorothy F. Grund, 7514 La Jolla Boulevard, from the Zoning Committee's decision in denying their application for variance to operate a liquor store in 7520 La Jolla Boulevard, on portion of Lot 7 Block 14 La Jolla Park, in Zone R-C, a report from the Zoning Engineer was presented and read.

Mr. Grund spoke. He said that it was a matter of moving the liquor store only 30 feet, from one side of the building to the other.

Mrs. Grund spoke at this time, and said that all residents in the area favor the variance. She presented letters from Russell Trent, M.D., 7534 La Jolla Blvd.; R. J. Tucker, 7527 La Jolla Blvd.; A. P. Matlaw; Verne R. Read; W. L. Mauser (?); W. S. Christie, 7555 La Jolla Blvd., all of whom own property in the block, favoring the variance.

Mr. Grund spoke again, and told the Council, at its request, that the property is within 400 or 500 feet of the Bishop's School.

The Planning Director said that the school was not the basis for the Committee's denial of variance.

Kenneth Liberty, operator of the liquor store in question, said that there is an application for the liquor license at the new location before the State Board of Equalization at the present, and that notice to that effect is posted upon the premises. He said, also, that he owns property on La Jolla Boulevard.

The City Attorney said that there are two questions involved: 1. whether the ordinance precludes operation of liquor stores in the R-C Zone, which he believed that it does; 2. also that the petition before the Council is a substitute petition, as a zone variance. The Attorney said he thought the fee had not been paid, as required, for zone variance, and felt that the matter was not properly before the Council. He felt, also that the matter should be referred to his office for study.

Councilman Godfrey wondered if more C Zone property was needed in the area.

The City Attorney told the Council that the Board of Equalization will not consider granting of the license if the property is not in the proper zone. Zoning, he said, is the City's only control in such matters.

Eugene Price, adjoining property owner in C Zone, protested. He said that granting the zone variance would put two liquor stores together. He said that he had purchased his property from Mr. Grund, who now wants to have his property re-zoned and take his present tenant (the liquor store known as "Cork 'n Bottle" which seeks to go into the Grund building if re-zoned). Mr. Price said that he has an investment to protect, that he had paid for the property as C Zone, and developed it as such, and that now Mr. Grund wants to make a C Zone out of his (the Grund) property. Mr. Price said he realized that arguments he had set forth as to property values, investments, loss of tenant, etc., were not the basis for a protest, but he said that he nevertheless protested. He said that the Board of Equalization has received his telegraphed protest, and is holding up the license until the hearing on the zone variance is determined.

The Planning Director, responding to Mr. Godfrey's query, said that there is enough C Zone property in the area, and that the Planning Department had previously told the Council so. He said that the RC- zone had been set up, to expand the commercial area, that there is already considerable vacant area in the C zone, and no more is needed.

Councilman Godfrey moved to refer the matter to the City Attorney, and to continue the hearing until the hour of 10:00 o'clock A.M., Thursday, May 10, 1951, which motion was seconded by Councilman Schneider.

Before the roll was called, F. W. Chapman, representing the Bishop's School, entered a verbal protest against the liquor store moving any closer to the school. He said, further, that the School is opposed to the present location, but had slipped in not entering protest at the time it had been installed.

The roll was called at this time on the motion to refer the matter to the City Attorney and continue the hearing.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Francis A. Marion, 2211 Sweetwater Ave., Spring Valley, Calif., from the decision of the Zoning Committee in denying application for variance to the provisions of Ordinance No. 8924 Section 82, for permission to construct a residence with a 10-foot rear yards at the southwest corner of Upas and Goldfinch Streets, on Lot L Block 400 Horton's Addition and the south 15 feet of Upas Street closed adjacent, in Zone R-1, a report from

the Zoning Engineer was presented and read.

Also presented by the Clerk were two protests from Charles A. Clark II, and Mrs. Ruth Price Weis.

Mr. Marion spoke in behalf of his appeal, and said that the property is 65 feet on the corner, that variance to the setback in the rear will not affect the 4 protesting lots, the 3 affected persons have approved the variance.

The Planning Director the request is only for rear yard reduction.

Mr. Grund said that the property is a view lot, had been purchased as such at a premium price, but that the view cannot be seen over the walls and roofs of adjoining houses if required to maintain the rear yard. He said that it would cost more to build with the required rear yard, and that to get the view (if the variance is not granted), it would be necessary to add a story to the house.

Councilman Wincote reported that he had looked at the property, and told of the view to the front across to the City which had been cut off on account of other houses. He said that the property would look across the Bay and to North Island if the variance sought is granted. He emphasized that no one would be hurt by construction under the variance.

The Planning Director said that if the variance is granted to the Marions, others should have the same, and that they would then cut off the Marions' view. He opposed a procession of variances and violations.

RESOLUTION NO. 102145, recorded on Microfilm Roll No. 39, sustaining the appeal of Francis A. Marion, 2211 Sweetwater Ave., Spring Valley, Calif., from the decision of the Zoning Committee in denying his application No. 9234 by Resolution No. 5463, for variance to the provisions of Ordinance No. 8924 Section 8a, to permit construction of a residence with a 10-foot rear yard at the southwest corner of Upas and Goldfinch Streets on Lot L Block 400 Horton's Addition and the south 15 feet of Upas Street closed adjacent thereto, in Zone R-1, overruling said Committee decision, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas-- Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilman Swan. Absent-- Mayor Knox.

After adoption of the Resolution, Mr. Swan explained his vote by saying that he felt, with the additional information Mr. Marion had given the Council, the matter might easily be ironed out through the Zoning Committee without having to overrule its decision.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Minta Van Meter, 1848 E Street, San Diego, from the condition imposed by the Zoning Committee providing for a surfaced off-street parking area for 4 cars and a driveway to provide access thereto, in connection with the variance to the provisions of Ordinance No. 8924 Section 8a granted to Mrs. Van Meter to permit addition to existing sewing room on the west side of a residence at 1848 E Street, which residence has a 2-foot rearyard, on Lot 7 Block I Culverwell's Addition, in "C" Zone, a report from the Zoning Engineer was presented and read.

Mrs. Van Meter spoke, and said that the parking of automobiles, as required by the Zoning Committee, would not be good for her tenants. It would be too close to their windows, and there would be danger in knocking the supports for the upper apartments.

The Planning Director explained to the Council the matter of the side and rear yard requirements for living units, in "C" zone as well as in residential zone. He expressed the belief that the Committee's requirement for 4 off-street parking spaces in connection with the variance is a good one and that it is reasonable.

Mrs. Van Meter contended that if the yard area is surfaced for parking it would give the appearance of a parking lot, and that anyone would then drive in. She said, also, that the surfacing would drain water into the lower apartments. The latter point was argued by the Council who said that if decomposed granite were used, there would be no more water standing there than at present.

Councilman Schneider pointed out that the only requirement in the variance is a parking area, and that the Committee had been liberal in granting what was asked for, with the one proviso.

Mrs. Van Meter spoke again, and said that there would be the danger of parkers driving right into the apartments.

Mrs. Reynolds (she did not give her first name or initials, and the presiding officer did not ask for it), identified herself as a property owner at 19th and E Streets. She said opposed parking in the front yard, saying that it would create an unsightly appearance. Others, she said, would come in and park on the street which Mrs. Van Meter's tenants leave vacant. She told of commercial activities in the neighborhood whose employees already park solidly in the area. She said that it would devalue the property to have cars in the front yard. Also, she told the Council, that the sewing room asked for and granted under the zone variance would only square up the small cottage on the property, giving Mrs. Van Meter more room and improve the appearance of the building. The requirement, she charged, was an injustice.

The Planning Director showed the Council a plot plan of the property and its developments. He said, also, that Mrs. Reynolds has no off-street parking for the tenants of her apartments.

(See Resolution No. 102157, later in these minutes, for the sustaining of the appeal and overruling the Zoning Committee).

Claim of A. D. Isom, 1222 Opal Street, in the sum of \$28.00, for damage to his car by City refuse truck, was presented.

RESOLUTION NO. 102146, recorded on Microfilm Roll No. 39, referring claim of A. D. Isom to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, presenting for ratification by the Council, tidelands leases with The Texas Oil Company, covering pipeline right of way at the Foot of Crosby Street; also with Sky Chefs, Inc., for space on the lower floor of the Lindbergh Field Air Terminal Building when remodeled, was presented.

RESOLUTION NO. 102147, recorded on Microfilm Roll No. 39, ratifying, confirming and approving tidelands lease with Sky Chefs, Inc., as Lessee, in accordance with terms and conditions contained in the form of lease a copy of which is on file in the office of the City Clerk under Document No. 432698, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102148, recorded on Microfilm Roll No. 39, ratifying, confirming and approving tidelands lease with The Texas Company, as Lessee, in accordance with terms and conditions contained in the form of lease a copy of which is on file in the office of the City Clerk under Document No. 432700, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the improvement of Sixth Avenue between Ivy Street and Hawthorn Street, recommending acceptance of the bid of Al E. Riley, the low bidder, was presented.

RESOLUTION NO. 102149, recorded on Microfilm Roll No. 39, accepting bid of Al E. Riley for the improvement of Sixth Avenue, between Ivy Street and Hawthorn Street, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Prior to adoption of said Resolution, Councilman Wincote asked the City Manager if the contract provided for reconstruction of retaining walls (which would have to be torn down, and the street cut into the existing bank). The City Manager could not give details, but said that arrangements have been made which he knows to be satisfactory to the affected property owners.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for the furnishing of pipe and fittings for Lakeside Pumping Plant, was presented.

RESOLUTION NO. 102150, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of pipe and fittings for the Lakeside Pumping Plant, in accordance with specifications on file in the office of the City Clerk under Document No. 432704, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102151, recorded on Microfilm Roll No. 39, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental to the construction of a 54" outfall sewer at the Sewage Treatment Works, on file in the office of the City Clerk under Document No. 432690, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Manager reporting on petition of residents for hearing to consider evidence that the house at 5154 Long Branch Street constitutes a public nuisance, stating that the property was investigated by the Police and Fire Departments, that the Fire Department has been instructed to take action to abate the fire hazard, and that the first signer on the petition has been so advised, was presented and read.

(The petition states that the house is unoccupied and abandoned, and has for a period of approximately 5 years been the resorting place of tramps, vagrants and juvenile delinquents; that it constitutes an extreme fire hazard to the lives and property of the residents of the heavily populated neighborhood in which it is situated).

Councilman Swan pointed out that the petition - as shown in parentheses above - includes more than the City Manager's report, and that neighbors complain against the delinquency occupancy aspect of the property.

The City Manager said that beer bottles had been found on the premises, indicating that persons had been in the abandoned house. He said that neighbors, observing anyone entering the premises, or any misconduct thereon, need only telephone the Police Department and that officers will be there within 5 minutes. He said that the City is getting in touch with the owner, who lives in Los Angeles, and advising him of requirements to abate the fire hazard.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's report, and the matter to which it refers, were ordered filed.

Communication from the City Manager returning stop notice of the Morse Construction Co. in connection with materials furnished to P and J Artukovich, Inc., on the Alvarado Canyon Trunk Sewer construction, was presented. The report stated that a copy thereof was also filed with the City Auditor and is being handled by him in the routine manner, and recommended filing.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's communication and the matter to which it referred, were ordered filed.

Communication from the City Manager reporting on communication from William and Thelma Nation regarding drainage condition of the Alley in Block 143 University Heights after the improvement under 1944 Act proceedings had been completed, was presented.

Attached to the Manager's report was a copy of his reply which stated that the City Engineer has investigated and that the difficulty is being corrected by construction of an asphaltic berm for 100 feet along Lots 40 and 41 to carry excess drainage which cannot run through the small storage inlet.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager returning petition of residents for installation of traffic signals at 5th Avenue and Laurel Street, stating that the Traffic Engineer's study indicates that signals are badly needed at said location as well as at the intersection of 6th & Laurel, was presented. The report said that both are included among ten intersections recommended for signalization during 1951-52 fiscal year, also that 5th & Laurel is not as critical from congestion and accident point of view as numerous other intersections, that if it is necessary to reduce revenue estimates said intersection will need to be deferred until the following year, and that the Park West Civic Association has been advised of the matter.

The City Manager made a verbal explanation of the matter.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the Superintendent of Streets, bearing the City Manager's stamp of approval, reporting on petition for the closing of the Alley in Block 7 Lexington Park, stating that it is short, narrow, unimproved and serves no useful purposes, and recommending its closing, was presented.

RESOLUTION NO. 102152, recorded on Microfilm Roll No. 39, granting petition for the closing of the Alley in Block 7 Lexington Park, directing the City Engineer to furnish description of lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Councilman Wincote asked the Council to go back to the matter of traffic controls. He said that on 4th Avenue there are no stops or signs for a great distance - all the way between University Avenue and Ash Street. He asked the City Manager to have a study made of the matter, which the Manager said that he would do. There was no action other than the City Manager's verbal agreement to have a study made in connection with Councilman Wincote's suggestion.

Communication from the Superintendent of Streets, bearing the City Manager's stamp of approval, reporting on petition for closing portion of Union Street north of Laurel Street, stating that the petition has not been signed by all affected property owners and that the closing will deny access to property in the middle of the block, and that although the street is currently unimproved improvement is feasible and a grade has been established also that future use as a site for utilities is anticipated, was presented. The report recommended denial, for the reasons stated.

RESOLUTION NO. 102153, recorded on Microfilm Roll No. 39, denying petition for closing portion of Union Street north of Laurel Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Point Loma Vista, subject to the posting of an adequate bond to insure the required improvements, was presented.

RESOLUTION NO. 102154, recorded on Microfilm Roll No. 39, authorizing and directing the City Manager to execute, for and on behalf of the City of San Diego in accordance with provisions of Ordinance No. 1025 (New Series), a contract with Joseph Avoyer and Stephanie Avoyer, husband and wife, for installation and completion of unfinished improvements required for Point Loma Vista, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102155, recorded on Microfilm Roll No. 39, adopting Map of Point Loma Vista, being a subdivision of portion of Lot 1 of Subdivision of Pueblo Lot 200, accepting on behalf of the public Lowell Street, Keats Street, an Alley, and unnamed easements shown thereon for public purposes, declaring said streets, alley and unnamed to be for and dedicating the same to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets, alley and easements are accepted on behalf of the public as hereinbefore stated, directing the Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102156, recorded on Microfilm Roll No. 39, directing the Purchasing Agent, upon delivery of repair parts for Fairbanks-Morse 24-inch Pumps in use at the Sewage Treatment Plant, which parts were purchased in the open market at fixed prices to pay in addition to sums provided, the sum of \$446.98, due to circumstances beyond the control of the City arising on account of the war emergency, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102157, recorded on Microfilm Roll No. 39, sustaining appeal of Minta Van Meter, 1848 E Street, from the requirement of the Zoning Committee for the establishment of surfaced off-street parking spaces for 4 cars and a driveway to serve property at said address, in connection with the variance to provisions of Ordinance No. 8924 Section 8a granted by Resolution No. 5458 to permit addition to existing sewing room on the west side of residence which has 2-foot rear yard, on Lot 7 Block I Culverwell's

Addition in "C" Zone, overruling said Committee's requirement under said decision, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102158, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to do all the work in connection with the salvaging of 660 feet of 28-inch water main, and installation of 660 feet of six-inch water main, south of Division, between 2nd and 4th Avenues, National City, California, on the Bonita Pipe Line Easement, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102159, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of approximately 2860 feet of two-inch W.I. pipe, and the installation of 1500 feet of eight-inch water main, 720 feet of six-inch water main, and three fire hydrants in Manzanita Drive, from Dahlia Street to Tuberosa Street, and in Arbor Vitae Drive, from Manzanita Drive to Manzanita Drive, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102160, recorded on Microfilm Roll No. 39, granting revocable permit to El Cortez Hotel, San Diego 1, to install and maintain one 1000-gallon gasoline storage tank under the sidewalk on the northerly side of Ash Street, between Seventh Avenue and Eighth Avenue, to replace the old storage tank at said location, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102161, recorded on Microfilm Roll No. 39, granting permission to the Veterans of Foreign Wars of the United States to sell red paper poppies on the streets in certain sections of The City, including the downtown district, on May 25 and 26, 1951, for the purpose of raising funds to continue the welfare and veteran rehabilitation work, including aid to needy veterans, widows and orphans, and assistance for hospitalized veterans, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102162, recorded on Microfilm Roll No. 39, agreeing with and concurring in recommendation of the U.S. Army Engineers that a dam and reservoir be constructed at the Hodges Damsite in the County of San Diego to impound the runoff waters of the San Dieguito River and its tributaries at said site, which dam and reservoir will be sufficient in size not only to store and impound up to but not in excess of 290,000 acre feet for conservation purposes, but also an additional 85,000 acre feet for flood control purposes, or a total in all of 375,000 acre feet, directing the City Clerk to forward a certified copy to the U.S. Army Engineers and other interested agencies, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

(Although the Resolution directs transmission of copies by the City Clerk, that is being done by the Director of the Water Department, at this request).

Prior to passage of said Resolution, the City Attorney and the City Manager made verbal explanations, stating that San Diego is the last of the several interested agencies to take this action, would provide for future water storage by increased height of a dam at said location. It was also pointed out that such action was contemplated in plans by the State Highway Department, when provisions were made for raising the level of the bridge over Lake Hodges.

RESOLUTION NO. 102163, recorded on Microfilm Roll No. 39, approving change and extra work order No. 3, dated April 13, 1951, heretofore filed with the City Clerk in connection with contract between The City and C. A. Larson Construction Company for construction of Pacific Beach Branch Library, which contract is contained in Document No. 430633, amounting to an increase in the contract price of \$4.60, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102164, recorded on Microfilm Roll No. 39, approving change order No. 4, dated April 13, 1951, heretofore filed with the City Clerk in connection with contract between The City and C. A. Larson Construction Company for construction of Pacific Beach Branch Library, which contract is contained in Document No. 430633, amounting to decrease in the contract price of \$81.60, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102165, recorded on Microfilm Roll No. 39, finding that it is to the best interests of The City of San Diego to execute and deliver to the State of California a deed of easement for highway purposes, to-wit: Pacific Highway, over and across portions of Lots 1 to 12 inclusive in Block 39 Mission Bay Park Tract, authorizing and directing the Mayor and City Clerk to execute a deed to the State for said purpose and to deliver said deed after execution to the City Manager for delivery to the State,

rescinding Resolution No. 101808, which Resolution authorized a similar deed (which description was in error), directing the City Manager to destroy the deed referred to in said Resolution No. 101808, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102166, recorded on Microfilm Roll No. 39, accepting subordination agreement, executed by Burrell C. Allen and Selma M. Allen, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date March 12, 1951, wherein said parties subordinate all right, title and interest in and to portion of Lot 8 Block A La Jolla Country Club Heights, to the right of way and easement for sewer purposes heretofore conveyed to the City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102167, recorded on Microfilm Roll No. 39, accepting subordination agreement, executed by Mary C. Baker and Robert Baker, beneficiaries, and Southern Title and Trust Company, trustee, bearing date April 1, 1951, wherein said parties subordinate all right, title and interest in and to portion of Lot 15 Eureka Lemon Tract, and a portion of Baker Street closed by Resolution No. 100302, to the right of way and easement for water main purposes heretofore conveyed to The City of San Diego, authorizing and directing the filing of said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102168, recorded on Microfilm Roll No. 39, accepting subordination agreement, executed by John Hancock Mutual Life Insurance Company, beneficiary, and Union Title Insurance & Trust Co., trustee, bearing date March 27, 1951, wherein said parties subordinate all right, title and interest in and for a portion of Lot 8 Block A La Jolla Country Club Heights, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102169, recorded on Microfilm Roll No. 39, accepting subordination agreement, executed by Home-Builders' Savings and Loan Association, beneficiary, and Paul Endicott and Russell K. Pitzer, trustees, bearing date March 27, 1951, wherein said parties subordinate all right, title and interest in and to a portion of Lot 9 Block 13 Lexington Park, to the right of way and easement for street purposes heretofore conveyed to the City, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102170, recorded on Microfilm Roll No. 39, accepting subordination agreement, executed by Union Title Insurance & Trust Company, trustee, and Mutual Life Insurance Company of New York, beneficiary, bearing date March 30, 1951, wherein said parties subordinate all right, title and interest in and to a portion of Lot 7 Block A La Jolla Country Club Heights, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102171, recorded on Microfilm Roll No. 39, accepting deed of Lee E. Tescher and Ila M. Tescher, bearing date March 15, 1951, conveying an easement and right of way for street purposes in portion of Lot 9 Block 13 Lexington Park, setting aside and dedicating the same to the public use as and for a public street, and naming the same Sycamore Drive, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102172, recorded on Microfilm Roll No. 39, accepting deed of Raymond B. Talbot, Tax Collector of the County of San Diego, bearing date April 11, 1951, conveying Lot 10 Block B Arlington, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102173, recorded on Microfilm Roll No. 39, accepting deed of L. C. Anderson Company, a corporation, bearing date April 25, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 91 Point Loma Villas, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102174, recorded on Microfilm Roll No. 39, accepting deed of Milton Gellens and Norma B. Gellens, bearing date April 25, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 90 Point Loma Villa, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102175, recorded on Microfilm Roll No. 39, accepting deed of Earl W. Gray and Florence E. Gray, bearing date April 5, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 5 and 6 Block 11 Culverwell & Taggart's Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102176, recorded on Microfilm Roll No. 39, accepting deed of Linda P. Ireland, bearing date April 19, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 3 and 4 Spring Garden Tract, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102177, recorded on Microfilm Roll No. 39, accepting deed of Leonard B. Linn and Sylvia K. Linn, bearing date April 25, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 89 Point Loma Villas, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102178, recorded on Microfilm Roll No. 39, accepting deed of Fletcher H. Morrison and Corrine J. Morrison, bearing date February 1, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 8 Block A La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102179, recorded on Microfilm Roll No. 39, accepting deed of Frank E. Nurse and Adeline S. Nurse, bearing date April 4, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 4 Reed's Ocean Front Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102180, recorded on Microfilm Roll No. 39, accepting deed of Ord Preston, Jr. and Marjorie E. Preston, bearing date April 11, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 12 Block 117 Roseville, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102181, recorded on Microfilm Roll No. 39, accepting deed of Charles M. Rodefer and Alma M. Rodefer, bearing date April 4, 1951, conveying an easement and right of way for sewer purposes in portion of Blocks 28 and 29 Middletown Addition, and a portion of Bandini Street as closed by Resolution No. 43631, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102182, recorded on Microfilm Roll No. 39, accepting deed of Nathaniel Thayer and Blanche Thayer, bearing date April 11, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 11 Orange Crest, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102183, recorded on Microfilm Roll No. 39, accepting deed of Helen M. Weitlich and William W. Weitlich, bearing date March 27, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 1 Block A La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102184, recorded on Microfilm Roll No. 39, accepting deed of Frank H. Whittemore and Kathleen R. Whittemore, bearing date February 15, 1951, convey-

ing an easement and right of way for sewer purposes in portion of Lot 7 Block A La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102185, recorded on Microfilm Roll No. 39, accepting deed of Charles M. Rodefer and Alma M. Rodefer, bearing date April 4, 1951, conveying an easement and right of way for storm drain purposes in portion of Wright Street closed by Resolution No. 48928, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102186, recorded on Microfilm Roll No. 39, accepting deed of Point Loma Holding Corporation, Inc., bearing date April 17, 1951, conveying an easement and right of way for water main purposes in portion of Pueblo Lots 191 and 197 of the Pueblo Lands, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102187, recorded on Microfilm Roll No. 30, accepting deed of Steelcrete Industrial Buildings, Incorporated, a corporation, bearing date April 3, 1951, conveying an easement and right of way for water main purposes in portion of Lot 15 Eureka Lemon Tract, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution - (the Resolution includes a portion of Baker Street closed by Resolution No. 100302), was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

ORDINANCE NO. 4797 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$3,250.00 from the Capital Outlay Fund for the purpose of providing funds for the construction of a shelter at the Shuffleboard Court located at Highland Avenue and Landis Street, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4798 (New Series), recorded on Microfilm Roll No. 39, changing the name of Avenida Comercial to La Jolla Hermosa Avenue, and changing the name of a portion of Palermo Drive to Alcott Street, and changing a portion of Alcott Street to Palermo Drive, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4799 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of Orchard Avenue, between the southeasterly line of Catalina Boulevard and the northwesterly boundary line of Loma Lands Park, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4800 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of Niagara Avenue, between the southeasterly line of Venice Street and the northwesterly line of Catalina Boulevard, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4801 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of Del Mar Avenue, between the southeasterly line of Catalina Boulevard and the northwesterly boundary line of Loma Lands Park, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Swan, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4802 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of the Alley in Block 2 Subdivision of Lots 7 to 17 inclusive, Block N Teralta, between the north line of Palm Avenue and the south line of Orange Avenue, was on motion of Councilman Schneider, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

ORDINANCE NO. 4803 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of the Alley in Block 159 Mission Beach, between the easterly line of Strandway and the westerly line of Mission Boulevard; The Alley in Block 160 Mission Beach, between the easterly line of Mission Boulevard and the westerly line of Bayside Lane, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

The Vice Mayor requested, and was granted, unanimous consent, to present the next matter, not listed on the Council's agenda:

RESOLUTION NO. 102188, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to enter into a five-year lease with the lessee best qualified to run the Balboa Park and Stadium food concessions leases, upon the several provisions set forth in said Resolution, also authorizing the City Manager to select the lessee who in his opinion will give the greatest service to the public and afford the best returns to The City of San Diego, (which had heretofore been referred to Council Conference), was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The City Manager requested, and was granted, unanimous consent, to present the following matters, not listed on the Council's agenda:

RESOLUTION NO. 102189, recorded on Microfilm Roll No. 39, authorizing and directing the City Attorney for and on behalf of The City of San Diego to file a disclaimer of The City of San Diego in action entitled "San Diego Urban Company, a California Corporation, Plaintiff, vs. City of San Diego, a Municipal Corporation, Defendant", numbered 165055 in the files of the Clerk of the County of San Diego, which action is one to quiet title to certain lands within The City of San Diego, inasmuch as various departments of the City have found that the City has no interest in and to the lands set forth in said action, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4804 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$30,000.00 from the Harbor Department Fund of the City of San Diego, for the purpose of providing funds for construction of pavement, drainage structures, curbs and walks on the G Street Pier, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Knox.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Knox. The final reading of such Ordinance was in full.

The following matters had been referred to the City Manager to expedite action thereon, and were listed on the Council's agenda for its information:

- Communication from Harry Warburton relative to need for widening College Avenue;
- Petition for one-hour parking limit in the 1200 block on University Avenue, between Vermont and Richmond Streets;
- Communication from The San Diego Society for Crippled Children relative to poor condition of South 36th Street, near National Avenue.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Dail, at the hour of 11:19 o'clock A.M.

ATTEST: FRED W. SICK, CITY CLERK

By August M. Haskett Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, May 8, 1951

A Regular Meeting of the Council was held this date, and was called to order by former Mayor Harley E. Knox at the hour of 10:10 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

Mr. Knox called upon Fr. John Gallagher, of St. Augustine's High School, who delivered the invocation at the first meeting of the Council to be attended by Mayor John D. Butler.

Fr. Gallagher gave the invocation.

Mr. Knox presented to Charles F. Atkinson, who had been a member of the Board of Administration, City Employees' Retirement System, a citation for his 24 years service to the City and its employees.

Mr. Atkinson responded, and told of the work of the System, and said that it had become a nationally-recognized one, after which several other cities had patterned similar systems.

Mr. Knox next called on Joseph W. Brennan, former Port Director, and told of the growth of the port of San Diego under Mr. Brennan's leadership during his 30 years with the Harbor Department.

A proposed Resolution was presented to the Council, honoring Mr. Brennan. RESOLUTION NO. 102190, recorded on Microfilm Roll No. 39, expressing to Joseph W. Brennan the City's appreciation and thanks for his work as Port Director from 1918 to 1948 and his untiring energy and complete devotion to the development and enlargement and growth of San Diego Bay as a harbor for The City of San Diego resulting in a wonderful public improvement that has become famous throughout the world as one of the most beautiful and useful havens of commerce, navigation and fisheries that exists anywhere, authorizing and directing the City Clerk to deliver or cause to be delivered to Mr. Brennan a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Mr. Brennan was introduced, after which Mr. Knox presented a plaque and a 36-year service pin.

In his usual salty manner, Mr. Brennan responded, and thanked the City for its good wishes, and spoke of development of San Diego from its days of a mudhole to its present position as a commercial port and an important Naval base.

Next, Mr. Knox spoke regarding the election of Mayor Butler, and wished him much success in his new role. He repeated a little prayer written by Mike Telleon, attorney of Culver City. He then turned over the gavel and chair to Mayor Butler.

Mayor John D. Butler accepted the gavel and chair with thanks to former Mayor Harley E. Knox. The Mayor then addressed the large audience gathered to welcome him upon his first day as presiding officer at a Council meeting.

Mayor Butler introduced a Resolution in honor of out-going Mayor Harley E. Knox, which he read.

RESOLUTION NO. 102191, recorded on Microfilm Roll No. 39, expressing for and on behalf of all of the officers and employees of The City of San Diego and its people, appreciation of the splendid and magnificent work performed by Harley E. Knox as a member of the Council of The City of San Diego for a term of four years, and as Mayor the last eight years, and expressing on behalf of each and every one who has had the opportunity of having served with him, and those who have not but yet have appreciated his work, the sincere regret that his services as a public officer of The City have now terminated, authorizing and directing the City Clerk to forward a certified copy of said Resolution to Mr. Harley E. Knox, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Mayor Butler's next action was to introduce members of the City Council, the City Manager, City Attorney, City Clerk. He thanked the City Clerk for the gavel, block and ash tray which he had made and presented to him.

The Mayor's mother, Mrs. Adeline Butler; his sister, Mrs. Alice Mico, and his young nephew, Peter Mico, were introduced by him.

The Mayor told of the importance of water conservation, and asked the cooperation of every resident. He said that it is a County-wide problem, rather than one for only the City of San Diego. He told of the housing problem in San Diego and of the easing of Federal regulations upon residential building which are to go into effect soon. He read an inscription below a picture mailed to him by a friend, and identified the statement as that of President Abraham Lincoln.

Councilman Wincote mentioned to the Mayor the presence of Jerry Rudruff, prominent in his campaign, and Mayor Butler then introduced Mr. Rudruff.

The Mayor's inaugural ceremonies having come to an end, the Council proceeded with its regular order of business.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District for a period of one year, the Clerk reported that one bid had been received, which bid was presented to the Council.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$60.00, written on San Diego Trust and Savings Bank, which bid was given Document No. 433025.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The Minutes of the Regular Meetings of Tuesday, April 1, 1951, and of Thursday, April 3, 1951, were presented to the Council by the Clerk.

On motion of Councilman Swan, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M., the time set for hearing on Resolution of Preliminary Determination No. 101789, for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, other streets, and alleys in La Mesa Colony, within the limits and as particularly described in said Resolution, having arrived, which hearing had been continued from the meeting of May 1, 1951, a report from the City Engineer in the matter of types of paving desired by the property owners, was presented and read.

New petitions, for concrete and for asphalt were presented and read.

The City Engineer showed the Council a map of property owners' preference in the paving type. There were 2 to 1 in favor of asphalt over the concrete. He showed, in detail, which property owners wanted each type. He told the Council that his office could proceed under the present plan, or that it could be re-engineered, as the Council directed. Asked if the entire area is satisfactory for use of asphalt concrete, the Engineer replied that it is. He pointed out that only 2 blocks have a good majority for concrete. He said, further, that if the paving type is changed the paving would be delayed and not be done this coming winter.

The City Attorney told the Council that this hearing is under the Debt Limitation Act.

The City Engineer said that property owners would have to help pay the extra concrete cost, even if asphalt is used on their streets, in some cases, on the area cost. He said that each block is taken separately for the assessment spread. Asked about the preference on paving type by the school, the Engineer said that the School Board does not sign petitions for or against improvement, and does not specify when improvement is to be made what paving shall be used. He said he could not answer the question as to whether the bid would be favorable on splitting the types. He said that more bids would probably come from the use of one type rather than if two were used. He said, referring to a previous statement, that he has been assured that cement would be available.

Richard O. Steck, who spoke about the shortage of cement, presented letters from V. R. Dennis Construction Co. and from Daley Corporation relative to shortage of cement.

The City Attorney reiterated that today's hearing is whether or not to go under the City Ordinance or under the Debt Limitation Act, but that it would be wise to make a determination upon the type of pavement to be used, today, in order to save time. He said that there are no protests before the house on the legal step.

Mr. Cain, 6929 Saranac Street, said that he had signed up 10 of 16 owners in his block for asphalt.

Lt. F. A. Rodstrom spoke in favor of cement concrete, as in the original request. He asked why the type had been changed to asphalt concrete.

The City Engineer said that it was he who had made the change in the type, and that he accepted responsibility therefor. He said that the job had been enlarged and that additional improvement had been included. He said that he could not defend use of concrete at an added cost.

Lt. Rodstrom replied that he does not want the added cost to the City of maintenance of the streets under asphalt concrete. He said that the job had been slowed up by the Engineer on the type change from concrete to asphalt.

Councilman Godfrey said that asphalt concrete is not substandard, and that it will not "go to pot", as Lt. Rodstrom charged.

The City Engineer said that asphalt concrete is satisfactory, and that it stand up, as indicated by soil tests. He refuted the statement that his action had held up the project.

Councilman Schneider said that there is a tremendous difference in cost between the two types, and that needs to be considered. He said that 4" asphalt concrete will last, "with minor repairs for years and years."

Mr. Darrell, 5049 - 69th Street, said that the district proposed to be improved is a community of working people, and that the matter of expense is of tremendous importance. He said that he is willing to along with the Engineer's recommendation. He

made a strong plea for use of asphalt concrete.

The Mayor asked, in interest of an orderly procedure, to hear from each side separately, with the concrete advocates speaking first.

Mr. Rust, who identified himself as a field engineer for Portland Cement Association, spoke. He told of having responded to a telephone call for information regarding cement concrete. He said that he thought that the job was still set up for cement concrete at that time. He said he does not promote his product, or politic, from door to door, but that it is his job to work with the City Engineer and attempt to show him where his product would be advantageous upon certain jobs. Mr. Rust said that he had found out from the City Engineer his reason for making the type change. He pointed out that he does not want his product used unless it is in the interest of best engineering economics. He urged that the Council stay by the Engineer (although he had recommended use of the competitive product).

H. C. Hallway said that he prefers concrete. He said that the engineers tell him that concrete is stronger and that it stands up better. He made reference to concrete being installed at bus stops, where asphalt is being removed, and heavy concrete laid down. He contended that the upkeep of asphalt would be more costly. He said that concrete could be laid, even in wet weather, whereas asphalt calls for a dry base. He said he spoke from experience, that asphalt concrete does not stand up so well.

Erwin McCann, 69th Street, spoke for asphalt concrete. He said that he had been an engineer all his life. He told of concrete which often breaks, and has to be taken out in big blocks, and put in anew. He said that little holes in asphalt could simply be filled in.

Paul Hunter, on Mohawk Street, said that it is not right for a small minority to step in and throw out the whole thing. He said that he had signed up all in his block for asphalt concrete.

An unidentified woman spoke, saying she was uninterested in the paving type, but wanted to be sure that the sewers are installed.

Mrs. Raspberry, Mohawk Street, said that she is unhappy regarding the proposed change to cement concrete. She said that she had contacted every house but 2, and that all wanted asphalt concrete. She said, however, that the 69th Street property owners "stuck to cement concrete."

The Mayor asked each faction to arise, and those in favor of each type stood, but no count was made by the Clerk of the large group which stood for each of the two types.

RESOLUTION NO. 102192, recorded on Microfilm Roll No. 39, overruling protests against the type of pavement proposed for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, other streets, and alleys in La Mesa Colony, within the limits and as particularly described in Resolution of Preliminary Determination No. 101789, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102193, recorded on Microfilm Roll No. 39, determining that the proposed improvement of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, other streets, and alleys in La Mesa Colony, within the limits and as particularly described in Resolution of Preliminary Determination No. 101789, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1997 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 179 Mannasse and Schiller Subdivision of Pueblo Lot 1157, within the limits and as particularly described in Resolution of Intention No. 98907, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 102194, recorded on Microfilm Roll No. 39, confirming and approving the Street Superintendent's Assessment No. 1997 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 179 Mannasse and Schiller's Subdivision of Pueblo Lot 1157, within the limits and as particularly described in Resolution of Intention No. 98907, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1996 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 11 Ocean Beach Park, and Block 94 Ocean Bay Beach, within the limits and as particularly described in Resolution of Intention No. 98714, the Clerk reported that written appeal had been received from Virginia M. Hahn and from Herschel W. Hahn, which appeal was presented. There were no verbal appeals.

RESOLUTION NO. 102195, recorded on Microfilm Roll No. 39, overruling and denying the appeal of Herschel W. Hahn and Virginia M. Hahn from the Street Superintendent's Assessment No. 1996 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 94 Ocean Bay Beach, and Alley in Block 11 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 98714, overruling and denying all other appeals thereon, confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed assessment for the furnishing of electric current for the lighting of Seventh Avenue Lighting District No. 1, in accordance with the Engineer's Report and Assessment therefor filed March 30, 1951, in the office of the City Clerk, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102196, recorded on Microfilm Roll No. 39, confirming and adopting as a whole the Engineer's Report and Assessment for Seventh Avenue Lighting District No. 1, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed assessment for the furnishing of electric current for the lighting of Eighth Avenue Lighting District No. 1 in accordance with the Engineer's Report and Assessment therefor filed March 30, 1951, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102197, recorded on Microfilm Roll No. 39, confirming and adopting as a whole the Engineer's Report and Assessment for Eighth Avenue Lighting District No. 1, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Jose D. Bautista, 2256 L Street, in the sum of \$5.00, for veterinary services for dog struck by a City truck, which dog died shortly after being taken to the veterinarian, was presented.

RESOLUTION NO. 102198, recorded on Microfilm Roll No. 39, referring claim of Jose D. Bautista to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Claim of The Pacific Telephone and Telegraph Company, 740 South Olive Street, Los Angeles, in the sum of \$250.00, for damage to pole and cable by Harbor Department crane, was presented.

RESOLUTION NO. 102199, recorded on Microfilm Roll No. 39, referring claim of The Pacific Telephone and Telegraph Company to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing and installing traffic signals and safety lights on Wabash Boulevard, 40th Street Section, recommending award to Ets-Hokin & Galvan, the low bidder, was presented.

RESOLUTION NO. 102200, recorded on Microfilm Roll No. 39, accepting bid of Ets-Hokin & Galvan for the furnishing and installation of traffic signals and safety lights on Wabash Boulevard, 40th Street Section, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing enamel traffic signs, was presented.

RESOLUTION NO. 102201, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of approximately 80 porcelain enamel traffic signs, in accordance with Document No. 432915 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on communication from La Jolla Real Estate Brokers Association regarding San Diego Humane Society, stating that the writer has been informed by him of the Society's permanent location, and recommending filing, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from La Jolla Town Council regarding the San Diego Humane Society, stating that the writer has been informed by him of the Society's permanent location, and recommending filing, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on petition of residents protesting moving of the San Diego Humane Society to Ingulf and Erie Streets, and stating that the writer has been informed that other arrangements have been made for a permanent location, and recommending filing, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 4 sections of the Subdivision Ordinance in connection with the Tentative Map of Ridge View, was presented.

RESOLUTION NO. 102202, recorded on Microfilm Roll No. 39, suspending Sections Nos. 3I1, 3J2, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative and the Final Maps of Ridge View, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Ridge View, subject to 9 conditions, was presented.

RESOLUTION NO. 102203, recorded on Microfilm Roll No. 39, approving the Tentative Map of Ridge View, a subdivision of property easterly of Fairmount Avenue and southerly of Home Avenue, insofar as Unit No. 1 (consisting of 61 lots) is concerned, subject to conditions contained in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Attorney reporting on claims of Joseph Calabrese, 3144 Keats Street, and of Andrew Mosley, 1042 Grand Avenue, both arising from arrests and alleged assaults and batteries by police officer John K. Worrell on the night of January 1, 1951, in the vicinity of Tops Restaurant at 2137 Pacific Highway, recommending that both be denied, was presented.

RESOLUTION NO. 102204, recorded on Microfilm Roll No. 39, denying claim of Joseph Calabrese and denying claim of Andrew Mosley, for alleged damages to the claimants results from assaults and batteries by a police officer of The City of San Diego acting in the scope of such employment, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Phillip F. Bartlett, 612 F Street, suggesting that commission members who hold appointments under the Mayor, resign, to give the new Mayor an opportunity to make appointments, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed.

RESOLUTION NO. 102205, recorded on Microfilm Roll No. 39, directing notice of filing of the Street Superintendent's Assessment No. 2005 made to cover the costs of the paving and otherwise improving of the Alley in Block 13 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 98908, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102206, recorded on Microfilm Roll No. 39, directing notice of filing of the Street Superintendent's Assessment No. 2003 made to cover the costs of the paving and otherwise improving of Ampudia Street, within the limits and as particularly described in Resolution of Intention No. 98256, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102207, recorded on Microfilm Roll No. 39, directing notice of filing of the Street Superintendent's Assessment No. 2004 made to cover the costs of the paving and otherwise improving of Opal Street, within the limits and as particularly described in Resolution of Intention No. 99508, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 102208, recorded on Microfilm Roll No. 39, accepting the bid of Robt. A. Crist, an individual doing business under the firm name and style of Cast Stone Co., and awarding contract, for the paving and otherwise improving of the Alley in Block 323 Reed and Daley's Addition, and 29th Street, within the limits and as particularly described in Resolution of Intention No. 101405, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

A written report made by the City Engineer stated that the low bid was 16.8% below the estimate.

RESOLUTION NO. 102209, recorded on Microfilm Roll No. 39, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 153 University Heights, approving Plat No. 2261 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk upon passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 102210, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of the Alleys in Block 69 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 101713, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 102211, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of Fortuna Avenue, within the limits and as particularly described in Resolution of Intention No. 101714, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 102212, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of Oliver Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101715, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION CHANGING GRADE NO. 102213, recorded on Microfilm Roll No. 39, on portions of La Jolla Boulevard and Marine Street, in accordance with map thereof signed by A. K. Fogg, City Engineer, and filed under Document No. 427983 in the office of the City Engineer, and filed in the office of the City Clerk on January 10, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102214, recorded on Microfilm Roll No. 39, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for a period of one year from and including December 1, 1950, to and including November 30, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 102215, recorded on Microfilm Roll No. 39, for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District Number One, for a period of one year from and including May 1, 1951, to and including April 30, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 102216, recorded on Microfilm Roll No. 39, for the furnishing of electric current together with the maintenance of appliances and other electrical equipment for the lighting of the street lamps located in Mission Beach Lighting District Number One, for the period of one year from and including May 15, 1951, to and including May 14, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 102217, recorded on Microfilm Roll No. 39, for changing the grade of Faulconer Street, Pirotte Drive and Balboa Vista Drive, in accordance with map showing official property line grades to be changed, signed by A. K. Fogg, City Engineer, and filed under Document No. 432394 in the office of the City Clerk on April 25, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102218, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of the Alley in Block 153 University Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102219, recorded on Microfilm Roll No. 39, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District No. 1, for a period of one year from and including February 15, 1951, to and including February 14, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102220, recorded on Microfilm Roll No. 39, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1951, to and including March 4, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102221, recorded on Microfilm Roll No. 39, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District No. 1, for a period of one year from and including February 1, 1951, to and including January 31, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102222, recorded on Microfilm Roll No. 39, ascertaining and declaring the wage scale for the paving and otherwise improving of Oliver Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102223, recorded on Microfilm Roll No. 39, granting permission to Douglas Giddings to grade and otherwise improve portion of Qualtrough Street, by private contract, within the limits specified therein, and upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102224, recorded on Microfilm Roll No. 39, granting permission to Mrs. C. J. Goy, Frank Manescolch, et al., to install sewers in Harbison Avenue, Block 18 La Mesa Colony, et al, by private contract, within the limits specified therein, and upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102225, recorded on Microfilm Roll No. 39, granting permission to Louis Feller and David A. Neal to install sewers in Hilltop Drive, 42nd Street, Broadway, et al., by private contract, within the limits specified therein, and upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102226, recorded on Microfilm Roll No. 39, granting permission to L. C. Anderson Co., by Carl A. Brorson, to install sewers in Poinsettia Drive, et al, by private contract, within the limits specified therein, and upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102227, recorded on Microfilm Roll No. 39, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 33 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 97345, directing the Clerk at the same time of said approval, to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102228, recorded on Microfilm Roll No. 39, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Copley Avenue, within the limits and as particularly described in Resolution of Intention No. 99968, directing the Clerk at the same time of said approval, to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102229, recorded on Microfilm Roll No. 39, approving diagram of the property affected or benefited by the work of constructing sewers in Euclid Avenue, 51st Street, Geneva Avenue, Roswell Street, Winston Drive, Hilltop Drive, Melrose Place, Selma Place, Creston Drive, Hanover Street, Derby Street, Market Street, Beverly Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 99399, directing the City Clerk at the same time of said approval, to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets of said City, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102230, recorded on Microfilm Roll No. 39, authorizing the City Manager to enter into a contract with International Business Machines Corporation for preparation of necessary punched cards for the basic consumers account records required for the change-over to punched card billing procedures now in process of installation in the Water Accounting Division, Water Department, at a cost of \$25.00 per 1,000 cards prepared, or a total estimated cost of \$2,250.00, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102231, recorded on Microfilm Roll No. 39, approving the change and extra work order No. 42, dated April 16, 1951, heretofore filed with the City Clerk as Document No. 432913, issued in connection with the contract between The City of San Diego and Daley Corporation for construction of the Wabash Freeway, Section A, and which said contract is contained in Document No. 414553, on file in the office of the City Clerk, changes amounting to an increase in contract price of \$165.00, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102232, recorded on Microfilm Roll No. 39, approving the change order No. 43, dated April 18, 1951, heretofore filed with the City Clerk as Document No. 432904, issued in connection with contract between The City of San Diego and Daley

Corporation for construction of Wabash Boulevard, Section A, which said contract is contained in Document No. 414553 on file in the office of the City Clerk, changes amounting to an increase in contract price of \$292.05, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102233, recorded on Microfilm Roll No. 39, approving change and extra work order No. 6, dated April 6, 1951, heretofore filed with the City Clerk as Document No. 432911, issued in connection with contract between The City of San Diego and R. E. Hazard Contracting Company for landscaping area adjacent to Veterans' Memorial Building in Balboa Park, which said contract is contained in Document No. 425402 on file in the office of the City Clerk, changes amounting to an increase in the contract price of \$150.00, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102234, recorded on Microfilm Roll No. 39, granting permission to the San Diego County Club of Adult Blind to sell white cane lapel pins on the streets from May 15 through May 21, 1951, for the purpose of raising funds for construction of a home in San Diego County for the benefit of needy, aged blind persons, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102235, recorded on Microfilm Roll No. 39, granting permission to W. A. Anderson, 3320 Xenophon Street, to install a 4-inch cast iron sewer line between the property line and the sidewalk, to be placed two feet outside the property line and run in a northerly direction, parallel to the westerly line of Lots 8, 9 and 10 Block 78 Roseville (Map 165) Subdivision, to point of intersection with public sewer, to serve property designated as numbers 2809-11-13-15-17-19-21-23-25-27-29-31 Jarvis Street (Bungalow Court), on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102236, recorded on Microfilm Roll No. 39, granting permission to Edward H. Gillitzer, 4619 Mission Boulevard, San Diego 9, to install two four-inch cast iron sewer lines between the property line and the sidewalk, to be placed 3 and 4 feet respectively, outside the property line and run in an easterly direction, parallel to the northerly line of Lots 5, 6 and a portion of Lot 4 Block 4 Nettleship-Tye Tract No. 1 Subdivision, to point of intersection with public sewer, to serve property located in the 700 Block on Beryl Street, San Diego - Lots 4 and 5 Block 4 Nettleship-Tye Tract No. 1 - on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102237, recorded on Microfilm Roll No. 39, granting permission to George B. Lind to install a four-inch cast iron soil sewer line between the property line and Adams Avenue, San Diego, to be placed one foot outside the property line, to run in a westerly direction, parallel to the property line of portions of Lots 2, 3, 4 (except from said lots, the west 100 feet of Block 19 University Heights) to point of intersection with public sewer on Louisiana Street, to serve properties numbered 2321, 2323, 2325, 2327, 2329 and 2331 Adams Avenue, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102238, recorded on Microfilm Roll No. 39, authorizing and directing the City Clerk to appoint, with the approval of the Personnel Director, not to exceed two additional deputies in the office of said City Clerk, which said deputies so appointed shall be authorized to acknowledge signatures on applications for City of San Diego employment only, said deputies are to serve without extra compensation and shall make no charge for administering the oaths or affirmations or acknowledging the signatures, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102239, recorded on Microfilm Roll No. 39, accepting quitclaim deed of the United States of America, Housing and Home Finance Agency, Public Housing Administration, bearing date April 30, 1951, quitclaiming easements for sewer purposes in strips of land located in Pueblo Lot 1311, more particularly described in said quitclaim deed and identified as Torrey-Pines Housing Project (Cal. 4917N, Cal-4151 and Cal-4677), authorizing and directing the City Clerk to file said quitclaim deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 4805 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$15,500.00 from the Capital Outlay Fund, for the purpose of providing funds for the widening, paving and otherwise improving of Sixth Avenue, between Ivy Street and Hawthorn Street, was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4806 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$9,000.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of storm drains in the Alleys in Blocks 15 and 16 Point Loma Heights, Oliphant Street, Wawona Drive and Poe Street, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

The final reading of such Ordinance was in full.

Councilman Dail requested, and was granted, unanimous consent, to present the next matter, not listed on the Council's agenda:

After being introduced by Mr. Dail, Mrs. Grebe (first name or initials not given), 5965 Linnet Street, spoke about a dangerous blind corner at the intersection of 59th Street and Imperial Avenue. She told of having attempted to get some relief in the matter, by purchase of the property to permit cutting down of a high bank, by the City. She said that no action had been forthcoming, inasmuch as the owner of the property will not cooperate.

RESOLUTION NO. 102240, recorded on Microfilm Roll No. 39, referring to the City Manager for action as quickly as possible, the matter of a dangerous blind corner which exists at the intersection of 59th Street and Imperial Avenue, which was brought to the Council's attention verbally by Mrs. Grebe, 5965 Linnet Street, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The Mayor acknowledged the presence of County Coroner A. E. Gallagher at the meeting.

On motion of Councilman Godfrey, seconded by Councilman Dail, the Council took a recess at the hour of 11:46 o'clock A.M., until the hour of 3:00 o'clock P.M., this date.

Upon re-assembling, at the hour of 3:30 o'clock P.M., the roll call showed the following:

- Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler.
- Absent---Councilman Dail.
- Clerk----Fred W. Sick.

The Mayor presided.

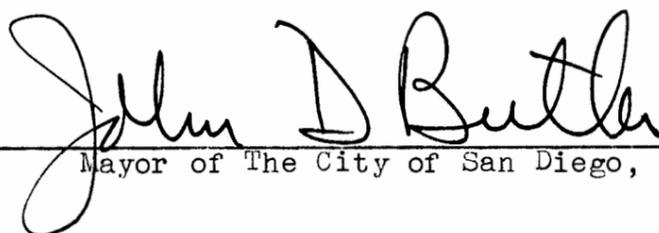
RESOLUTION NO. 102241, recorded on Microfilm Roll No. 39, opposing AB-2082 as now drawn and urging the Senate Revenue and Taxation Committee to disapprove the bill for the reason that it is discriminatory and unfair to the taxpayers of the City and County of San Diego, and the San Diego Unified School District and other jurisdictions, and to the small boat owners, and introduces a dangerous precedent in local taxation threatening a substantial portion of the tax base for City, County, and School District governments; respectfully recommending to the Legislature that the merit of the tuna industry's position be recognized by referring the subject matter of AB-2082 to an interim committee of the legislature for thorough study, and that such interim committee secure the views and recommendations of the industry concerned, the counties, municipalities and school districts affected, and attempt to develop a means whereby discrimination between large and small boats be avoided, and an equitable tax formula be developed; authorizing and directing the City Manager to forward a copy of said Resolution to each member of the Senate Revenue and Taxation Committee of the California State Legislature, to Senator Fred H. Kraft, Assemblywoman Kathryn Niehouse, Assemblymen Frank Luckel and Ralph Cloyed, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

(Although the Resolution directs the City Manager to forward copies of said Resolution to the individuals named therein, it was actually done by the City Clerk upon request of a member of the City Manager's office).

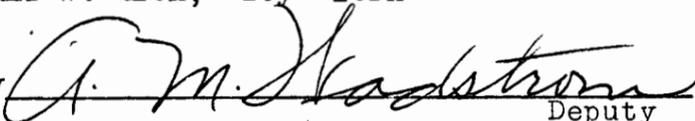
The following items had been referred by the City Clerk to the City Manager, to expedite handling, which matters were listed on the agenda for information of the Council:

- Communication from G. J. Huston re waste of water in industrial plants;
- Petition of residents for traffic signal at intersection of Main and Vesta Streets;
- Communication from Mrs. Orlan J. Clark requesting information on expenditure of the \$5000.00 appropriated by the Council for the homecoming Korean veterans of the 1st Marine Division.

There being no further business to come before the Council at this time, the meeting was adjourned at the hour of 3:32 o'clock P.M., on motion of Councilman Kerrigan, seconded by Councilman Wincote.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of The Council of The City of San Diego, California,
Thursday, May 10, 1951

A Regular Meeting of the Council was held this date, and was called to order by Mayor Butler at the hour of 10:05 o'clock A.M.

Present--Councilmen Wincote, Schneider, Kerrigan, Dail, Mayor Butler
Absent---Councilmen Swan, Godfrey
Clerk----Fred W. Sick

having arrived

The hour of 10:00 o'clock A.M., the time set for the continued hearing on the appeal of Frederick W. and Dorothy F. Grund from the decision of the Zoning Committee in denying application for variance to permit operation of a liquor store at 7520 La Jolla Boulevard, in Zone R-C, Louis M. Karp, Deputy City Attorney, presented an opinion which stated that such an operation was specifically prohibited in Zone R-C. He reviewed the opinion, verbally, without reading it. Mr. Grund said he had no statement to make.

RESOLUTION NO. 102242, recorded on Microfilm Roll No. 39, denying the appeal of Frederick W. and Dorothy F. Grund from the decision of the Zoning Committee in denying by its Resolution No. 5473 their application No. 9258 for variance to the provisions of Zone R-C, to permit operation of a liquor store at 7520 La Jolla Boulevard, on the northerly 70 feet of the southerly 120 feet of Lot 7 Block 14 La Jolla Park, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Councilmen Swan and Godfrey entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Mrs. Bertha Crowell from the decision of the Zoning Committee in denying application for variance to permit operation of a nursery school in a residence located at 5250 La Jolla Boulevard, on Lot 10 Block 3 Pacific Riviera Villas Unit No. 1, in Zone R-1, report from the Zoning Engineer was presented and read. Mrs. Crowell said she had no statement to make.

Also transmitted was protest of Mr. and Mrs. Myron E. Carter against the variance.

RESOLUTION NO. 102243, recorded on Microfilm Roll No. 39, denying the appeal of Mrs. Bertha F. Crowell from the decision of the Zoning Committee in denying by its Resolution No. 5459 her application No. 9052 for variance to the provisions of Ordinance No. 119 N.S. to permit operation of a nursery school in residence at 5250 La Jolla Boulevard, on Lot 10 Block 3 Pacific Riviera Villas Unit No. 1, in Zone R-1, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Application of Joe Petrone and James Petrone for Class A Dine & Dance license at Garden of Allah, 3780 Park Boulevard (being a change from a Class C license) was presented, together with recommendations of approval from the interested City departments.

RESOLUTION NO. 102244, recorded on Microfilm Roll No. 39, granting application of Joe Petrone and James Petrone for a Class A license to conduct public dance at Garden of Allah, 3780 Park Boulevard, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Application of Edgar A. Gentles, 4411 Narragansett Avenue, and Charles F. Woodruff, for Class A Dine & Dance license at Ye Copper Kettle, 2161 Logan Avenue, was presented, together with recommendations of approval from the interested City departments.

RESOLUTION NO. 102245, recorded on Microfilm Roll No. 39, granting application of Edgar A. Gentles and Charles F. Woodruff for a Class A license to conduct public dance at Ye Copper Kettle, 2161 Logan Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Application of Charles C. L. McNair, Rt. 1, Box 118, El Cajon, California, for permission to operate one courtesy car, was presented, together with letter of explanation. The letter states that it is proposed to operate a 1951 Willys Station Wagon as a service vehicle, without charge, picking up customers at various service points and taking them to his Laundromat at 1827 Fifth Avenue, and returning them, with no runs made on Sundays or on any holiday when the laundry is closed.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said application was referred to the City Manager for report and recommendation.

Communication from North Park Business Club, signed by Art S. Leitch, petitioning for the closing of 29th Street between University Avenue and Wightman Street, June 6 to 10, 1951, during the neighborhood carnival sponsored by said Club, was presented.

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

Communication from San Diego Symphony Orchestra Association, signed by Donald A. Stewart, attorney, legal advisor for the Association, 709 California Theatre Building, requesting inclusion in the budget for the fiscal year 1951-52 of the sum of \$5,000.00 to assist the San Diego Symphony Orchestra Association in the presentation of the 6 summer concerts in Balboa Park Bowl, was presented. The communication mentions the matter of providing for attendance of all military personnel who would be interested in symphonic music.

A motion made to refer the application to Budget Conference, was withdrawn, when the City Manager asked to have it referred to him to see if it is included in the proposed budget.

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

Claim of Mrs. Roy C. Adams, 3512 Crown Point Drive, in the sum of \$11.92, relating to damage to plumbing during installation of a new water meter, was presented.

RESOLUTION NO. 102246, recorded on Microfilm Roll No. 39, referring claim of Mrs. Roy C. Adams to the Pacific Indemnity Company was, on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Claim of Thomas W. Johnson, 3814 - 39th Street, San Diego 5, in the sum of \$11.92, for damage to windshield from golf ball coming out of the City Golf Course, was presented.

RESOLUTION NO. 102247, recorded on Microfilm Roll No. 39, referring claim of Thomas W. Johnson to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Claim of O. W. Sandholm, 4022 - 33rd Street, in the sum of \$5.00, for having car towed from alley, which became mired down in a ditch cut for a sewer line and filled while wet, was presented.

RESOLUTION NO. 102248, recorded on Microfilm Roll No. 39, referring claim of O. W. Sandholm to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for preparation of site and installation of a memorial flagpole at Newport Avenue and Abbott Street, Ocean Beach, recommending rejection of the sole bid which was greatly in excess of the estimate, was presented.

RESOLUTION NO. 102249, recorded on Microfilm Roll No. 39, rejecting bid for preparation of site and installation of memorial flagpole at Newport Avenue and Abbott Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Swan wanted to know if the memorial construction was to be abandoned. The City Manager said that a new plan is being considered to reduce the cost. Mr. Swan pointed out that there is \$700. in the "kitty".

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing and installing safety lights on Sunset Cliffs Boulevard Bridge, recommending award to Ets-Hokin and Galvan, the low bidder (there were 3 bidders), was presented.

RESOLUTION NO. 102250, recorded on Microfilm Roll No. 39, accepting bid of Ets-Hokin and Galvan for furnishing and installing safety lights on Sunset Cliffs Boulevard Bridge, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on communication from Harry Warburton regarding widening of College Avenue from Soria Drive to Arosa Street, recommending filing, was presented.

Accompanying said report was copy of his reply addressed to Mr. Warburton stating that he had previously advised Mr. Warburton that the widening is part of the Major Street Plan, that a setback has been established to provide for an 80-foot right of way and that he was enclosing copy of the latest "Major Street and Highway Plan".

Councilman Wincote said that Mr. Warburton had telephoned him about the condition, and said he supposed other Councilmen had received similar calls. Mr. Wincote said that the condition is bad, and assumed that the City Manager knew about it, inasmuch as he lives in the neighborhood. He wondered if the condition is to be corrected.

The City Manager reported, verbally, that plans are under way for future correction of the narrowness of the street, as stated in his letter to Mr. Warburton, and as contained in the Major Street and Highway Plan.

On motion of Councilman Wincote, seconded by Councilman Schneider, the City Manager's report and the matter to which it referred, were ordered filed.

Communication from the City Manager reporting on communication from Robert R. West offering to dedicate necessary land across Lots 18, 19, 20, 21 Sefton Estates for widening of Narragansett Avenue, in accordance with the Major Street Plan, was presented. The communication recommended acceptance of the offer, in accordance with the various conditions set out in the report.

The Planning Director showed a plat of the area, and the new street alignment.

RESOLUTION NO. 102251, recorded on Microfilm Roll No. 39, accepting offer of Robert R. West, 3403 Cooper Avenue, San Diego, for dedication of the necessary land across Lots 18, 19, 20, 21 of Sefton Estates for the widening of Narragansett Avenue in accordance with the Major Street Plan, and directing the Properties Division to secure deed thereto, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted. Said resolution directs the City Engineer to present an ordinance establishing grades on the proposed alignment, and initiation by the Planning Commission of proceedings for establishment of a 10-foot setback along Narragansett Avenue and Redondo Street.

Communication from State of California Water Pollution Control Board, San Diego Region No. 9, 3441 University Avenue, San Diego 4, inviting members of the Council to attend a meeting to be held May 10 at 3:30 P.M. in the Board of Supervisors' Chambers in the Civic Center, San Diego, was presented.

The City Manager made a verbal report, in which he stated that the City will be represented at said meeting.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from the City Manager recommending establishment of intersection stop at Chatsworth Boulevard and Voltaire Street affecting only southbound traffic which is to continue straight through on Chatsworth, was presented. The recommendation stated that it is proposed to install a sign beneath the stop sign with the legend "CAUTION--RIGHT TURN KEEP MOVING".

RESOLUTION NO. 102252, recorded on Microfilm Roll No. 39, establishing an "INTERSECTION STOP" at Chatsworth Boulevard and Voltaire Street, affecting only southbound traffic which is to continue straight through on Chatsworth Boulevard, authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager recommending establishment of intersection stop at La Jolla Boulevard and Pearl Street affecting east-bound and west bound traffic and west-bound traffic on Pearl Street, and north-bound traffic on La Jolla Boulevard excepting traffic turning right on Pearl Street, was presented. The recommendation stated that it is proposed to install a sign beneath the stop sign reading "CAUTION--RIGHT TURN KEEP MOVING".

RESOLUTION NO. 102253, recorded on Microfilm Roll No. 39, establishing an "INTERSECTION STOP" at La Jolla Boulevard and Pearl Street (three way traffic) affecting east-bound and west-bound traffic on Pearl Street, and north-bound traffic on La Jolla Boulevard, excepting traffic turning right on to Pearl Street, authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102254, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to do all the work in connection with abandonment of 270 feet of two-inch W.I. water main and installation of 470 feet of 8-inch and 650 feet of 6-inch water main and appurtenances in Violet Street, from Poplar Street to terminus in said Violet Street, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for

said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102255, recorded on Microfilm Roll No. 39, authorizing and empowering the City Attorney to file a disclaimer to the complaint in action designated as "K.L.Mark, vs. Municipal Bond Company, a corporation, et al", No. 160760, to quiet title to Lots 11 to 18 Block 86 E.W.Morse Subdivision against Street Improvement Bonds No. 104,105, 106,107,108,109,110 and 111 Series 963, which disclaimer shall disclaim any interest of Robert C. Lindsay as City Treasurer in the property described arising out of said Street Assessment Bonds under and pursuant to provisions of the 1911 Act, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102256, recorded on Microfilm Roll No. 39, authorizing and directing the City Attorney to file a disclaimer to the complaint in action designated as "Solon S. Kipp, et al, vs. G. Brashears & Company, a Corporation, et al", No. 162412, to quiet title to Lots 4, 5, 6, 7 and 8 Block 4 Emerson Heights, against Street Improvement Bonds No. 2084, 2085, 2086, 2087 and 2088 Series 882, which disclaimer shall disclaim any interest of Robert C. Lindsay as City Treasurer in the property described arising out of said Street Assessment Bonds under and pursuant to provisions of the 1911 Act, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102257, recorded on Microfilm Roll No. 39, authorizing and empowering the City Attorney to file a disclaimer to the complaint in action designated as "Mae Ann Mills vs. Municipal Bond Company, a Corporation, et al", No. 163104, to quiet title to Lot 4 Block 1 Stetson's Addition against Street Improvement Bond No. 378 Series 761, which disclaimer shall disclaim any interest of Robert C. Lindsay as City Treasurer in the property described arising out of said Street Assessment Bonds under and pursuant to the provisions of the 1911 Act, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102258, recorded on Microfilm Roll No. 39, authorizing and directing the City Attorney to file a disclaimer to the complaint in action designated as "Hattie E. Liggett vs. Robert C. Lindsay, et al", No. 163138, to quiet title to Lot 1 Block B O.L.Steel's Subdivision against Street Improvement Bonds Nos. 17 and 18 Series 1451, which disclaimer shall disclaim any interest of Robert C. Lindsay as City Treasurer in the property described arising out of said Street Assessment Bonds under and pursuant to provisions of the 1911 Act, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102259, recorded on Microfilm Roll No. 39, ratifying dismissal of action in eminent domain entitled City of San Diego vs. Adams, et al, S.C.#130137 on file in the Superior Court in and for the County of San Diego, property in the City of San Diego being portion of Pueblo Lot 262 lying Northeasterly of the Southwesterly line of Pacific Highway being not needed for public park and recreation area (re Mission Bay Park and Recreation Development), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102260, recorded on Microfilm Roll No. 39, authorizing the City Manager to enter into a modification of the contract heretofore executed by and between The City of San Diego and William O. Cain, Custodian at the San Diego Museum, so as to provide that in consideration of the willingness of said William O. Cain to perform such services as may be required of him in connection with his work at the San Diego Museum on Saturdays, Sundays and legal holidays, he shall receive from the City an increase of compensation of not to exceed ten per cent to the nearest dollar of the sum provided in the contract hereinabove referred to, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102261, recorded on Microfilm Roll No. 39, granting request of Walter H. Barber and H. R. Breeden, dated April 26, 1951, for an extension of time of 20 days from and after May 7, 1951, to and including May 27, 1951, heretofore filed with the City Clerk as Document No. 433134, in which to complete their contract for construction of Murray Reservoir Pumping Plant, and which said contract is contained in Document No. 430013, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102262, recorded on Microfilm Roll No. 39, granting request of California Electric Works, dated April 13, 1951, for an extension of 60 calendar days from and after April 25, 1951, to and including June 24, 1951, heretofore filed with the City Clerk as Document No. 433104, in which to complete its contract for installation of the Mission Boulevard and Turquoise Street lighting, which said contract is contained in Document No. 428788 on file in the office of the City Clerk, waiving liquidated damages under Section 139-1-07 of the specification until the termination of the contract period as herein extended, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102263, recorded on Microfilm Roll No. 39, granting permission to San Diego Unit No. 6 American Legion Auxiliary, and all of the Auxiliaries of the American Legion in San Diego, to conduct their annual sale of red paper poppies on the streets on May 25 and 26, 1951, for the purpose of raising funds to replenish the welfare treasury of the American Legion for the continuance of its rehabilitation work among needy veterans and their families, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102264, recorded on Microfilm Roll No. 39, granting permission to the United Portugese S.E.S., Inc., and the Golden State Fireworks Manufacturing Company for a public display of fireworks at the foot of Byron Street, on May 12 and 13, 1951, from 8:00 P.M. to 11:00 P.M., on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102265, recorded on Microfilm Roll No. 39, authorizing and directing that the City Auditor and Comptroller transfer the sum of \$8,100.00 from Outlay to Maintenance and Support, Sewage Treatment Division, Department of Public Works Fund, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102266, recorded on Microfilm Roll No. 39, approving bill of San Diego City and County Convention Bureau, bearing date of May 1, 1951, in the sum of \$1357.25 for expenses incurred, and allowing the same, as approved by the Advertising Control Committee; authorizing a requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1950-1951 for said sum, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102267, recorded on Microfilm Roll No. 39, approving bill of San Diego Chamber of Commerce, bearing date of April 24, 1951, in the sum of \$1,002.21 for expenses incurred, and allowing the same, as approved by the Advertising Control Committee; authorizing a requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1950-1951 for said sum, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102268, recorded on Microfilm Roll No. 39, accepting subordination agreement, bearing date April 16, 1951, executed by Edward J. Moore and Edwena B. Moore, beneficiaries, and Union Title Insurance and Trust Company, trustee, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 16 and 17 Soledad Terrace, to the right of way and easement for street purposes heretofore conveyed, in portion of said property, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102269, recorded on Microfilm Roll No. 39, accepting deed of Harry E. Coates and Geraldine F. Coates and Edward J. Moore and Edwena B. Moore, bearing date March 15, 1951, conveying an easement and right of way for street purposes in portion of Lots 16 and 17 Soledad Terrace, setting aside and dedicating the same to the public use as and for a public street, and naming the same Collingwood Drive, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102270, recorded on Microfilm Roll No. 39, accepting quitclaim deed of Nellie M. Colby, as Guardian of the Person and Estate of Anna C. McKinnell, Incompetent, executed in favor of The City of San Diego, bearing date May 1, 1951, quitclaiming an easement and right of way for street purposes in the northerly 40 feet of Lots 9 and 10 Block 2 McLaren's "H" Street Addition, setting aside and dedicating the same to the public use as and for a public street, and naming the same Market Street, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102271, recorded on Microfilm Roll No. 39, accepting deed of Louise Lauterbach, bearing date April 13, 1951, conveying portions of Lot 4 Block 33 Point Loma Heights; setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabaska Drive, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102272, recorded on Microfilm Roll No. 39, accepting deed of Reg G. Stalmer and Alma J. Stalmer, bearing date of April 9, 1951, conveying a portion of Lot 1 Block 8 Hillcrest, setting aside and dedicating the same to the public use as and for a public street, and naming the same Washington Street, authorizing and directing the

City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102273, recorded on Microfilm Roll No. 39, accepting deed of Martha Belle Johnson Grindley, bearing date April 13, 1951, conveying Lot 2 Block 49 Campo Del Dios Unit No. 3, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102274, recorded on Microfilm Roll No. 39, accepting deed of Vol Dent Butts and Viola N. Butts, bearing date April 24, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 14 Block 18 La Mesa Colony, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Said Resolution also accepts portion of Amherst Street closed.

RESOLUTION NO. 102275, recorded on Microfilm Roll No. 39, accepting deed of Harry E. Coates and Geraldine F. Coates, bearing date April 25, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 22 Block 11 Monte Villa Terrace, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102276, recorded on Microfilm Roll No. 39, accepting deed of Harry E. Coates and Geraldine F. Coates, bearing date April 25, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 23 Block 27 Fortuna Park, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102277, recorded on Microfilm Roll No. 39, accepting deed of The Ed Fletcher Company, bearing date April 25, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 14 Block 18 La Mesa Colony, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102278, recorded on Microfilm Roll No. 39, accepting deed of Richard H. Jeffers and Virginia W. Jeffers, bearing date April 20, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 3 Block 6 Ocean Beach Sub-division, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102279, recorded on Microfilm Roll No. 39, accepting deed of Frank Manescalchi and Tommasa Manescalchi, bearing date April 24, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 15 Block 18 La Mesa Colony, and a portion of Amherst Street closed to public use, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102280, recorded on Microfilm Roll No. 39, accepting deed of Paul P. Richmond and Aline Richmond, bearing date April 17, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 9 Block A La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102281, recorded on Microfilm Roll No. 39, accepting deed of Florence H. C. Wilson, bearing date April 25, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 14 Block 18 La Mesa Colony, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4807 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$1,000.00 from the funds heretofore appropriated out of the Unappropriated Balance by Ordinance No. 4474 (New Series), for providing funds for removal of

street trees at approximately 26 locations throughout the city - which ordinance No. 4474 N.S. appropriated funds for use by the City and County Camp Commission. It was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4808 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of the Alley in Block 126 Choates Addition, between the west line of 33rd Street and the east line of 32nd Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4809 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of Ash Street, between the west line of 33rd Street and the east line of Bancroft Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4810 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of Coronado Avenue, between the southeasterly line of Catalina Boulevard and the northwesterly boundary line of Loma Lands Park, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The City Manager requested, and was granted, unanimous consent to present the next matter not listed on the Council's agenda:

RESOLUTION NO. 102282, recorded on Microfilm Roll No. 39, determining that the acceptance and dedication of the streets, alleys and public walks in the Wherry Housing Project, Lot 37 Rancho Mission, the area to be annexed, shall be subject to improvements and conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Councilman Godfrey brought up the matter of electing a Vice Mayor.

He congratulated Councilman George Kerrigan for his work as Vice Mayor for the preceding year.

Councilman Godfrey nominated Councilman Schneider, which was seconded by Councilman Swan.

The nominations were closed.

RESOLUTION NO. 102283, recorded on Microfilm Roll No. 39, nominating Councilman Chester E. Schneider Vice Mayor, to succeed George Kerrigan, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Councilman Wincote brought up the matter of printing done in connection with the Kroeger classification report. He expressed the belief that it was a waste of funds in view of the classification being highly controversial.

The City Manager said it was "just as cheap" to print the report as to furnish it in some other form. He said that the problem will be the allocation of the individuals to specific positions, rather than the basic classification as made.

Councilman Godfrey said that an extensive professional job has been done, but said that minor deviations may be made.

The City Manager spoke of conditions, particularly in the Police and Fire Departments. Adjustments, he said, will be made, and pointed out that no one will be hurt. He said that 95% of the employees are being covered without controversy. By the time the matter gets through the Civil Service, the City Manager, and to the Council, he felt that most everything will be straightened out.

Councilman Godfrey said that conferences had been held with department heads, and that classifications had been recommended upon statements prepared by the employees themselves.

Councilman Wincote told the Council that failure on their part to attend hearings affecting City employees indicates to some of them a lack of interest.

Councilman Dail said that Council attendance at the hearing to be held by the Civil Service Commission might cut down on numerous Council hearings.

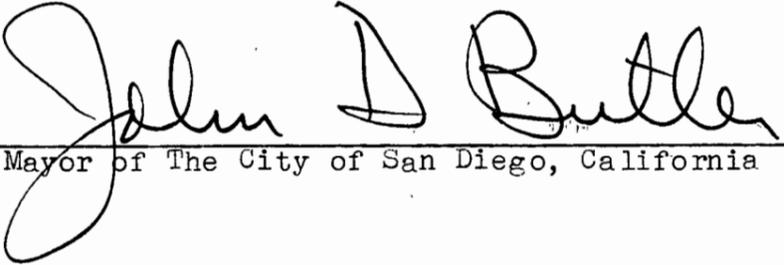
The City Manager said that there is no organized request from City employees for another pay increase. He pointed out that the classification matter will come first, to be followed by the salary schedule as recommended by the Civil Service Commission. He said that presence by Councilmen at hearings would be for information.

Councilman Kerrigan said that if he attends (and he indicated that he would) it would be only as an observer, and that he did not propose to get drawn into any discussions or arguments.

Communication from the City Engineer favorably reporting on petition of Julia M. Wyman and Frances W. Morris for special sewer permit to serve 7860 Princess Street, La Jolla, had previously been referred to the City Manager to expedite action, and was listed by the Clerk on the agenda for Council information.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Dail, at the hour of 10:38 o'clock A.M.

The Mayor announced that the Council would go into conference immediately upon adjournment, and would remain for the conference in the Council Chamber.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, May 15, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:02 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler.
Absent---Councilman Godfrey
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, May 8, 1951, and of Thursday May 10, 1951, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved, without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1950, to and including October 12, 1951, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows: The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$79.20 written by San Diego Trust and Savings Bank, which bid was given Document No. 433376.

On motion of Councilman Dail, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for receiving of bids for furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1 for a period of one year from and including October 1, 1950 to and including September 30, 1951, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows: The bid of San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank in the sum of \$192.96, which bid was given Document No. 433377.

On motion of Councilman Dail, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

Councilman Godfrey entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 101940 of Preliminary Determination for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102284, recorded on Microfilm Roll No. 39, determining that the proposed paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, within the limits and as particularly described in Resolution No. 101940 of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101859 for the paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received from Mrs. J. H. Myles, which protest was presented to the Council.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Pat McFadden spoke. He asked about the type of paving.

The Mayor and City Engineer replied that specifications call for 5" of cement concrete.

Mr. McFadden that the asphalt would be cheaper.

The City Engineer said that the cost for asphalt and cement concrete is about the same in alleys.

Mr. McFadden entered no protest when he heard the report.

RESOLUTION NO. 102285, recorded on Microfilm Roll No. 39, overruling and denying the protest of Mrs. J. H. Myles against the proposed improvement of the Alley in Block 175 University Heights, within the limits and as particularly described in Resolution of Intention No. 101859, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Wincote, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 101860 for the paving and otherwise improving of 33rd Street, Beech Street and Date Street, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Mrs. Vincent A. Thayer, John and Henrietta McRae, Christopher H. Gross, Constantine Cossolias, Mary Benson, Victoria L. Streeter, which protests were presented to the Council.

The City Engineer made a verbal report in which he said that the protests received in writing constitute 7% of the area. The original petitions, he said, had been combined into one project.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

The following persons appeared to be heard verbally:

Mary Benson said that she wants a chaper paving, and asked for elimination of sidewalks and curbs which she said are not necessary. She contended that only 1 of the original signers in her block still lives there.

The City Engineer said that the project had been abandoned once, sent back to his department, and that additional work had been included at the request of property owners, resulting in one delay.

Councilman Schneider said that if the project were changed again it would result in another delay, and that re-engineering would add to the cost of the project.

Victoria L. Streeter spoke for an inexpensive paving - black top - with no sidewalks.

James P. Martikas said that it is a shame to have to live on the street in its unpaved condition. The street, he said, must be paved, and told the Council that those who do not want paved streets should live in the country.

Thomas Morris said that the paving is needed, and that he is willing to pay for it, to get the improvement.

RESOLUTION NO. 102286, recorded on Microfilm Roll No. 39, overruling and denying the protests of Victoria L. Streeter, Mary Benson, Constantine Cossolias, Christopher H. Gross, John McRae and Henrietta McRae, Mrs. Vincent A. Thayer against the

proposed paving and otherwise improving of 33rd Street, Beech Street and Date Street, within the limits and as particularly described in Resolution of Intention No. 101860, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Schneider, seconded by Councilman Swan, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1998 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 136 University Heights, within the limits and as particularly described in Resolution of Intention No. 98444, the Clerk reported that a written appeal had been received from Boris Svir and Olga Svir, which appeal was presented to the Council.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mrs. Olga Svir spoke, saying that she and her husband had protested the work being done at the hearing on the Resolution of Intention. She asked that the assessment be diminished, and said that they would want to pay for the assessment over a 10 year period.

The Mayor explained that payments may be made over the extended period, as requested, but said that the assessment cannot be reduced.

RESOLUTION NO. 102287, recorded on Microfilm Roll No. 39, overruling and denying the appeal of Boris Svir and Olga Svir from the Street Superintendent's Assessment No. 1998 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 136 University Heights, within the limits and as particularly described in Resolution of Intention No. 98444, overruling and denying all other written appeals thereon; confirming and approving said Assessment, directing the Street Superintendent to to attach his warrant thereto and issue the same in the manner and form provided by law, and directing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

At this time the Mayor recognized Mrs. M. G. Benziger who was present with 12 members of the Lincoln Junior-Senior High School 7th graders. He welcomed them to the meeting, and explained who the people were in the chamber.

At the Mayor's invitation, Mrs. Benziger and the students arose as they were introduced.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 1999 made to cover the costs and expenses of the work of paving and otherwise improving Hornblend Street, Dawes Street, Reed Avenue, Oliver Avenue, Alley in Block 2 Braemar, Haines Street and Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 98042, the Clerk reported that written appeals had been received from George W. Banks, Mr. and Mrs. Geo. A. Shaffer, Mr. and Mrs. C. W. Bell, Mrs. M. O. Jackson, Viletta Hutchinson, Robert G. Braithwaite, Mrs. M. Troyer, Mae B. Jefferson, C. Earl Chase, E. M. Weston, E. S. Boddington, Mrs. Tony Cerane, Claire Hoover Carrell, Nadine Ludwig, Meredith W. Goldstein, John A. Reithmayr, which appeals were presented to the Council. Some of the appeals were based upon the assessment, some protested the character of the work done.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Before any of the protestants were heard, the City Engineer made a verbal report; in which he said that appeals were 3.3% by area, and reviewed each individual appeal.

The following persons appeared, and were heard, verbally:

Mrs. Edgar L. Jefferson protested the assessment on the area, and said that she and other had been told by the City Engineer that their area assessment would be much less.

The Mayor replied that there must have been a misunderstanding, because the assessment could not be as low as believed it would be.

Councilman Schneider spoke about the theory of levying assessments.

Robert G. Braithwaite told the Council about an increase in the sidewalk height.

The Engineer replied that it is true that there are variances in sidewalk heights.

Mr. Braithwaite said that sidewalk had been torn out, and that a mess had been made of the re-installation.

The City Engineer said he could check the sidewalk, and felt that he might be able to talk the contractor into doing the work of correcting it.

Mr. Braithwaite asked why the assessment is \$7.00 and \$8.00 higher on his side of the street than identical property on the opposite side.

The City Engineer said that there is extra width of intersection on Pacific Beach Drive to be paid for.

The Engineer defended the contractor in saying the sidewalk had been constructed on the City grade.

K. O. Burt spoke, and said that the paving is the best work he has ever seen. But, he said, the engineering is the "rottenest" he has ever seen. Mr. Burt said that the sidewalk does not match up, and that a gap was left at Haines and Garnet Streets - his property being in the 1500 block on Hornblend Street.

The Engineer replied that the "trouble" lies outside the district of the improvement. He said that the City will fill in, and make the sidewalk match up.

H. L. Burt spoke about his assessment, and said that his sidewalk and curb were already in, but that his assessment is almost as much as that of others.

The Mayor asked Mr. Burt to see the City Engineer after the meeting, at which time the Engineer will give Mr. Burt a detailed explanation of his assessment.

Mrs. Mary Bell Troyer asked about the assessment, and said that it is over the approximate figure given at an earlier hearing.

The Engineer said that the estimate was for 1 lot - and that she has 2 - accounting for the difference.

Mrs. Jackson said that the assessment is "terribly high" - an awful price. She said she owns 2-1/2 lots. Also, Mrs. Jackson said that she spoke for others, all of whom protest the cost.

Councilman Swan pointed out that the bid was considerably below the Engineer's estimate.

The Engineer said that the bid was 35% below the estimate.

RESOLUTION NO. 102288, recorded on Microfilm Roll No. 39, overruling and denying the appeals of George W. Banks, Mr. and Mrs. Geo. A. Shaffer, Mr. and Mrs. C. W. Bell, Mrs. M. O. Jackson, Viletta Hutchinson, Robert G. Braithwaite, Mrs. M. Troyer, Mae B. Jefferson, C. Earl Chase, E. M. Weston, E. S. Boddington, Mrs. Tony Cerane, Claire Hoover Carrell, Nadine Ludwig, John A. Reithmayr, K. O. Burt, H. L. Burt, from the Street Superintendent's Assessment No. 1999, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Hornblend Street, Dawes Street, Reed Avenue, Oliver Avenue, the Alley in Block 2 Braemar, Haines Street, and Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 98042, overruling and denying all other appeals thereon, confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Claim of P. R. Carey, automobile-claim supervisor for the Security Insurance Company, 248 Battery Street, San Francisco 6, California, on behalf of Alfred R. Hubbard, in the sum of \$49.25, for damage to automobile by City-owned station wagon, was presented.

RESOLUTION NO. 102289, recorded on Microfilm Roll No. 39, referring claim of Security Insurance Company to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Claim of George Solberg and Mrs. George Solberg, 4319 Florida Street, in the sum of \$33.66, for damage to residence from backed-up sewer, was presented.

RESOLUTION NO. 102290, recorded on Microfilm Roll No. 39, referring claim of George Solberg and Mrs. George Solberg to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent reporting on bids for renewal of fender system, B Street Pier, recommending award to Johnson Western Constructors, the low bidder - 3 bids received - was presented.

RESOLUTION NO. 102291, recorded on Microfilm Roll No. 39, accepting bid of Johnson Western Constructors for renewal of fender system for B Street Pier, awarding contract and authorizing a majority of the members of the Harbor Commission to execute the same, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 4811 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$85,000.00 from Harbor Department Capital Trust Fund for the purpose of replacing the fender system of the B Street Pier, which replacement has heretofore been authorized, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Kerrigan, Schneider, Wincote, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 6-months' requirement of Butane-Propane Gas, recommending award to San Diego Liquid Gas & Appliance Company, the low bidder - 4 bids received - was presented.

RESOLUTION NO. 102292, recorded on Microfilm Roll No. 39, accepting bid of San Diego Liquid Gas & Appliance Company for the furnishing of Butane-Propane Gas for a 6-month period beginning May 16, 1951 and ending November 15, 1951, awarding contract and authorizing the City Manager to execute the same, directing the City Clerk to return all bid checks submitted, with the exception of checks submitted by the low and the second low bidder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102293, recorded on Microfilm Roll No. 39, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and construction, for a 36' conduit for co-axial cable across Wabash Boulevard right of way, under Document No. 433207, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending adoption of Resolution establishing intersection stop at Moore & Noell Streets, was presented.

RESOLUTION NO. 102294, recorded on Microfilm Roll No. 39, declaring the intersection of Moore Street and Noell Street, affecting both directions of traffic on Noell Street, to be an intersection stop, authorizing and directing installation of the necessary signs and markings to be made on said streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending installation of 2 overhead street lights, was presented.

RESOLUTION NO. 102295, recorded on Microfilm Roll No. 39, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

36th Street and Webster Avenue;
32nd Street and Nutmeg Street;

was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on communication from G. J. Huston regarding conservation of water in industrial plants, attaching copy of his reply which states that plants are already instituting procedures for conserving water, recommending filing, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the Planning Commission, signed by the Planning Director, calling the Council's attention to the repeal of Ordinance No. 2931 (New Series) regulating fences, by the adoption of the Uniform Building Code, and recommending re-enactment of such Ordinance, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said communication was referred to the City Attorney.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map for subdivision of portions of Lots 33 and 34 of Lemon Villa into 5 lots fronting on the south line of Ogden Street west of 54th Street, by Record of Survey, was presented.

RESOLUTION NO. 102296, recorded on Microfilm Roll No. 39, approving for filing the Tentative Map for subdivision of portions of Lots 33 and 34 of Lemon Villa into 5 lots fronting on the south line of Ogden Street just west of 54th Street, in that the parcel of land contains less than 5 acres, that the lots abut on the dedicated Ogden Street on which no openings or widenings are necessary, and that the lot design meets requirements of the City, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102297, recorded on Microfilm Roll No. 39, directing notice of filing of assessment and of the time and place of hearing thereof - Street Superintendent's Assessment No. 2006 - for the paving and otherwise improving of the Alley in Block 52 Fairmount Addition to City Heights, and Polk Avenue, within the limits and as particularly described in Resolution of Intention No. 98713, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 102298, recorded on Microfilm Roll No. 39, accepting bid of San Diego Gas & Electric Company and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, for a period of one year from and including September 15, 1950, to and including September 14, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102299, recorded on Microfilm Roll No. 39, for the furnishing of electric current for the lighting of the ornamental street lights located in Seventh Avenue Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102300, recorded on Microfilm Roll No. 39, for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 102301, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of Oliver Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102302, recorded on Microfilm Roll No. 39, directing the City Engineer to furnish a map for commencement of change of grade proceedings on Evergreen Street, from the southwesterly line of Macaulay Street to the northeasterly line of Newell Street, and on Macaulay Street from the southeasterly line of Locust Street and the northwesterly line of Evergreen Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102303, recorded on Microfilm Roll No. 39, ascertaining and declaring the wage scale for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 69th Street, Manchester Road, Mandalay Road, Alleys in Blocks 2,5,8, La Mesa Colony, public rights of way, et al, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102304, recorded on Microfilm Roll No. 39, ascertaining and declaring the wage scale for improvements to be made under the 1911 Improvement Act, and amendments thereto, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102305, recorded on Microfilm Roll No. 39, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Evergreen Street, within the limits and as particularly described in Resolution of Intention No. 100059, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102306, recorded on Microfilm Roll No. 39, granting permission to M. H. Golden Construction to grade and otherwise improve by private contract a portion of Riley Street, between Kurtz Street and Rosecrans Street, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 432853 on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102307, recorded on Microfilm Roll No. 39, granting permission to Mrs. R. J. Portman and H. J. Van der Linde to install sewers in the North and South Alley in Block B Redland Gardens, by private contract, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 433028 on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102308, recorded on Microfilm Roll No. 39, approving change and extra work order No. 11, dated May 4, 1951, heretofore filed with the City Clerk as Document No. 433219, and which was issued in connection with contract between The City of San Diego and Bethlehem Pacific Coast Steel Corporation for construction of Midway Drive Bridge, which contract is contained in Document No. 411527 on file in the office of The City Clerk, changes amounting to an increase in the contract price of \$4,180.00, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102309, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to do all the work in connection with the grading, paving around loading ramps, and construction of wall and slab at the Chollas Station Storage Yard, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102310, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to do all the work in connection with the construction of the drainage extension at Macaulay and Evergreen Streets, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102311, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to do all the work in connection with the construction of the erection of a lifeguard tower at the foot of Grand Avenue, in Pacific Beach, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 102312, recorded on Microfilm Roll No. 39, granting to the Mission Beach Company and James Peluso permission for a public display of fireworks at Ocean Front, Mission Beach Amusement Center, on May 29, July 3 and 4, and September 2, 1951, from 9:00 P.M. to 10:00 P.M., on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102313, recorded on Microfilm Roll No. 39, granting permission to Glenn Glasford, 2904 Date Street, to install a 45-foot driveway, as measured at the top of the full-height curb, on the west side of Fern Street, approximately between points 21 feet and 66 feet north of the north line of Hawthorn Street, adjacent to Lots 12, 11 and the south 20 feet of Lot 10 Block 61 Seaman and Choate's Addition, to serve a 5-car garage, part of a newly constructed apartment unit, in compliance with City regulations, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102314, recorded on Microfilm Roll No. 39, granting permission to Anderson Offutt, 3439 Florida Street, to install a 30-foot driveway, as measured at the top of the full height curb, on the easterly side of Florida Street, between Myrtle Avenue and Upas Street, adjacent to Lots 3 and 4 Block 260 University Heights, approximately between points 74.5 feet and 104.5 feet south of the south line of Myrtle Avenue, subject to following conditions:

1. Alley type return to be constructed to City requirements at north end of driveway;
2. Curb to be constructed from curb return east to south end of drainage opening;

to serve a 4-unit apartment, providing access to 3 garages, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102315, recorded on Microfilm Roll No. 39, granting permission to Frances W. Morris and Julia M. Wyman, 922 South Bonnie Brae, Los Angeles 6, to install a sewer line to serve 7860 Princess Street, La Jolla, to main sewer line, which line shall have a minimum grade of 1/8" per foot instead of 1/4" as required in Code; property described as north 1/2 of Lot 4 all of Lot 5 and south 25 feet of Lot 6 Block 3 Amalfi, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102316, recorded on Microfilm Roll No. 39, authorizing and directing the City Clerk to appoint, with the approval of the Personnel Director, not to exceed 4 additional deputies in the office of said City Clerk, which said deputies so appointed shall be authorized to acknowledge signatures for the Civil Service Department on applications for City of San Diego employment only, to serve without extra compensation and to make no charge for administering oaths or affirmations or for acknowledging signatures, repealing Resolution No. 102238 adopted May 8, 1951, (Resolution No. 102238 authorized 2 instead of 4 deputies), was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The following matters were presented by the City Manager, by unanimous consent of the Council, all of which items were not listed on the agenda:

RESOLUTION NO. 102317, recorded on Microfilm Roll No. 39, authorizing Miss Clara E. Breed, City Librarian, to go to San Francisco, for the purpose of attending a meeting of the committee recently appointed by Governor Earl Warren to make recommendations to him concerning the appointment of the next State Librarian, which meeting will be held on May 18, 1951, authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102318, recorded on Microfilm Roll No. 39, authorizing John D. Butler, Mayor, and O. W. Campbell, City Manager, to go to Sacramento on State legislative matters May 16, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102319, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to do all the work in connection with the installation of a memorial flagpole at Newport Avenue and Abbott Street, in Ocean Beach, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 4812 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$2,300.00 from the General Fund Reserve for Capital Improvements for the purpose of providing funds for installation of a Memorial Flagpole at Newport Avenue and Abbott Street, in Ocean Beach, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

RESOLUTION NO. 102320, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to execute a lease with M. F. Purdy and Lila Witcher as lessees, for the operation of a Tourist and Trailer Park Area at De Anza Point in Mission Bay, pursuant to the terms and conditions contained in Document No. 433386 on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

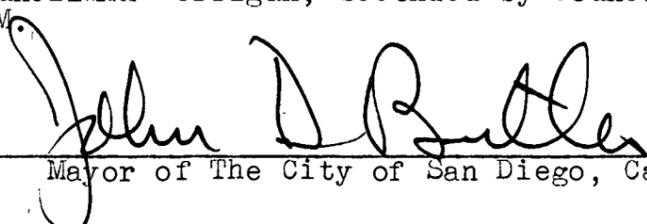
The City Manager showed a plat of the trailer park - a colored large reproduction of the proposed development.

The Council directed that it be filed with the City Clerk to be retained in the City's records for future reference.

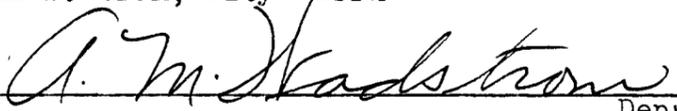
The Mayor invited Mrs. Benziger and the Lincoln Junior-Senior High School students to his office.

He then announced that the Council would remain in the Council Chambers following the meeting's adjournment, for a conference.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Schneider, at the hour of 11:04 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, May 17, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:05 o'clock A.M.

Present--Councilmen Swan, Winco te, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Butler
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor Chester E. Schneider presided at his first Council meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed annexation of Lot 37 and portion Lot 40 Rancho Mission of San Diego, Lots 21, 22 and 34 New Riverside, Lot 11 David's Subdivision, to be known and designated as "Fletcher Tract", the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, and no written protests were presented.

ORDINANCE NO. 4813 (New Series), recorded on Microfilm Roll No. 39, approving the annexation to The City of San Diego of Lot 37 and a portion of Lot 40 of Rancho Mission of San Diego, Lots 21, 22 and 34 of New Riverside and Lot 11 of David's Subdivision, in the County of San Diego, State of California, designated as "Fletcher Tract", pursuant to the Annexation of Uninhabited Territory Act of 1931 as amended, authorizing and directing the City Clerk to file a certified copy of said Ordinance in the office of the Secretary of State of the State of California giving date of passage, deeming said property to all intents and purposes part of The City of San Diego and such annexed territory shall be taxed to pay its proportionate share of any indebtedness or liability of The City of San Diego contracted prior to or existing at the time of the annexation, authorizing and directing the City Clerk to file in the office of the Recorder of the County of San Diego an affidavit stating that all requirements of the laws pertaining to the proceedings for an annexation which shall be accompanied by a certified copy of the boundary description as

required by Sections 34080 and 34081 of the Government Code of the State of California, directing him to file on or before the first day of February, 1952, with the County Assessor whose assessment roll is used for the tax levy, with the State Board of Equalization a statement of the change of boundaries of The City of San Diego setting forth legal description of boundaries of the City changed together with map or plat indicating boundaries as required by Sections 54900, 54901, 54902 and 54903 of said Government Code, directing the City Clerk to publish once in the San Diego Union said Ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler. The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed Ordinance incorporating portions of Pueblo Lots 1788 and 1209 into "M-2" Zone, which property lies between Pacific Highway and the Santa Fe Railway, northerly of Balboa Avenue, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

Fred Bunger, the real estate man representing the prospective purchaser of the property in question, spoke. He said that no recommendation had been completed on the application for zone variance upon the property, hearing on which had been conducted by the Zoning Committee yesterday.

Councilman Kerrigan urged denial of the application for rezoning, and clearing the matter from the agenda.

Other members of the Council said that option on the property would be jeopardized, according to previous statements, by such an action.

Planning Director Glenn A. Rick reported on yesterday's hearing on the Zoning Committee's action on the application for variance. He said that the Committee had difficulty in wording the various conditions proposed to be imposed upon the owner in connection with a variance, that the meeting had lasted until 7:00 P.M., and that the committee had not returned to the item at that late hour. He informed the Council that the matter will come before the Committee again 2 weeks from yesterday.

On motion of Councilman Godfrey, seconded by Councilman Swan, said hearing was continued again - for 2 weeks - until the hour of 10:00 o'clock A.M., of Thursday, May 31, 1951.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the petition for removal of the setback line on the easterly side of Pacific Highway, between West Washington Street and Witherby Street, which had been recommended for denial by the Planning Commission, the City Attorney said that a suggestion had been made to him for a continuance of the hearing for a period of 90 days.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said hearing was continued until the hour of 10:00 o'clock A.M., of Thursday, August 16, 1951.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Jesse L. Hudson and Minnie M. Hudson from the decision of the Zoning Committee in denying by its Resolution No. 5510 their application No. 9214 for variance to the provisions of Ordinance No. 116 New Series to permit erection of 672 sq. ft. lath house addition and 128 sq. ft. storage room addition to existing lath house to be used in connection with retail sales of plants and nursery stock on Lots 8 and 9 Block 2 Beverly Subdivision, at 1115 Euclid Ave., in Zone R-2, a report of the Zoning Engineer was presented and read.

The Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

Mr. and Mrs. Hudson spoke. They said that the Zoning Committee's request for dedication of a 10-foot right of way to the City for widening of Euclid Avenue is being used as a "club over their heads".

The City Attorney said, as he had done previously, that the Committee has the right to attach conditions to zone variances. He felt that an agreement could be made for the easement at a future time, saying that the City holds such an easement in front of his home for future development, and that he maintains the area. He suggested that the matter be referred back to the Committee.

The Planning Director said that it is not the custom to require rights of way on temporary variances. He asked that the matter be referred back.

Richard DeYoung, who identified himself as the Hudsons' next door neighbor, spoke about taking land as a right of way for Euclid Avenue. He said he had never heard of bargaining, as being done by the Planning Department. He said he is opposed to giving land for the street.

The City Attorney said that the land could be condemned, if necessary, or that it can be by voluntary granting of the property, if it is not involved in a variance on which such granting is a condition.

Mr. Young told about his past requests for variance, and had told him that his request would be pigeon-holed.

Members of the Council told Mr. Young that the Planning Department was probably doing him a favor in not just accepting his petition together with the fee, but rather explaining that his probabilities of receiving a zone variance were remote.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the matter was referred back to the Zoning Committee.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Hazel A. Akér, owner, and Dr. A. P. Cascinai, lessee, from the decision of the zoning committee in denying application for variance to the provisions of Ordinance No. 13294 to permit establishment and maintenance of a veterinary hospital for treatment and

care of animals, including over night care on Lot 24 Block 21 La Jolla Park, at 833 Kline Street, in Zone C, the Zoning Engineer's report was presented and read.

John H. Dawson handed in a written protest of Lorine F. Arnott, and 4 documents in favor of the variance were presented to the Council by the Clerk.

The Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

Morey S. Levenson, attorney for Dr. A. P. Cascinai, spoke. He emphasized the fact that there is only one veterinary hospital in La Jolla, which operates under a zone variance in C Zone. He said that the property of the applicant is close to the M-1 Zone and is within 300 feet of the existing hospital. Mr. Levenson said that refusal to grant the zone variance sought creates a monopoly, and that denial results in a hardship. He said that the case in point is special because of no M-2 zone in La Jolla. He said that the report of the Zoning Committee is misleading in that separate signatures opposed to the variance had been counted, rather than the property. He said that undue significance has been given to the La Jolla Town Council protest. He contended that said Council does not represent the people of La Jolla. Mr. Levenson contended that there is only one actual protest from an adjacent property owner. People in the area, he said, want another veterinary hospital. He said that the La Jolla Town Council represents only 400 persons out of the 11,000 of La Jolla's population. He reviewed permitted uses in Zone C, and contended that more detrimental uses than that proposed by Dr. Cascinai are allowed. He said that there is no basis for denying the application for variance.

Councilman Dail said that the Council should not be put in the light of fostering a monopoly.

Mr. Levenson said he did not indicate, and did not intend to indicate a "fostering" of monopoly by the Council.

Councilman Wincote asked if another veterinary hospital would be allowed in M-1 Zone.

The Planning Director said he thought one would be approved in another area. He said that the M-1 area in La Jolla is small.

Mr. Levenson said that there is no M-1 zone property available, according to real estate men's letters. He said that the Zoning Committee chairman, Admiral Allen, was one of the founders of the La Jolla Town Council, but that he had sat as chairman of the Committee and voted against the variance instead of disqualifying himself as Mr. Levenson thought he should have done. He asked to have the letter from Frank J. O'Donnell read. The Clerk read the 4-page letter from Mr. O'Donnell.

Councilman Swan said that not much weight could be given to the population angle of the territory.

Councilman Wincote asked to have the real estate letters stating that no M-1 zone property was available. The letters were read by the Clerk.

Dr. Cascinai, the appellant, spoke. He said that he had tried to purchase M-1 zone property for the hospital, but could find none.

John H. Dawson, executive secretary, La Jolla Town Council, spoke. He said he had told Dr. Cascinai that the organization he represents would oppose a veterinary hospital in C Zone, but would favor one in M-1 zone. He told of property adjoining the site on which the variance is sought, stating that it is in R-4 zone, and mentioned other nearby developments. Mr. Dawson said that a veterinary hospital is specifically prohibited in C Zone. He pointed out that the City Attorney had ruled that the Council could grant no variance for a liquor store on La Jolla Boulevard in a zone which prohibited it, and that would be same in the case being heard. He said that he wants to retain sound zoning in La Jolla and in the entire city. He said that directly across the alley there are residences.

Mr. Levenson said that an available property had become available only day before yesterday.

The Vice Mayor declared the hearing closed at this time, and turned the matter over to members of the Council for their discussion.

Asked about the property which had become available, in M-1 Zone, Dr. Cascinai said that it is not suitable inasmuch as there is no yard space permitted.

Councilman Dail said he thought the matter could be referred to this afternoon's conference on zone variance matters, and expressed the belief that the Council should not act at this time, in view of an opinion from the City Attorney upon the matter of the Zoning Committee. He thought it would be well to continue the matter a week, to evaluate new information.

Mr. Rick showed a map to the Council of the zoning in the vicinity of the existing M-1 Zone.

Dr. Cascinai said that in New York and in San Francisco veterinary hospitals are permitted to operate in residential and business areas. He said that it would actually be an aid to the neighborhood. He contended that there would not be sufficient noise to create a nuisance, and said that a sick dog crawls into a corner and makes little noise.

For the record, Mr. Rick said that the La Jolla Town Council had also opposed the Dr. Dingwall variance (the veterinary hospital referred to by Mr. Levenson, whose existence he said constituted a "monopoly").

Councilman Kerrigan moved to continue the hearing 1 week, which motion was seconded by Councilman Dail. Additions were made to the motion directing the Planning Director to evaluate those in favor and those opposed to the variance. Also added, was consideration of the matter in conference next Thursday, at the hour of 9:00 A.M., all of which resulted in

RESOLUTION NO. 102321, recorded on Microfilm Roll No. 39, continuing the hearing on the appeal of Hazel Aker, 7660 Fay Ave., La Jolla, owner, and Dr. A. P. Cascinai, lessor, 831 Kline Street, La Jolla, from the decision of the Zoning Committee in denying by its Resolution No. 5482 the application for variance to the provisions of Ordinance No. 13294 to permit establishment and maintenance of a veterinary hospital for treatment and care of animals, including over night care, on Lot 24 Block 21 La Jolla Park, at 833 Kline Street, in Zone C, requesting the Planning Director to evaluate the protestants and those in favor of the variance, and referring the matter to Council conference for consideration on Thursday, May 24, 1951, at the hour of 9:00 o'clock A.M., was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Alpheus E. Eddy and Marietta Eddy from the decision of the Zoning Committee in denying by its Resolution their application No. 9327 for variance to provisions of Ordinance No. 8924 Section 82 for permission to make interior alterations for purpose of converting existing single-family residence into a duplex, which existing building has a 2-ft. sideyard, on Lot 4 Block 45 Normal Heights, at 3809 Adams Avenue, a report from the Zoning Engineer was presented and read.

Mr. and Mrs. Eddy spoke, and told of changes which have been made in their plans. They suggested that the matter be re-referred to the Zoning Committee.

Councilman Kerrigan pointed out that with a 2-foot side yard, it would be against the State housing law to occupy the premises for living purposes.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the matter was referred back to the Zoning Committee, and the hearing continued until the hour of 10:00 o'clock A.M., Thursday, May 24, 1951.

Petition of Southern Title & Trust Company for annexation of 1295.31 acres of land, in portion of Rancho Mission of San Diego, etc., lying north of State College and east of Grantville, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Petition for construction of a storm drain, to be financed from Capital funds from Chalcedony and Academy streets southerly to outlet southerly of Garnet Street, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said petition was referred to the City Manager.

Petition of San Diego County Chevrolet Dealers' Association for the removal of the pedestrian island on Sixth Avenue at Fir Street, which jeopardizes the future of the annual Soap Box Derby, was presented.

Councilman Wincote said that many complaints have been received about the installation of the islands, and he felt that the City Manager ought to give consideration to removal of all of them.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the petition was referred to the City Manager with the request that he also consider the removal of all of the pedestrian islands installed in Sixth Avenue recently.

Claim of Louis Paradise, 4535 Orchard Street, in the sum of \$45.00, for damage by truck backing into his property, was presented.

RESOLUTION NO. 102322, recorded on Microfilm Roll No. 39, referring claim of Louis Paradise to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent reporting on proposed bid opening for May 18, 1951, for the furnishing of 95 feet of 48" welded steel pipe and fittings for the Lakeside Pumping Plant, reporting that a bidder had advised that he would be able to bid if bid opening time were extended one week, but would not be able to have a bid for May 18, that two other prospective bidders have advised of their inability to bid, recommending that bids be returned unopened, and that the Purchasing Agent advise all prospective bidders that the opening date has been advanced to 11:00 A.M., May 25, 1951, was presented.

RESOLUTION NO. 102323, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to return unopened any bids received prior to 11:00 o'clock A.M., May 18, 1951, for the furnishing of 95 feet of 48" welded steel pipe and fittings for the Lakeside Pumping Plant, and to advise all prospective bidders that the bid opening date has been advanced to 11:00 o'clock A.M., May 25, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102324, recorded on Microfilm Roll No. 39, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the installation of Jamacha Road 12" Cast Iron Pipe Line from 65th Street and Imperial Avenue to Hermosillo Manor, in accordance with Document No. 433392, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communications from the City Manager and from the City Engineer recommending that petition be granted for reactivation of unused lights in the La Jolla Shores area, transmitting Resolution directing that the 20 long-unused lights be restored to service, was presented.

RESOLUTION NO. 102325, recorded on Microfilm Roll No. 39, adopting recommendations of the City Engineer and City Manager that the 20 unused lights in La Jolla Shores Lighting District No. 1 be restored to service, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending against granting petition of merchants in the 1200 block on University Avenue for establishment of a one-hour parking

limit in that block with installation of parking meters, giving his detailed reasons therefor, and recommending filing, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on application of Charles C. L. McNair for permission to operate a courtesy car in connection with his business, known as the Fifth Avenue Laundromat, stating that inasmuch as Mr. McNair has a business license for the laundry he needs no addition permit to operate a courtesy car, and stating that the applicant has been so advised, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 7 sections of the Tentative Map of Donna Estates, Revised, was presented.

RESOLUTION NO. 102326, recorded on Microfilm Roll No. 39, suspending Sections 3C, 3E5, 3I2, 3J6, 5C, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Donna Estates, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102327, recorded on Microfilm Roll No. 39, approving the Tentative Map of Donna Estates (Revised), a subdivision of 180 lots located on the easterly side of Euclid Avenue and southerly of Logan Avenue (a portion of which property is proposed to be annexed to the City and for which a petition has been submitted), subject to the annexation of Lots 79 and 80, and subject to 9 conditions set forth in detail in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission reporting on the proposed rezoning of portions of Pueblo Lot 1118 and vicinity, from R-1A to RC and R-1A, of the property southerly of Camino del Rio and on each side of Cabrillo Freeway, recommending by a vote of 3-2 of approval of the rezoning to RC and R-1A of the property shown on the plat attached, was presented.

Councilman Godfrey moved to refer the papers to the City Attorney for preparation of the ordinance to re-zone said property.

Before the roll could be called, Edward J. Schwartz, attorney, representing petitioners, spoke. He said that the Commission had recommended denial, rather than granting of the entire petition as it appeared.

The Planning Director made a verbal report in which he said that the Commission's recommendation does not satisfy the petitioners. He spoke about the property across the street, and said that zoning affects property values. He referred, also, to a pending suit against Mr. Miller across the street, for acquisition of his property.

Mr. Schwartz said that the Freeway suit should not be a controlling factor in zoning.

The motion to refer the matter to the Attorney was withdrawn at this time.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the matter was continued to the meeting of Tuesday, May 22, 1951, for consideration at the hour of 10:00 o'clock A.M., and the Clerk directed to list the same under "communications".

Communication from the Planning Commission, signed by the Asst. Planning Director, reporting on petition of property owners for the rezoning of property fronting on Washington Street, between 7th and 9th Avenues, from the existing R-4 Zone to Zone C, stating that deeds of access rights to Washington Street have been signed and are on file with the Property Department which are not to be filed until zoning is completed, recommending that the matter be forwarded to the City Attorney's office for the drafting of the proper ordinance prior to setting for public hearing, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from Kiwanis Club of Pacific Beach, signed by G. W. McCollough, president, referring to a vacancy on the City Planning Commission, recommending Mr. C. Harry Burnaugh, 1478 Hornblend Street, Pacific Beach, to fill said vacancy, was presented.

RESOLUTION NO. 102328, recorded on Microfilm Roll No. 39, referring communication from Kiwanis Club of Pacific Beach, requesting that consideration be given the name of Harry Burnaugh to fill the existing vacancy on the City Planning Commission, to Council Conference, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication Robert J. McPherson, 2644 Teresita Street, San Diego 4, being copy of communication addressed to "Letters From the People, Editor of the Evening Tribune", relative to water conservation, use of sea water, etc., was presented.

On motion of Councilman Wincote, seconded by Councilman Dail, said communication was ordered filed.

Communication from Robert I. Minson, 1817 Dale, San Diego 2, objecting to increase in salaries for court judges and others, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, dated May 14, 1951, signed by Frederick Austin, Executive Secretary, relative to State legislation and to plans for the coming fiscal year, was presented.

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

Communication from Southcrest Civic Club, signed by Kathleen DeLaune, Secretary, 1330 So. 43rd Street, San Diego, dated May 12, relative to need for bus service south of National Avenue and east of 40th Street, requesting immediate attention to the matter, was presented.

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

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated May 14, 1951, reporting on claim of Mrs. Elizabeth Clark Burke, in an unspecified sum, stating that the claim had been settled by payment of \$200.00, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, said matter was ordered filed.

RESOLUTION NO. 102329, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to do all the work in connection with the alteration and improvement of an existing City building, for the purpose of leasing the same to the San Diego Humane Society, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102330, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego an agreement with Carden's Coin Telescope, 25640 Oak Street, Lomita, California, granting concession to operate coin-activated telescopes on City Park property for a period of three years, commencing June 1, 1951, and ending May 31, 1954, at the rate of \$15.00 per month for each telescope installed, in accordance with terms and conditions contained in Document No. 433488 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102331, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego an agreement with County of San Diego, whereby for the sum of \$27.00 per service unit per month, the City agrees to perform normal maintenance covering County traffic signals at designated intersections, collision maintenance to be paid for on invoices rendered the County, all in accordance with the terms and conditions contained in Document No. 433489, was on motion on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102332, recorded on Microfilm Roll No. 39, extending the period of time provided for in Ordinance No. 4044 (New Series) in connection with removal of track structure and street work by San Diego Transit System, pursuant to terms and conditions outlined in Document No. 401560 on file in the office of the City Clerk, until November 15, 1951, was on motion of Councilman Councilman Godfrey, seconded by Councilman Wincote, adopted.

The Assistant City Manager explained the matter, verbally, to the Council. He said that the work is proceeding satisfactorily, but that the extended time is needed.

Councilman Swan asked what is holding up the matter of the franchise application of said San Diego Transit System, contending that action is long overdue.

There was no direct answer to Mr. Swan's question, although Mr. Swan expressed dissatisfaction at receiving no reply.

RESOLUTION NO. 102333, recorded on Microfilm Roll No. 39, granting request of R. E. Hazard Contracting Co., dated May 7, 1951, for extension of time of 30 days from and after May 14, 1951, heretofore filed with the City Clerk as Document No. 433423, in which to complete contract for landscaping area adjacent to Veterans' Memorial Building in Balboa Park, which contract is contained in Document No. 425402 on file in the office of said City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102334, recorded on Microfilm Roll No. 39, granting request of Chas. H. Johnston for extension of 30 days from and after May 15, 1951, filed with the City Clerk as Document No. 433425 in which to complete contract for construction of storm drain in Block 195 City Heights, which contract is contained in Document No. 428383 on file in the office of said City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Councilman Swan referred back to the matter of the franchise for buses, and said he felt there should be an answer to his question as to when action may be expected. He wondered if the delay was occasioned by failure to receive a report from Arthur C. Jenkins, consulting engineer, room 709, 1095 Market Street, San Francisco, California, who has been engaged by the City to prepare a survey of transportation. It was indicated by other members of the Council that Mr. Jenkins' report would be needed before the City could proceed. Mr. Swan said that he would like to know from the City Manager what the status of the report is. Councilman Godfrey said that if Mr. Swan cared to make a motion requesting the City Manager to make a report in the matter, he would be glad to second it.

RESOLUTION NO. 102335, recorded on Microfilm Roll No. 39, requesting the City Manager to report upon the status of the report of Arthur C. Jenkins, consulting engineer, engaged by the City to prepare a survey of transportation, in connection with the San Diego Transit System franchise, and advise the Council when such a report may be expected, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102336, recorded on Microfilm Roll No. 39, approving and allowing bill of San Diego-California Club, bearing date May 11, 1951, in the sum of \$6,111.11, for expenses incurred, as approved by the Advertising Control Committee, authorizing a requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1950-1951 for said sum, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102337, recorded on Microfilm Roll No. 39, accepting deed of Virginia C. Hammond and Charles R. Hammond, bearing date May 1, 1951, conveying a portion of Pueblo Lot 1119, setting aside and dedicating the same to the public use as and for a public street, and naming the same Camino del Rio, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102338, recorded on Microfilm Roll No. 39, accepting deed of Harry E. Dunn and Hazel E. Dunn, bearing date April 18, 1951, conveying portions of Lot 9 Trojan Heights, portion of Lot 10 Trojan Heights, setting aside and dedicating the same to the public use as and for a public street, naming the same 54th Street, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102339, recorded on Microfilm Roll No. 39, accepting deed of Lucy Ann Cooper, formerly Lucy Ann Evans, bearing date April 12, 1951, conveying an easement and right of way for street purposes in portion of Lot 24 Block 1 Ocean Villa Tract, together with portion of Allison now Mission Boulevard, adjoining said Lot, as vacated and closed, setting aside and dedicating the same to the public use as and for a public street, and naming the same Mission Boulevard, authorizing and directing the City Clerk to forward said deed to the Union Title Insurance and Trust Company with directions that the same be filed for record in the office of the County Recorder, after all escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102340, recorded on Microfilm Roll No. 39, accepting deed of Bernard G. Bresser and Patricia A. Bresser, bearing date May 1, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 39 Block 271 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102341, recorded on Microfilm Roll No. 39, accepting deed of Carlton J. Goy and Florence Goy, bearing date April 26, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 14 Block 18 La Mesa Colony, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102342, recorded on Microfilm Roll No. 39, accepting deed of Carrie E. Haines, Winifred H. Edmonds and Alberta E. Widen, bearing date April 30, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 18 Horton's Purchase of Ex-Mission Lands, authorizing and directing the City Clerk to file said deed of record in the Office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102343, recorded on Microfilm Roll No. 39, accepting deed of Arthur T. Heuckendorff and Ruth R. Heuckendorff, bearing date April 2, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 14 Block E La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record

in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102344, recorded on Microfilm Roll No. 39, accepting deed of Richard B. Hurd and Lena Marie Hurd, bearing date April 27, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 4 Block 158 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102345, recorded on Microfilm Roll No. 39, accepting deed of T. W. Jackman and Mary A. Jackman, bearing date May 2, 1951, conveying an easement and right of way for sewer purposes in portion of Block 4 Homeland Villas, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102346, recorded on Microfilm Roll No. 39, accepting deed of Gordon D. Smith and Maxine S. Smith, bearing date April 26, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 13 Block E La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102347, recorded on Microfilm Roll No. 39, accepting deed of W. A. Van Buren and Anna A. Van Buren, bearing date April 28, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 57 Block 28 Ocean Beach Annex, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4814 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$4,650.00 from the General Fund Reserve for Improvement Projects, for the purpose of providing funds for altering and improving existing City building for the purpose of leasing the same to the San Diego Humane Society, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The final reading of such Ordinance was in full.

The Assistant City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda, which matter was not explained to the Council inasmuch as members of the Council were familiar with it:

ORDINANCE NO. 4815 (New Series), recorded on Microfilm Roll No. 39, establishing general rules and regulations for the government and use of Mission Bay in The City of San Diego, and repealing Sections 26 and 28 of Ordinance No. 3727 (New Series), adopted May 4, 1948 as amended by Ordinance No. 4355 (New Series) adopted April 4, 1950, and all ordinances inconsistent therewith to the extent of such inconsistency and no further, covering the operation of boats, vells and other watercraft, private piers and wharves, sanitation, protection of property, abandoned craft, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Butler.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

Unanimous consent was granted to the Assistant City Manager for presentation of the next item of business, also, which was not listed on the agenda:

ORDINANCE NO. 4816 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$10,000.00 from the Unappropriated Surplus of Current Revenues of the Harbor Department, and transferring the same to "maintenance and support", Account 510 operating fund of said Harbor Department, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Butler.

The final reading of such Ordinance was in full.

The following matters, which had previously been referred to the City Manager directly, for expeditious handling, were listed on the agenda for the Council's information:

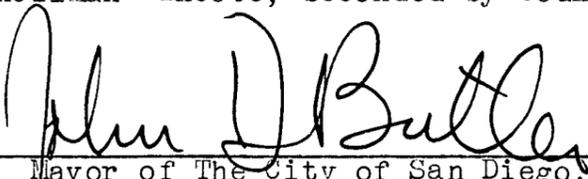
Notice from Interstate Commerce Commission, giving notice regarding G.F.D. Lines, Inc. extension - U.S. Highway 80, San Diego to El Centro;

Communication from Arthur Jacobs relative to denial of Hopkins News Service claim;

Alice Birney P.T.A. communication requesting that pedestrian tunnels at El Cajon Boulevard and Park Boulevard be kept open during the Summer vacation, etc.;

Communication from Mrs. John B. Anzer, Jr., relative to need for additional signs on Washington Street Extension, and for keeping tunnels open, etc.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Wincote, seconded by Councilman Dail, at the hour of 12:00 o'clock Noon.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By _____
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, May 22, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:10 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler
Absent---Councilman Godfrey
Clerk----Fred W. Sick

The Minutes of the Regular Meetings Tuesday, May 15, 1951, and of Thursday, May 17, 1951, were presented to the Council by the Clerk.

On motion of Councilman Kerrigan, seconded by Councilman Swan, said Minutes were approved, without reading, after which they were signed by the Mayor.

A group of 25 students from Kearny High School student government group was present, together with Mrs. Hickerson, instructor.

The Mayor introduced the visiting students and their instructor, welcomed them to the meeting and invited them to arise which they did.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, for a period of one year from and including October 15, 1950, to and including October 14, 1951, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas and Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank in the sum of \$52.50, which bid was given Document No. 433658.

On motion of Councilman Schneider, seconded by Councilman Wincote, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1950, to and including November 15, 1951, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check written by San Diego Trust and Savings Bank in the sum of \$33.90, which bid was given Document No. 433659.

On motion of Councilman Schneider, seconded by Councilman Wincote, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

Councilman Godfrey entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102017 of Preliminary Determination, for the paving and otherwise improving of the Alleys in Block 1 Ocean View, and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102348, recorded on Microfilm Roll No. 39, determining that the proposed improvement of the Alleys in Block 1 Ocean View and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly described in Resolution No. 102017 of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102018 of Preliminary Determination, for the paving and otherwise improving of 59th Street and Kenwood Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102349, recorded on Microfilm Roll No. 39, determining the proposed improvement of 59th Street and Kenwood Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 102018, to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102019 of Preliminary Determination for the improvement of Jarvis Street and Scott Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102350, recorded on Microfilm Roll No. 39, determining the proposed improvement of Jarvis Street and Scott Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 102019, to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102020 of Preliminary Determination for the improvement of Wightman Street, 38th Street and 41st Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102351, recorded on Microfilm Roll No. 39, determining the proposed improvement of Wightman Street, 38th Street and 41st Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 102020, to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2000, made to cover the cost and expenses of the paving and otherwise improving of Dalbergia Street, between Thor Street and Una Street, within the limits and as particularly described in Resolution of Intention No. 99397, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 102352, recorded on Microfilm Roll No. 39, confirming and approving the Street Superintendent's Assessment No. 2000 made to cover the costs and expenses of the paving and otherwise improving of Dalbergia Street, within the limits and as particularly described in Resolution of Intention No. 99397, authorizing and directing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102353, recorded on Microfilm Roll No. 39, referring claim of Alfred H. Bernard, 1660 Skyline Drive, Lemon Grove, in the sum of \$132.92, for damage to his automobile (the nature of which accident was not stated), to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102354, recorded on Microfilm Roll No. 39, referring claim of Mrs. R. E. Cochran, 2647 "B" Street, San Diego, in the sum of \$50.07, for damage to car in collision with Police Officer's vehicle, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102355, recorded on Microfilm Roll No. 39, referring claim of Carol Kimball Winkels, c/o Luther N. Hussey, attorney, 7898 Broadway, P.O. Box 8, Lemon Grove, in the sum of \$25,000.00, for personal injury resulting from collision with City refuse truck, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102356, recorded on Microfilm Roll No. 39, referring claim

of Nellie P. Butler (address not shown), in the sum of \$18.14, to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102357, recorded on Microfilm Roll No. 39, referring claim of Anna M. Trieb, 3639 Alexia Place, San Diego, in the sum of \$150.00, for personal injury resulting from fall on the sidewalk, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102358, recorded on Microfilm Roll No. 39, referring claim of Ruth Shockman and M. L. Shockman, of LaMoure, North Dakota, in the sum of \$17,206.23, resulting from personal injuries sustained in fall by Ruth Shockman in the San Diego Zoo grounds, and loss of earnings by M. L. Shockman, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the Harbor Department, signed by the Port Director, requesting adoption of a resolution authorizing work of installing water main and appurtenances in the non-scheduled flight area of Lindbergh by City forces, was presented.

RESOLUTION NO. 102359, recorded on Microfilm Roll No. 39, authorizing and empowering the Port Director to do all the work in connection with the installation of 313 ft. of water main, together with necessary appurtenances, in the non-schedule flight area on Lindbergh Field, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Port Director has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

Communication from the Harbor Department, signed by the Port Director, submitting proposed Ordinance appropriating \$20,000.00 from the surplus of the Development Fund for Maintenance & Support Account of the Development Fund, was presented.

The communication stated that \$13,000.00 would be used for installation of water lines in the area of Lindbergh Field reserved for non-scheduled flight activity; \$1,700.00 would be for moving existing fence in the area to provide more adequate protection to automobile and pedestrian traffic from operating aircraft; the remainder would supplement the annual appropriation ordinance for current fiscal year to take care of increased costs of City force account projects already under way.

ORDINANCE NO. 4817 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$20,000.00 from the Unappropriated Surplus Account in the Harbor Development Fund, for the purpose of providing funds for installation of water mains in the area of Lindbergh Field reserved for non-scheduled flight activity, and to meet the increased costs of City force account projects already under way, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

The final passage of such Ordinance was in full.

Communication from the City Attorney, submitting opinion addressed to him by the Assistant City Attorney, in the matter of the Harbor Department's request for transfer of unexpended balance funds, was presented.

Louis Karp, Deputy City Attorney, reviewed the opinion briefly, which said in conclusion that balances automatically go back to the fund from which they were appropriated and to be used again for other public improvements would have to be reappropriated specifically for the new public purposes.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Attorney's communication and the original matter upon which it gave an opinion, were ordered filed.

Communication from the Purchasing Agent, reporting upon sale of 5 houses, held May 10, 1951, which houses are to be moved by the purchasers, stating that 5 sales were made, and that there were 20 bidders, for which a total of \$7,262.69 was received, was presented.

Said communication bore the City Manager's stamp of approval, and stated that moneys received have been deposited with the City Treasurer.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was ordered filed.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for sale of scrap iron and equipment located at Chollas Station, stating that 7 sales were made, the sale having been held April 3, 1951, that there were 15 bidders, and a total of \$5,894.67 had been received, which moneys have been deposited with the City Treasurer to the proper accounts, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on sale of used and obsolete equipment, authorized by Resolution No. 101850, stating that 7 sales had been made, that there were 22 bidders, that \$2,476.10 had been received, stating that moneys received have been deposited to the proper accounts, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was ordered filed.

Communication from the City Manager reporting on congestion on Boundary Street south of University Avenue, recommending that parking be prohibited on the westerly side of said Boundary Street, was presented.

RESOLUTION NO. 102360, recorded on Microfilm Roll No. 39, prohibiting the parking of automobiles at all times on the westerly side of Boundary Street between University Avenue and the southwesterly prolongation of the southeasterly line of Myrtle Avenue, east of Boundary Street; authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on congestion on Lowell Street west of Rosecrans Street, recommending that parking be prohibited on Lowell Street between Plum and Rosecrans Streets between 7 A.M. and 9 A.M., and between 3:30 P.M. and 6 P.M., Sundays and holidays excepted.

RESOLUTION NO. 102361, recorded on Microfilm Roll No. 39, prohibiting the parking of automobiles between the hours of 7:00 A.M. and 9:00 A.M. and between the hours of 3:30 P.M. and 6:00 P.M., Sundays and holidays excepted, on both sides of Lowell Street, between Plum Street and Rosecrans Street, authorizing and directing the installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on congestion on Upas Street between 32nd and Boundary Streets, recommending that there be no parking at any time on the north side of said Upas Street between said points, was presented.

RESOLUTION NO. 102362, recorded on Microfilm Roll No. 39, prohibiting the parking of automobiles at all times on the north side of Upas Street, between 32nd Street and Boundary Street, authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending granting 2 excess-width driveways to Fisher Oil Company on the west side of Fairmount Avenue, south of Thorn Street, was presented.

RESOLUTION NO. 102363, recorded on Microfilm Roll No. 39, granting permission to Fisher Oil Company (G. R. Fisher), 3702 El Cajon Boulevard, San Diego 5, to install two 30-foot driveways as measured at the top of the full-height curb, on the west side of Fairmount Avenue, approximately between points 37 feet and 67 feet and points 89 feet and 119 feet south of the south line of Thorn Street, adjacent to Lots 8, 9, 10, 11 and 12 Block 103 City Heights, in accordance with City requirements for access to service stations being constructed at Fairmount Avenue between Manzanita Place and Thorn Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on petition of Fraternal Order of Eagles, Pacific Beach Aerie #3039 for permission to use Grand Avenue, between Bayard and Cass Streets, in connection with carnival and bazaar to be held June 13-17, stating that arrangements have been worked out concerning use of the street and recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the City Manager's communication and the matter upon which it reported, were ordered filed.

At the request of Edward J. Schwartz, attorney, the communication from the Planning Commission relative to re-zoning portions of Pueblo Lot 1118 and vicinity, was continued temporarily, awaiting arrival of some plats he wished to show to the Council.

Communication from the City Clerk reporting on petition filed as referendum against Ordinance No. 4784 (New Series) adopted April 17, 1951 - the "26 Dice Game" - stating that there were insufficient signatures to constitute a referendum, was presented. The report stated that 4127 names were filed, and that 6728 would have been needed.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from Richard L. Parsons, 2660 E. Street, San Diego 2, relative to service being provided by San Diego Transit Company, referring to a fight being made by the City of Pasadena against proposed 3 cent increase and better service at its existing 7 cent rate, suggesting that the Council give time to find ways of making it possible for San Diego to have better service, was presented.

On motion of Councilman Swan, seconded by Councilman Wincote, Mr. Parsons' communication was referred to the City Manager.

Communication from Pacific Indemnity Company returning claim of V. R. Torchard, in connection with accident, in the sum of \$22.79, stating that no payment had been made - reason for "no payment" not being given - was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said communication was ordered filed, together with the claim which accompanied it.

RESOLUTION NO. 102364, recorded on Microfilm Roll No. 39, directing notice of filing of the Street Superintendent's Assessment No. 2008, made to cover the work done upon the paving and otherwise improving of the Alleys in Blocks 187 and 188 Mission Beach, and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 99700, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102365, recorded on Microfilm Roll No. 39, directing notice of filing of assessment and of the time and place of hearing thereof, of the Street Superintendent's Assessment No. 2007, made to cover the work done upon the paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 99971, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 102366, recorded on Microfilm Roll No. 39, accepting bid of San Diego Gas & Electric Company and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1950, to and including October 12, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 102367, recorded on Microfilm Roll No. 39, accepting bid of San Diego Gas & Electric Company and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in Midway Drive Lighting District No. 1, for a period of one year from and including October 1, 1950, to and including September 30, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102368, recorded on Microfilm Roll No. 39, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 60th Street, between the southeasterly line of El Cajon Boulevard and the southerly line of Gilcher Tract, approving Plat No. 2265 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said street, directing the City Clerk upon the passage of the resolution of intention for said improvement to file said plat in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 102369, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in Resolution of Intention No. 101859, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 102370, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of 33rd Street, Beech Street and Date Street, within the limits and as particularly described in Resolution of Intention No. 101860, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102371, recorded on Microfilm Roll No. 39, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102372, recorded on Microfilm Roll No. 39, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Seventh Avenue Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102373, recorded on Microfilm Roll No. 39, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing

of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1951, to and including March 31, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102374, recorded on Microfilm Roll No. 39, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1951, to and including March 15, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 102375, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road, Alley in Block 2 La Mesa Colony, Alley in Block 5 La Mesa Colony, Alley in Block 8 La Mesa Colony, and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 102376, recorded on Microfilm Roll No. 39, for the furnishing of electric current for the lighting of the ornamental street lights located in College Park Lighting District Number One, for a period of one year from and including June 1, 1951, to and including May 31, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 102377, recorded on Microfilm Roll No. 39, for the closing of portion of Linda Vista Road, within the limits described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102378, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of 60th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102379, recorded on Microfilm Roll No. 39, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102380, recorded on Microfilm Roll No. 39, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Evergreen Street, within the limits and as particularly described in Resolution of Intention No. 100059, directing the City Clerk at the same time of said approval to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102381, recorded on Microfilm Roll No. 39, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement for the paving and otherwise improving of Oliphant Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 101049, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102382, recorded on Microfilm Roll No. 39, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement for the paving and otherwise improving of Sequoia Street, Crown Point Drive and Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 100895, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102383, recorded on Microfilm Roll No. 39, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement for the paving and otherwise improving of Wilbur Avenue, within the limits and as particularly described in Resolution of Intention No. 100896, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102384, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to do all the work in connection with the repaving of Hilltop Drive west of 45th Street, and the restoration of the concrete fill in Federal Housing Project, by appropriate City forces, necessary because of the installation of the Bonita Pipeline Replacement, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

Prior to adoption of said Resolution, the City Manager made a verbal explanation thereof to the Council.

RESOLUTION NO. 102385, recorded on Microfilm Roll No. 39, granting request of Griffith Company, dated May 10, 1951, for extension of time, heretofore filed with the City Clerk as Document No. 433578, in which to complete contract for widening Chatsworth Boulevard at Catalina Boulevard, which contract is contained in Document No. 430834 on file in the office of the City Clerk, and extending time for completion under said contract to June 11, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102386, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a contract with Carl R. Rankin, of 330 South Madison Avenue, Pasadena, California, for professional services as Consulting Engineer in the conduct of the City's investigations, surveys and construction work, in connection with the City's program of development of its water supply, at the sum of \$2,500.00 for the period commencing May 20, 1951, and ending May 19, 1952: one-fourth upon execution of contract, balance in equal installments in three, six and nine months thereafter, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

At the request of Councilman Swan, who wanted an explanation of the matter, the City Manager made a verbal report, substantially as shown in said Resolution.

RESOLUTION NO. 102387, recorded on Microfilm Roll No. 39, authorizing and directing the City Manager to make application to the Board of Supervisors of the County of San Diego, and to take all necessary steps to acquire from the State of California the lands in University Heights, shown in said Resolution as Lot 6 Block 135 and 1/2 alley closed adj. on south according to G.A.D'Hemecourt Map in V/Ls 353 & 356, and portion of Lot 7 Block 35 according to said Map lying in V/L 356, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102388, recorded on Microfilm Roll No. 39, authorizing Miss Clara E. Breed, City Librarian, to send one or two members of the Library staff to Los Angeles, for the purpose of attending the symposium in public librarianship, to be held at the University of California at Los Angeles, May 24, 25, and 26, 1951, and authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102389, recorded on Microfilm Roll No. 39, approving and allowing bills incurred by the San Diego City and County Convention Bureau in the sum of \$697.29, authorizing a requisition to be written on the Advertising and Publicity Fund for the fiscal year 1950-1951, as approved by the Advertising Control Committee, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The City Manager requested, and was granted, unanimous consent to present the next item, which was not listed on the Council's agenda:

RESOLUTION NO. 102390, recorded on Microfilm Roll No. 39, electing Henry L. Landt, 2830 Upas Street, San Diego, as a member of the City Planning Commission for a term of two years, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(Although the Resolution does not so state, Mr. Landt succeeds John Birkel).

The next matter was presented, by unanimous consent granted to the City Manager, who read the proposed Resolution to the Council:

RESOLUTION NO. 102391, recorded on Microfilm Roll No. 39, authorizing the City Manager to enter into an agreement with the San Diego County Water Authority, wherein and whereby The City of San Diego agrees and offers to sell to said Authority in bulk from its storage in San Vicente Reservoir up to 3,500 acre feet of water, deliverable at the rate of 500 acre feet per month, at the current rate per acre foot, on the following terms and conditions:

1. That this water be sold only to the California Water and Telephone Company as agent for the Cities of National City and Chula Vista for the same price;
2. That said Company does not undertake service of new areas without the rule that may be announced by the Public Utilities Commission as a result of the hearing recently held by it in The City of San Diego, and as a result of the petition by the California Water and Telephone Company to amend its Rule No. 2;
3. That The City of San Diego reserves the right to discontinue or diminish the amount to be sold upon thirty days' written notice, to the said San Diego County Water Authority,

was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

The Mayor pointed out that matters listed on the agenda had been completed, and he asked Edward J. Schwartz, attorney for the Holladay family, if he was ready to be heard in connection the Planning Commission's communication relative to re-zoning portions of Pueblo Lot 1118 and vicinity, southerly of Camino del Rio, on each side of Cabrillo Freeway, which had been continued to this meeting from the meeting May 17, 1951, and also brought up earlier in this meeting and continued until this time.

Mr. Schwartz replied that he had been waiting for a plat, but that he felt he had sufficient information to be able to present his case to the Council.

Before Mr. Schwartz started speaking, Councilman Godfrey, was excused.

Mr. Schwartz about the Planning Commission's recommendation on the proposed rezoning. He said that the Holladay family has had its dairy in Mission Valley for approximately 10 years. He showed the Council a plat of the property, locating thereon the existing store, and its relation to Mission Valley Road.

Councilman Godfrey returned to the meeting at this time.

Mr. Schwartz said that customers can drive directly to the store now, to buy dairy products. He said that Freeway construction will change the road situation, in that Camino del Rio will become only an access road. Then it would be impossible to turn directly off the Freeway to the Holladay ranch. He said that the Holladays want to relocate their store to avoid travel of 700 feet from the Freeway, and that they be able to have the store closer to the Freeway so that a drive of only 200 feet would be needed. He showed another plat, pointing out the cow corral which lies in a low portion of the Valley. He said that it is the desire of the owners to move their corral back from the front of the property to higher ground. He said that corrals will be surfaced which will improve conditions. Mr. Schwartz said that the existing chicken plant and pens, which has a capacity of 3,500 on the property, will be eliminated from the area. He said that it the desire to put up a modern store and milking plant.

Councilman Godfrey asked if all the information presented to the Council had been presented to the Planning Commission.

Mr. Schwartz said that the Holladays had not been represented by counsel before the Planning Commission, and that there had been no endorsements from neighbors presented at the hearing.

Councilman Godfrey said that he felt new evidence was being presented, which was different from the Planning Commission's information and action. He said that the matter ought to be sent back to the Commission.

The Mayor said that the evidence presented by Mr. Schwartz might be effective in a zone variance plea, but that more arguments would be needed for a zone change. He point out that all the area is being approved without the Holladays' corner.

Councilman Wincote said that the Schwartz information is contrary with what the Council has been told. He said that he, too, felt that the matter should go back to the Planning Commission.

Glenn A. Rick, Planning Director, said he did not recall the matter of eliminating the chickens and moving of the corrals had come before the hearing. Those matters, he said, are not important as far as the Planning Commission is concerned.

Bob Holladay spoke at this time. He said that black top is to be used in the corrals. He said that the drawing of the development had been presented to the Planning Commission at its hearing, and that he had told of moving the corral and that the chicken facilities would be moved from the Valley to another location.

Councilman Kerrigan pointed out that the zone change had originally been proposed by the Planning Commission, for R-C Zone along Mission Valley Road. He said, further, that a public hearing had been held thereon.

Mr. Rick said that operation of a retail store close to the service road would be permitted. He said that what is wanted is a business zone at the front of the property, and pointed out that the Holladays have the right to construct the store.

Councilman Kerrigan said "all this stuff" is not necessary.

Mr. Rick reviewed past activities for zoning in the Valley. He said that the Holladay and Challenge Creamery properties had been eliminated from the zone change.

Councilman Dail was excused from the meeting at this time. (He did not return).

Mr. Rick said that the zoning is to compensate for property taken by the City in R-C Zone. He said he does not want to get involved in the future plans.

Mr. Schwartz said that the case should be determined upon its merits, rather than consideration being given to the higher price which would be paid for condemnation of other property for the Freeway. Mr. Schwartz said that the Holladays' request is on 1/2 acre, and that it would not affect other property. He said that it is not a new request, and that the owners cannot operate on a reasonable basis if the recommendation of the Planning Commission is followed. He identified the property as being across from the "Miller property" (which property is affected in condemnation suit for Freeway rights of way).

Councilman Wincote said he was confused on the evidence, and wondered if the health and other features should be questioned and considered.

The Mayor said that there is a health problem which would result from extended dairy operation. He called upon the Health Officer, and asked him to make a statement at this time.

J. B. Askew, M.D., Public Health Officer, was heard. Dr. Askew said that new evidence had been presented at this time which he had not heard before. He said his recommendations had been made (to Council, apparently, in Conference) on the present operation, rather than on the new plan. He thought the new plan should be reviewed.

Mr. Rick said that property is paid for in condemnation suits on a zone basis, which he felt should not be revealed. He said that the City has its own real estate appraisers, and that certain information presented here might jeopardize the case in condemnation. He said that the Holladays could sell dairy products manufactured anywhere, under R-c zone, and that they would not be limited to items produced upon the property. He said that restrictions could be placed upon a zone variance, but not upon a zone change.

Mr. Schwartz said that an application had been made for a zone variance to permit moving of the building, but that the Planning Department had advised asking for rezoning. He said that the area under discussion is 150 feet x 400 feet. He said that variance (as stated by Mr. Rick), is for a specific location, now.

Mr. Schwartz said the milk plant remodeling would cost more than a new plant at another location.

The Mayor recommended reference back to the Planning Commission for reconsideration.

Councilman Kerrigan said that it is a matter of R-C properties exchange. He said that there is no R-C on the Holladay property now.

Mr. Rick said that the Holladays have a non-conforming use for the dairy, and a variance for the store. The Mt. Meadow Dairy (Challenge Creamery), he said, is in a C Zone, but that they have a right to continue there under a limited variance. He declared that a store near the highway would constitute "spot zoning".

Councilman Wincote wondered why "small spot zone change" would hurt anybody. Mr. Schwartz said that the Holladays have had the retail store since the property was acquired - some 11 years.

Mr. Rick said that the variance calls for a retail sale of products produced on the property.

Mr. Holladay said that they have a variance to sell cottage cheese and milk produced elsewhere, in addition to the products produced on the premises.

Councilman Godfrey said that "everything Challenge does is by variance". Councilman Godfrey moved to refer the matter back to the Planning Commission - on the basis of a zone change, which motion was seconded by Councilman Swan.

Before the roll could be called on the motion, there was further discussion. Councilman Wincote said he felt that a variance request should be made.

Mrs. Gypsy Holladay spoke at this point. She referred to the small store on the property, and that there are 3 families on the place. She said that the request is a simple one, in that all that is wanted is to move the store closer to the highway. She complimented the Council upon its thinking ability, but said she thought the problem was becoming more complicated than it need be. She said, again, that it is only the moving the business which is already there.

The Mayor pointed out that it is more complicated than Mr. Holladay apparently believed. He said he wished it was as simple as she thought.

Mrs. Cassary (first name or initials not given), spoke at this point. She said that the cows are a health menace, and that she wants the corrals and chickens moved. Also, Mrs. Cassary said, residents of the of the area need a store, to prevent having to go so far for provisions. She said she thought the proposal would be a good plan.

Councilman Wincote said he thought the motion was wrong, and that a variance would accomplish all that is desired for the Holladays, and that it would be more satisfactory to the City.

Mr. Schwartz thought Councilman Wincote was right, and said that the Holladays want only a variance. He wanted to know if outside chickens and milk could be brought in for sale.

Mr. Rick replied that he thought that matter should be discussed with the City Attorney, and felt unqualified to answer Mr. Schwartz's question. He expressed the opinion, however, that the Zoning Committee would be without power to act if the store were expanded, in accordance with Mrs. Cassary's suggestion, into a grocery store. Also, he said, the City is bound by court rulings in proceedings for the granting of variances.

The motion for reference back to the Planning Commission was withdrawn at this time. Councilman Godfrey moved to file "the communication", which motion was seconded by Councilman Wincote.

Before the roll was called, he said that he does not want the Holladays to lose their rights. The roll was called on filing, which carried.

A question arose as to the effect of the filing, at which time Councilman Schneider said he thought he was voting to file the Holladay communication.

The Mayor asked the Clerk to review the action, whereupon the Clerk pointed out that the matter before the Council was the Planning Commission's recommendation - not a communication from the Holladay family. (No communication had been received from the Holladay family - the presentation before the Council having been verbal only, upon the part of Mr. Schwartz, their attorney).

Councilman Wincote said he believed that the matter had been listed on the previous Thursday's agenda as a communication from the Holladay family appealing from the Planning Commission's recommendation. A copy of the agenda was produced, and it was shown to be a communication from the Planning Commission, as reported verbally by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the action to refer was reconsidered. On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was held for 30 days.

The next matter was presented by the City Manager on unanimous consent granted by the Council, which matter was not listed on the agenda:

RESOLUTION NO. 102392, recorded on Microfilm Roll No. 39, approving change orders 1 and 2 heretofore filed with the City Clerk in connection with the contract between The City of San Diego and Daley Construction Co. for construction of Wabash Boulevard, 40th Street, Wightman to University, changes amounting to an increase of approximately \$650.00 in the contract price, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

A representative of the visiting students arose and thanked the Council for being so courteously received, and for what had been learned. The Mayor said that he hoped that their visit had proved to be profitable, and he invited them all to go to his office.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 11:40 o'clock A.M.

FRED W. SICK, City Clerk
By *A. M. Hadstrom* Deputy Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, May 24, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:10 o'clock A.M.

Present---Councilmen Swan, Schneider, Kerrigan, Godfrey, Mayor Butler
Absent----Councilmen Wincote, Dail
Clerk-----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for construction of a 54" outfall sewer at the Sewage Treatment Works, under Document No. 432690, the clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of Walter H. Barber, 7309 El Cajon Boulevard, La Mesa, California, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of ten percentum of the amount of the accompanying bid, which bid was given Document No. 433740;

Councilman Dail entered the meeting at this time.

The bid of H. H. Peterson, 3340 W. Washington St., San Diego, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of ten per cent of the total amount of the bid, which bid was given Document No. 433741;

The bid of Charles J. Dorfman, 124 No. La Brea Ave., Los Angeles, accompanied by bond written by Saint Paul-Mercury Indemnity Company in the sum of ten percent of the amount of the bid, which bid was given Document No. 433742.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Dail, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Mrs. Julia Nagem from the decision of the Zoning Committee in denying her application for variance to the provisions of Ordinance No. 12889 to permit construction of a 22' x 22' triangular addition to and include the existing portion for an enlargement of the existing store building on Lots 35 and 48 Block 80 Resub. of Block 80 Park Villas, at 3595 Arizona Street, in Zone R-2, a report from the Zoning Engineer was presented and read.

Councilman Wincote entered the meeting at this time.

The Planning Director made a verbal report in which he said that the Zoning Committee feels that little stores established in residential areas prior to zoning, have the right to remain, but that expansion is not approved - especially when it is proposed to extend buildings closer to the street lines.

The Mayor inquired if any interested affected property owners were present who desired to be heard.

Raymond Nagem spoke, representing his mother. He said that all but the adjoining property had signed in favor of the variance, but that she could not be reached. The Planning Director showed a plat, and said that extension of the building would obstruct the neighbors' view, but that he would not oppose a rear enlargement of the building.

Mr. Nagem said that the addition to the building, as requested, would straighten it out and give a "nice front".

Councilman Schneider that the building would not be in line with the north-south setbacks.

Councilman Wincote pointed out that the building would be no farther out than some of the others in the block.

RESOLUTION NO. 102393, recorded on Microfilm Roll No. 39, sustaining the appeal of Mrs. Julia Nagem from the decision of the Zoning Commission in denying by its Resolution No. 5500 her application No. 9310 for variance to the provisions of Ordinance No. 12889 to permit construction of a 22' x 22' triangular addition to and include the existing portion for an enlargement of the existing store building on Lots 35 and 48 Block 80 Resub. of Block 80 Park Villas, at 3595 Arizona Street, in Zone R-2, overruling and denying said Zoning Commission action, was on motion of Councilman Schneider, seconded by Councilman Dail, ^{adopted} by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Dail, Godfrey. Nays---Councilman Kerrigan, Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Lenore Panunzio from the decision of the Zoning Committee in denying her application for variance to the provisions of Ordinance No. 13175 and Ordinance No. 8924 Section 8a for permission to convert and build addition to existing residence, making it a duplex, on Lots 25 through 29 Block B Wallace Heights, on the southwest corner of Dale and Thorn Streets, in Zone R-1, a report from the Zoning Engineer was presented and read.

Said report stated that the appellant had submitted revised plant which the Committee has considered and approved, and that it was recommended that the Council grant the appeal in accordance with the revised plans.

RESOLUTION NO. 102394, recorded on Microfilm Roll No. 39, sustaining the appeal of Lenore Panunzio from the decision of the Zoning Committee in denying her application No. 9300 by its Resolution No. 5493 for variance to the provisions of Ordinance No. 13175 and Ordinance No. 8924 Section 8a, for permission to convert and build an addition to the existing residence, making it a duplex, on Lots 25 through 29 Block B Wallace Heights, on the southwest corner of Dale and Thorn Streets, in Zone R-1, overruling said Zoning Committee decision, and permitting such improvement under revised plans submitted to the Zoning Committee which alteration would result in a duplex having the appearance of a single family dwelling, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing of Hazel A. Aker, owner, and Dr. A. P. Cascina, lessee, had been continued from the meeting of May 17, 1951, from the decision of the Zoning Committee in denying application for permission to establish and maintain a veterinary hospital for giving treatments and care of animals, including over-night care, on Lot 24 Block 21 La Jolla Park, at 833 Kline Street, La Jolla, Morey Levenson, attorney for the appellants, spoke. He called the Council's attention to the fact that the hearing had been closed at the meeting of May 17, 1951.

The Mayor agreed with Mr. Levenson.

Le Roy Wright, attorney, representing adjacent property owner, asked for the re-opening of the hearing.

Mr. Levenson objected to re-opening the hearing, saying that he had known of such a plan, he could have obtained additional signatures favoring the proposed hospital, and could have brought in many witnesses for the variance.

Councilman Swan moved to re-open the hearing, which motion lost for lack of a second.

Councilman Schneider, who had presided at the previous hearing, as Vice Mayor, in the absence of Mayor Butler, reviewed the proceedings for the benefit of the Mayor.

The Mayor asked the Planning Director to give a report on the signatures of property owners for and against the proposed hospital. Mr. Rick produced a written report, which was read by the Clerk. The report stated there were 13 property owners within the 300 foot radius in favor and 13 opposed; 6 renters favor and 4 oppose. However, if the area were extended to make the distance 500 feet from the boundary of the proposed zone variance, 16 property owners favor, 14 oppose; 6 renters favor and 8 oppose.

John H. Dawson, executive secretary, La Jolla Town Council, attempted to gain the floor and present letters showing available properties in Zone M-1 for the purpose proposed.

After some objections, the Mayor permitted the filing of the letters with the Clerk.

Mr. Dawson handed in the letters, which were made a part of the file.

Councilman Wincote asked Dr. Cascanai if permission were to operate with the entire closing if he would find it acceptable. The reply was "yes".

Councilman Wincote next asked if any M-1 zone property is available, address Dr. Cascanai. Dr. Cascanai that none could be found. Also, referring back to Mr. Wincote's previous question, he explained that he would enclose the property if the variance were granted.

Councilman Swan asked Mr. Dawson about the available properties. Mr. Dawson reviewed them, from his letter, and said that there are 3 - probably more.

Councilman Wincote asked Dr. Cascanai if the "Clark" property, mentioned in the letter, was suitable. Dr. Cascanai said that the property is being revised to provide for more rentals.

Councilman Godfrey asked Mr. Dawson about the objection, if the operations were enclosed within a building.

Mr. Dawson replied that such activity, even if confined to the inside of the building, would throw out the whole idea of zoning, and would be objectionable to the residents of the area. He said he felt that the mobile duplex which is upon the property under discussion would not have the necessary sanitation facilities, such as cement floors and drains. He said that sick dogs are not wanted in the neighborhood, because they might escape the premises.

Councilman Dail asked Mr. Dawson if the property is in a residential zone.

Mr. Dawson said that it is in C Zone, adjoining Zone R-C, but that it is "basically residential".

Mr. Levenson had held a private conversation with Mr. Dail. As a result, Mr. Dail said that he wanted to ask a question - which Mr. Levenson had suggested.

The Mayor objected to the attempted question by Mr. Dail, saying that questions could be asked in such a way as to influence replies and the Council's thinking.

Mr. Dail pursued his efforts, and said that he was entitled to ask the question, which he did. He wanted to know if there were other uses in C Zone that would be "just as noisy".

The Planning Director gave Mr. Dail a copy of the Zoning Ordinance, from which Mr. Dail read, among them auto repair shops, etc. (in the noisy category).

Councilman Schneider asked the Planning Director if hours are limited for automobile repair shops (a permitted C Zone use).

Mr. Rick said that they are not limited by the ordinance, but that some had limited themselves, to satisfy their neighbors.

Councilman Godfrey asked if a retail store (a permitted C Zone use) would include pets.

Mr. Rick said "yes". He said, however, that the sale of dogs would probably necessitate the taking out of a kennel license, which would then make it an M-1 zone.

Councilman Wincote objected to Mr. Rick's reply, stating that there are many kennels which are not in M-1 zone.

Mr. Rick expressed the opinion that the Attorney's advice should be asked upon that point.

Councilman Kerrigan asked if the building, as constructed, would be usable, also he wanted to know about proposed additions.

Dr. Cascanai said that it could be used as a hospital and clinic without structural changes.

Councilman Swan asked Dr. Cascanai about the number of dogs and cats there would be on premises.

Dr. Cascanai said he could not say, but pointed out that he wants a clinic more than he does a hospital. He said, further, that there are 2 to 15 dogs on the premises of the existing La Jolla dog hospital per day.

Councilman Godfrey wondered if Le Roy Wright had any new evidence to present.

Councilman Swan pointed out that what had been taking place constituted, in effect, a hearing - whether the Mayor recognized it or not.

Councilman Wincote said that action could have been taken at the previous hearing, without Mr. Wright's presence. He said that Mr. Wright should have been here at that hearing, if he had known of it.

Councilman Schneider then asked about the sanitation features.

Dr. Cascanai said that the modern method is without drains in a hospital.

Asked about collection of debris from the hospital, Dr. Cascanai said that is taken care by the City of San Diego's refuse collection service. He said that Clorox is used for sanitation.

The Mayor suggested that the Council open the hearing, with 5 minutes allowed for each side - in order to hear both sides.

Councilman Dail objected to a continuance of the hearing. He said that the matter was continued only for the purpose of evaluating those in favor and those opposed to the variance.

Councilman Godfrey moved to re-open hearing, offering each 5 minutes to be heard - for new evidence, which motion was seconded by Councilman Swan, and carried.

Le Roy Wright, attorney, apologized to the Council for having to get it involved, so lengthily in the case, but he said that he was new in the matter, and had just been retained. Mr. Wright said that he represented 22 property owners within the 300 foot radius, all of whom were objectors. He reviewed criteria for the granting of zone variances. Dr. Cascanai, he pointed out, is a lessee only, and that he has no ownership in the multiple dwelling under the request for the zone variance. There are 3 properties, he said, available in the M-1 zone. He said that animal hospitals are specifically excluded from C Zone, by the Zoning Ordinance. He contended that the granting of the variance would, in effect, constitute an amendment to the Zoning Ordinance, without following the provisions of the City Charter.

Louis Karp, Deputy City Attorney, said that the City does have the right to grant variances - even where the ordinance specifically prohibits certain operations.

Mr. Wright said that was a reversal of previous opinions of the City Attorney - and that he had been present at hearings where such opinions had been expressed.

Mr. Levenson spoke, and said that there are special circumstances, warranting the variance, in that the structure is a residential structure in a C zone - a condition which often makes it difficult to rent the building for residential purposes. He said that it is on the edge of C Zone, bordering Zone R-4. He said there is an obvious conflict on the availability of property in M-1 Zone, and contended that there is none for sale or sale or lease. He said that Dr. Cascanai's operation would be entirely within a closed building, and would constitute a clinic, rather than a hospital.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the hearing was closed.

Councilman Kerrigan asked Dr. Cascanai if he could operate in the present building without changes.

Dr. Cascanai's reply was that he could, without exterior changes. He said, however, that it would be a hardship not to be permitted to use the yard area. He reiterated that the outside area would be closed in, and that acoustical materials would be installed.

RESOLUTION NO. 102395, recorded on Microfilm Roll No. 39, denying the appeal Hazel A. Aker, owner, and Dr. A. P. Cascina, lessee, from the decision of the Zoning Committee in denying by its Resolution No. 5482 their application No. 9278, for variance to the provisions of Ordinance No. 13294 to permit establishment and maintenance of a veterinary hospital for treatment and care of animals, including over night care, on Lot 24 Block 21 La Jolla Park, at 833 Kline Street, in Zone C, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Schneider, Kerrigan, Dail, Mayor Butler. Nays----Councilmen Wincote, Godfrey. Absent Councilmen None. Said Resolution also sustained said Committee decision.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the appeal of Alpheus E. Eddy and Marietta Eddy, from the decision of the Zoning Committee in denying by its Resolution No. 5508 their application No. 9327, for variance to the provisions of Ordinance No. 8924 Section 8a for permission to make interior alterations to convert existing single family residence into a duplex, of the existing building which has a 2-foot sideyard, on Lot 4 Block 45 Normal Heights, at 3809 Adams Avenue, on Zone C, no reports were presented and no one was heard - the matter apparently having been discussed in the conference of the Council held at 9:00 o'clock A.M., this date.

RESOLUTION NO. 102396, recorded on Microfilm Roll No. 39, sustaining the appeal of Alpheus E. Eddy and Marietta Eddy from the decision of the Zoning Committee in denying by its Resolution No. 5508 their application No. 9327, for variance to the provisions of Ordinance No. 8924 Section 8a for permission to make interior alterations to existing single-family residence to convert it into a duplex, which building has a 2-foot sideyard, on Lot 4 Block 45 Normal Heights, at 3809 Adams Avenue, overruling and denying said Zoning Committee decision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Claim of P. H. Drummy, 3843 Felton Street, San Diego, in the sum of \$14.11, for damage to property from water line which proke while meter being checked, was presented.

RESOLUTION NO. 102397, recorded on Microfilm Roll No. 39, referring claim of P. H. Drummy to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Claim of Florence M. Fitzpatrick, 4725 Saratoga Avenue, in the sum of \$5.30, for broken window from ball coming from the Ocean Beach Recreation Center, was presented.

RESOLUTION NO. 102398, recorded on Microfilm Roll No. 39, referring claim of Florence M. Fitzpatrick, 4725 Saratoga Avenue, to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Claim of Donald Kile Miller, and Inter-Insurance Exchange of the Automobile Club of Southern California, in the sum of \$185.76, for damage to his car done on the abutment on Midway Drive, was presented.

RESOLUTION NO. 102399, recorded on Microfilm Roll No. 39, referring claim of Donald Kile Miller, by Maury H. Sanborn, 2601 South Figueroa Street, Los Angeles 54, to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Harbor Commission, dated May 18, 1951, signed by Anderson Borthwick, President, requesting modification of the survey made by Kroeger and Associates, in relation to classifications, allocations, salaries and/or wages, which were declared to be generally satisfactory and adequate with two major exceptions - the proposed positions of Business Manager and Associate Harbor Engineer, was presented.

RESOLUTION NO. 102400, recorded on Microfilm Roll No. 39, referring the communication from the Harbor Commission on salaries and wages recommended by Kroeger and Associates, relating to the Harbor Commission, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for erection of utility building, with comfort stations, at the Municipal Golf Course, Balboa Park, recommending award to H. W. Grizzle, the low bidder, was presented.

Resolution accepting the bid and awarding the contract, was on motion of Councilman Schneider, seconded by Councilman Godfrey adopted. The Resolution is not shown numbered, inasmuch as the action to accept the bid and award the contract, was reconsidered and the matter referred back to the City Manager. That action will be shown later in these minutes - at the place the action was taken.

Communication from the City Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing the City's requirements of general purpose motor lubricating oil for a period of one year commencing July 1, 1951, was presented.

RESOLUTION NO. 102401, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of the City's requirements of general purpose motor lubricating oil for a period commencing July 1, 1951, and ending June 30, 1952, in accordance with notice to bidders and specifications on file in the office of the City Clerk under Document No. 433684, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager returning petition of Linda Vista Flight, Civil Air Patrol, for space for quonset huts and drill field at Gibbs Municipal Airport, stating that he had written to Lt. Kirtland L. Bradford on August 30, 1950, relative to location but that to date no reply has been received, and recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the City Manager's communication, and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on petition of property owners requesting that the Alley in Block 253 University Heights be named "Wilshire Park", stating that the alley was recently widened 10 feet on the west side and 5 feet on the east side for a portion of the block, recommending that said Alley be named "Wilshire Terrace" - rather than Wilshire Park - provided that it is widened an additional five feet on the east side and properly improved to the satisfaction of the City Engineer, was presented.

RESOLUTION NO. 102402, recorded on Microfilm Roll No. 39, adopting the recommendation of the City Manager for the naming of the Alley in Block 253 University Heights "Wilshire Terrace" (rather than "Wilshire Park" as petitioned for), subject to an additional widening of five feet on the east side and proper improvement to the satisfaction of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Zoning Engineer relative to complaint having been made to the Planning Department Office and to the Zoning Committee that the zone variance which had been granted to Oather Morper for operation of a part-time photo shop in a residential zone at 431 Cuyamaca Avenue, under certain conditions, stating that conditions of the variance have been violated, and submitting copy of its Resolution No. 5524 adopted May 16, 1951, which said Resolution revoked Resolution No. 5137 which revocation shall become effective 90 days therefrom, at which time the property described as Lot 74 Sierra Vista shall conform in all respects to the requirements of the Zone Ordinance effected on the property, was presented.

Councilman Kerrigan told about previous actions in such cases, for limited uses of photography shops and laboratories in residential zones, and pointed out that the one made the subject of this report had violated its provisions.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said report and the copy of the Resolution attached, were ordered filed.

Communication from the Board of Trustees, Police & Fire Retirement System, signed by S. H. Shawver, Secretary, being copy of communication dated May 22, 1951, addressed to Chief G. E. Courser of the Fire Department, was presented.

Said Communication stated that the Board had received the Chief's letter of May 21 recommending transfer of Capt. Claude L. Shafer from the pension payroll to the Fire Dept. payroll effective June 1, 1951, but that until the Council passes an ordinance which it may do under recently-enacted amendment to Section 163 Article X of the City Charter, Capt. Shafer cannot be granted a year's sick or injury leave with full pay.

RESOLUTION NO. 102403, recorded on Microfilm Roll No. 39, referring copy of letter from Board of Trustees, Police and Fire Retirement System relative to enactment of an Ordinance having to do with sick or injury leave with full pay, in accordance with recently-enacted amendment to Section 163 Article X of the City Charter, for preparation and presentation of such an Ordinance to the Council, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from San Diego Municipal Employees' Association, signed by Horace Lerwill, President, requesting permission to send a delegation to the meeting when wages and salaries are considered, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the City Manager for reply.

Communication from R. G. Callvert, 5646 Chelsea Avenue, La Jolla, relative to repeal of the Ordinance governing the erection of fences, at the time the Building Code was adopted, and requesting its re-enactment, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed, and the City Manager requested to answer it.

RESOLUTION NO. 102404, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to execute an agreement with the City of La Mesa, modifying an agreement dated July 14, 1944, providing for transportation, treatment and disposal of sewage, by increasing the rates, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102405, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to execute an agreement with the City of National City, California, modifying an agreement dated January 14, 1942, providing for transportation, treatment and disposal of sewage, by increasing the rates, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102406, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to execute a contract with the City of National City, providing for transportation, treatment and disposal of sewage from the City of National City, and in which contract it is provided that said City of National City will pay to The City of San Diego the sum of 50¢ per family unit per month, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102407, recorded on Microfilm Roll No. 39, granting request of Austin Safe & Desk Company, dated May 17, 1951, for extension of 180 days from and after May 18, 1951 - to and including November 14, 1951 - heretofore filed with the City Clerk as Document No. 433743, in which to complete its contract for furnishing and installation of laboratory furniture and other metal fixtures and equipment for the Alvarado Filtration Plant under Specification No. 8, and which said contract is contained in Document No. 411525, on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Members of the Council asked about the long delay in completion of the contract - which had already been extended - to which the City Manager said it was a matter of obtaining steel.

Accompanying said Resolution from Austin Safe & Desk Co., Ltd., stating that all shelving and lockers have been installed with the exception of one room which "will be completed in about one week" - that all sinks used in the laboratory equipment have delivered by the Hamilton Manufacturing Company and that delivery of the balance of equipment is awaited.

RESOLUTION NO. 102408, recorded on Microfilm Roll No. 39, approving change order No. 3, dated March 1951, heretofore filed with the City Clerk as Document No. 433744 which was issued in connection with the contract between the City and Chas. H. Johnston for construction of storm drain in Block 195 City Heights, which said contract is contained in Document No. 428383, on file in the office of the City Clerk, which changes amount to an increase in the contract price of \$300.00, was on motion of Councilman Swan, adopted.

Communication from the City Manager recommending granting excess width driveway to Mr. and Mrs. J. H. Danner, on Ebers Street between Narragansett & Niagara Avenues, to serve a four-car garage, was presented.

RESOLUTION NO. 102409, recorded on Microfilm Roll No. 39, granting permission to Mr. and Mrs. J. H. Danner, 4820 Voltaire Street, San Diego 7, to install a 38-foot driveway, as measured at the top of the full-height curb, on the easterly side of Ebers

Street, between points 59 feet and 97 feet north of the north line of Narragansett Avenue, adjacent to Lots 1 and 2 Block 23 Ocean Beach, to be constructed in compliance with City regulations, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the City Manager recommending granting excess width driveway to Harmony Homes, by Robert H. Hyman, on Madison Avenue between Louisiana and Mississippi Streets, to serve two-car garage, was presented.

RESOLUTION NO. 102410, recorded on Microfilm Roll No. 39, granting excess width driveway permit to Robert H. Hyman of Harmony Homes, 6610 El Cajon Boulevard, San Diego, for 24 feet, as measured at the top of the full-height curb, on the north side of Madison Avenue between points ten feet and 34 feet west of the west line of Louisiana Street, adjacent to the east 35 feet of Lots 25 and 26 to the east 35 feet of the south 12-1/2 feet of Lot 27 Block 20 University Heights, to be constructed in compliance with City regulations, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102411, recorded on Microfilm Roll No. 31, granting permission to George Crawford Plumbing Co., 144 B Avenue, Coronado, to install a sewer line extension at a 1% grade, from new Ryan factory building to manhole in trunk sewer line serving said Ryan Aeronautical Company, 2701 Harbor Drive, following approval by the City Manager and Department of Public Health, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Hubner Knolls Annex No. 2, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 102412, recorded on Microfilm Roll No. 39, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Hubner Building Company, a partnership, for installation and completion of unfinished improvements and the setting of monuments required for Hubner Knolls Annex No. 2, directing the City Engineer to present an ordinance establishing the official grade of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102413, recorded on Microfilm Roll No. 39, adopting Map of Hubner Knolls Annex No. 2, and accepting Croft Street, Spa Street, portion of Dwight Street and unnamed easements shown thereon, said map being subdivision of portion of Lots 30 and 31 of Lemon Villa, declaring said public streets to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets, portion of public street, and unnamed easements are accepted on behalf of the public, directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102414, recorded on Microfilm Roll No. 39, authorizing and empowering the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of, The City of San Diego, a deed quitclaiming to Union Title Insurance & Trust Company, a corporation, covering portion of closed streets lying east of the center line of Goldfinch Street westerly of Reynard north of center line of Brookes Avenue and south of west extension of north line of Lot 12 Royal Heights, being subdivision of the east one half and south one quarter of the west one half of Pueblo Lot 1122, authorizing and directing the Supervisor of Properties to deliver said deed to said Union Title Insurance & Trust Company upon delivery to The City of San Diego of a deed granting to the City a portion of Goldfinch Street closed lying westerly of the center line of said street, and between Torrence Street and the Alley northerly of Torrence Street, needed for possible realignment of Reynard Way, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102415, recorded on Microfilm Roll No. 39, accepting quitclaim deed of United States of America Housing and Home Finance Agency, Public Housing Administration, executed in favor of The City of San Diego, bearing date May 8, 1951, quitclaiming an easement and right of way for street purposes in Pueblo Lot 1180, and a portion of Lots 2, 15 and 16 Lemona, setting aside and dedicating the same to the public use as and for a public street, and naming the same Comstock Street and Ulric Street, authorizing and directing the City Clerk to file said quitclaim deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102416, recorded on Microfilm Roll No. 39, accepting deed of Harry E. Coates and Geraldine F. Coates, bearing date May 8, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 266 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102417, recorded on Microfilm Roll No. 39, accepting deed of Leonard J. Drake and Norma M. Drake, bearing date May 11, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 300 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102418, recorded on Microfilm Roll No. 39, accepting deed of Karl Miller, bearing date April 10, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 1 and 2 Block 253 University Heights, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102419, recorded on Microfilm Roll No. 39, accepting deed of D. E. Davault and Helen L. Davault, bearing date April 30, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 19 Horton's Purchase, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102420, recorded on Microfilm Roll No. 39, accepting deed of George C. Gregory, bearing date May 9, 1951, conveying an easement and right of way for storm drain purposes portion of Lot 1 Block 6 Idyllwild, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder of San Diego County, California, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102421, recorded on Microfilm Roll No. 39, accepting deed of Shirley L. Thomas, bearing date May 8, 1951, conveying easment and right of way for storm drain purposes in portion of Lot 7 Block 19 Valencia Park Unit No. 2, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102422, recorded on Microfilm Roll No. 39, accepting quit-claim deed of Western Metal Supply Company, bearing date May 2, 1951, quitclaiming an easement and right of way for storm drain purposes in portion of Lot 19 Horton's Purchase, authorizing and directing the City Clerk to file said quitclaim deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

A proposed Ordinance was presented appropriating the sum of \$10,600.00 from the Capital Outlay Fund for the purpose of providing funds for erection of a utility building, with comfort stations, in the Municipal Golf Course, Balboa Park.

A motion was made and seconded to place said Ordinance on its final passage at its first reading, the roll was called, showing a clear vote.

At this point Councilman Wincote questioned the price of the building, price per square foot, the building's size and "standard".

The City Manager made a verbal report on the size, mentioned the concession to be contained, and the toilet facilities.

Councilman Wincote said that \$10.00 per square foot was too high.

The City Manager said that he had corrected his first report to the Council upon the price.

Councilman Wincote moved to reconsider the action on the communication from the Purchasing Agent reporting on the bids for said building, which also awarded the contract - after his attention had been called to the fact that the award had been made - which motion was seconded by Councilman Kerrigan. There was a clear vote upon the motion.

On motion of Councilman Wincote, seconded by Councilman Schneider, the action to place the Ordinance on its final passage was reconsidered.

The Resolution and Ordinance were continued until next Tuesday, the meeting of May 29, 1951, on motion of Councilman Wincote, seconded by Councilman Schneider, and the Clerk directed to list both items on the agenda for that meeting.

ORDINANCE NO. 4818 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$25.00 from the Capital Outlay Fund for the purpose of providing funds in addition to funds heretofore appropriated by Ordinance No. 4508 (New Series), for construction of an addition to the card room and for installation of lights at the Roque Court at Sixth Avenue and Redwood Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

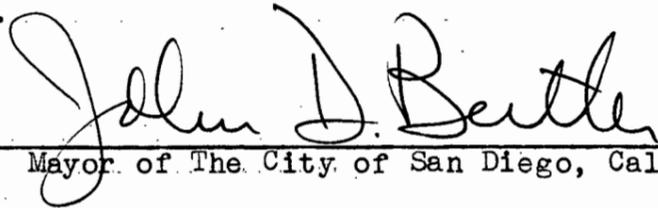
Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

The final reading of such Ordinance was in full.

The Mayor requested, and was granted, unanimous consent, to present the next matter of business, not listed on the Council's agenda

RESOLUTION NO. 102423, recorded on Microfilm Roll No. 39, appointing Mr. Arthur W. Carey, 3144 Seville Street, San Diego, as a member of the Board of Administration of the City Employees' Retirement System, for the term of six years, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Kerrigan, at the hour of 11:35 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

SPECIAL MEETING

Chamber of the Council of The City of San Diego, California,
Monday, May 28, 1951

A Special Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 8:35 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler
Absent---Councilman Godfrey
Clerk----Fred W. Sick

"NOTICE OF SPECIAL MEETING OF THE COUNCIL

TO Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, members of the Council of The City of San Diego, California.

A SPECIAL MEETING OF the Council is hereby called to be held in the Council Chamber in the Administration Building, Civic Center, San Diego, California, on Monday the 28th day of May, 1951, at the hour of 8:30 o'clock A.M.

Said meeting will be held for the purpose of - Classification and salaries for employees; and for any other business that may come before the meeting.
Dated May 24, 1951.

(SIGNED) JOHN D. BUTLER, Mayor"

"WAIVER OF NOTICE OF SPECIAL MEETING

We, the undersigned, being all of the members of the Council of the City of San Diego, do hereby jointly and severally waive notice of the Special meeting of the Council, to be held in the Council Chamber in the Administration Building, Civic Center in the City of San Diego, State of California, on Monday, the 28th of May, 1951, at the hour of 8:30 o'clock A.M., and hereby consent to such special meeting.

(SIGNED) JOHN D. BUTLER
(SIGNED) FRANKLIN F. SWAN
(SIGNED) CHARLES B. WINCOTE
(SIGNED) CHESTER E. SCHNEIDER
(SIGNED) GEORGE KERRIGAN
(SIGNED) CHAS. C. DAIL
(SIGNED) VINCENT T. GODFREY."

Attending said meeting were Mr. L. J. Kroeger, of L. J. Kroeger and Associates, with whom a contract had been entered into as personnel and management consultants for revision of The City of San Diego's Position Classification and Pay Plan and its Personnel Rules; Mr. George A. Scott and Mr. William P. Elser, members of the City Civil Service Commission, together with Raymond Krah, Personnel Director.

Councilman Schneider observed that there were some persons present who are interested in the salary question, and he called the Council's attention to a letter from the City Manager addressed to the president of the San Diego Municipal Employees' Association "denying" representation by the M.E.A.

There was discussion on the point by members of the Council.

The City Manager outlined his views in the matter, indicating that he had communicated them to the M.E.A. as the Council's policy.

It was requested that the City Manager's letter, listed on the agenda for tomorrow's Council meeting be produced.

The City Clerk procured the letter immediately, which he read to the Council. The letter said "The City Council will hold an executive conference on the proposed pay plan on Monday, May 28, to discuss the public hearing conducted on May 18 and the original proposal of L. J. Kroeger and Associates. The conference will be for the purpose of discussing with Mr. Kroeger and the Civil Service Commission the modifications proposed as a result of further information obtained at the public hearing. It stated also, that any formal action must be taken in open council meeting on Monday after the conference or at the scheduled meeting on Tuesday, May 29, at which time the M.E.A. and other interested groups and individuals are invited to the meeting for final discussion before action by the council.

Members of the Council decided to send for M.E.A. representatives, inasmuch as others were present, and so that no partiality be shown."

The Mayor asked the Council to take a recess, at which time he invited Mr. Scott to present the salary question to the Council, in behalf of the Commission.

On motion of Councilman Wincote, seconded by Councilman Schneider, a recess was taken until the hour of 10:00 o'clock A.M., this date.

Upon reconvening, at the hour of 2:10 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler
Absent---Councilman Godfrey
Clerk----Fred W. Sick.

The Mayor declared the meeting for a public hearing opened on the Kroeger and Associates pay plan.

Ellen Murray, of the Municipal Employees Association, spoke. She said that there are some unjustified classifications and inequities. She said that the Association will work with the City Manager and with the Personnel Director upon them, and expressed the belief that a workable plan can be evolved. She said that morale is low on account of the plan. Miss Murray asked the Personnel Director about the "y" rate classifications, which he answered.

The Mayor responded to Miss Murray's comments, and said that the Council is anxious to know views of the employees. In answer to her idea that it seemed unnecessary to go into the plan suddenly at this time, the Mayor said that action is needed this year on the plan, or that it would lose its value.

Miss Murray said that the employees are interested, of course, in the pay more than in the technical setup of the classifications.

Otto Hahn, who did not identify his interest in the matter, but who was probably speaking for the County and Municipal Employees Local No. 27, spoke. He thanked the Civil Service Commission, Raymond Krah, Personnel Director, the City Manager, and Kroeger and Associates. He said that it is recognized that the Council has gone into the plan thoroughly. He said that many cases have been taken care of, but pointed out that consideration should be given to the question of emergency overtime pay. He said that in private industry the time and a half pay is now generally accepted. He asked for time and a half pay only on emergency overtime work in the Water Department on the mains repairs. He said that many times there is difficulty in rustling up a crew. He said that it would be easier to get a crew together at time and a half pay. Mr. Hahn said that construction crews sometimes have to be called out on large breaks, on the City's old water lines. He said he has heard no arguments the time and a half pay. He said that other cities and counties on the Coast use that basis. Mr. Hahn expressed the belief that it could be employed in the Street and Sewer Departments, and said that he thinks it is to the City's disadvantage not to pay time and a half.

Mr. Hahn spoke about the Assistant Cemetery Manager, who he said had been in his position for a good many years. He said that he takes over when the Cemetery Manager is off, when he does the same work as the manager. Mr. Hahn said that one foreman goes up to the same, and that one goes to 2 brackets above the Assistant Cemetery Manager, who remains at his present pay.

The City Manager said that it is a question of facts, relative to employment and responsibilities, and said that the facts are being checked now.

Mr. Hahn asked if any change can be made after adoption of the plan - if the facts justify change. He took up the question of the Refuse Foreman, and told the Council which man worked on each of the jobs. He said that foreman and supervisor should be raised. He said there is 1 supervisor in the field, and that there are 5 refuse foremen. Mr. Hahn said that there would be a "pay cut" in some instances where examinations had been taken at one rate, but would be paid at a lesser rate. He recommended a 1-step increase for refuse foremen.

The City Manager said that in his opinion the department is overstaffed in supervision. He mentioned the new foreman classification.

Hahn said that although they had passed the examinations they will get decreases rather than increases.

Councilman Dail questioned need for the foreman.

Mr. Hahn said that the City could call them something else.

The City Manager pointed out that skill is not needed for refuse forman, which accounts for a lesser pay scale.

Mr. Hahn spoke regarding guards' rate. He said that guards are in charge

of guarding City property, and that the pay is too low. He said that the County pays a great deal more, and asked the same range as for heavy laborers. He stressed responsibility and night work. He said that they carry star and gun. Mr. Hahn did not ask the same pay as the County guards, who have the hazardous duties of guarding prisoners. He spoke regarding salary increases, and mentioned the history of the cost of living. Once again he thanked the Council.

The City Manager said that Leo Calland, Park and Recreation Director, had arrived to discuss the matter of Assistant Cemetery Superintendent. He said that the Assistant Superintendent is more of an office man, and not in an important supervisory position. He said, however, that he does supervise 2 days per week - the cemetery being open 7 days per week. He said that Duffy's duties are more in meeting and dealing with the public. Duffy is in charge 4 days out of each of 2 weeks. Taylor, he said, lays out the work. Duffy's duties are nearer class 19 than 17, Mr. Calland said. He told the Council that there are about 20 persons employed in the cemetery, one of whom will go out.

Al Shraff, Water Impounding General Superintendent spoke. He pointed out that he was not speaking for himself, but for certain employees in the department. He felt that the Civil Service is not putting some of the employees on a proper scale. He mentioned patrolmen who are now being dropped 1 rate. He pointed out that they had taken promotional examinations, but that they will go downward.

The Mayor said that they would be in the "y" rate classification (although the rate would be lower, present employees would not receive less pay).

Mr. Schraff predicted that the City would lose those men. He said that they are on their own for 17 and 18 miles of pipeline, and told of their duties on the lines. He said that they should not be demoted. He next brought up the Reservoir Patrolman, who would rate lower than laborer, as a "guard."

Councilman Wincote went to the record, and spoke about the drop from 13 to 11 - after examination had been taken for the higher rate.

The Mayor said that the Reservoir Patrolman may have been overrated.

The Personnel Director said the matter had been taken up by the Civil Service Commission in great detail.

Councilman Schneider read the duties of Reservoir Patrolman from the Kroeger recommendation.

Councilman Kerrigan read the job evaluation.

Asked if the employees to whom he had referred had come from the ranks of employees on the job, or if they were recruited from the outside, Mr. Schraff said that they have come from the ranks.

The Personnel Director said that there were more duties for the Pipeline Patrolmen when the City had wood stave lines and trestles than now with its steel lines.

Mr. Schraff elaborated upon their duties, and said that they have to handle situations in many emergencies.

Mr. Schraff next spoke about another man - the supervisor of recreation - said that he is back down below construction foreman, which was his former rate. Also, he said, he would rate lower than me under him.

The City Manager asked the Personnel Director the distinction between heavy and light labor, which question Mr. Krah answered.

Mr. Schraff referred to the "more skilled" men, who had dropped back.

The City Manager said he felt that Mr. Schraff has a point. He told of his past experience in classifying employees in other cities. He thought that under the plan being discussed there would not be "much quarrel".

Mr. Schraff said that the patrolmen do not just walk the line.

Asked about the examinations for patrolmen, Mr. Krah said he was unable to explain.

Mr. Calland spoke again, regarding the Golf Course cashier.

Mr. Krah said the position will be given rate 12 - which matter is being taken care of.

Councilman Kerrigan was excused from the meeting at this time.

There was more discussion by members of the Council about the comparisons in the classifications of conduit patrolmen and reservoir patrolman.

The Mayor asked the Council to close the hearing and said he would entertain a motion to that effect.

The City Manager said that he had a letter from the City Treasurer which he wished to present. He reviewed, from the letter, the salary of the Treasurer and his duties. The letter said that the Civil Service Commission, in recommending salaries for unclassified employees, had not given proper weight to the Treasurer's duties and responsibilities. He pointed out that his position stays at its present rate, while increases are proposed for other department heads.

Councilman Kerrigan returned while the City Manager was making the presentation to the Council of the City Treasurer's communication.

On motion of Councilman Schneider, seconded by Councilman Wincote, the hearing was closed.

No motions were made, and no action was taken by the Council in the matter of the classifications under the pay plan. Notes were made by a Deputy City Attorney for the purpose of attempting to incorporate ideas into the ordinance. However, the Mayor said it would probably be necessary to draw the ordinance, eliminating the particular positions which had been discussed, and that decisions could be made for inserting them just before passage and adoption.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Swan, at the hour of 3:12 o'clock P.M.

ATTEST:
FRED W. SICK, City Clerk
By *C. M. Hadstrom*

John D. Buttle
Mayor of The City of San Diego, California
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, May 29, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:04 o'clock A.M.

Present--Councilmen Swan, Schneider, Kerrigan, Dail, Mayor Butler

Absent---Councilmen Wincote, Godfrey

(Councilmen Wincote and Godfrey were present before the meeting was called to order by the Mayor, but both left, and returned after convening - as will be shown later).

The Minutes of the Regular Meeting of Tuesday, May 22, 1951, Regular Meeting of Thursday, May 24, 1951, and Special Meeting of Monday, May 28, 1951, were presented to the Council by the Clerk.

On motion of Councilman Dail, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alleys in Block 69 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 102210, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of eight hundred dollars, which bid was given Document No. 434042;

Councilman Wincote entered the meeting at this time

The bid of John B. Henry, accompanied by bond written by the Fidelity and Casualty Company of New York in the sum of seven hundred dollars, which bid was given Document No. 434043;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of eight hundred dollars, which bid was given Document No. 434044;

The bid of Shea and De Carli, accompanied by bond written by Glens Falls Indemnity Company in the sum of six hundred seventh two and 32/100 dollars, which bid was Document No. 434045;

On motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Fortuna Avenue, within the limits and as particularly described in Resolution of Intention No. 101714, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of fifteen hundred dollars, which bid was given Document No. 434046;

Councilman Dail was excused from the meeting at this time.

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of two thousand dollars, which bid was given Document No. 434047;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of one thousand seven hundred dollars, which bid was given Document No. 434048;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of thousand dollars, which bid was given Document No. 434049;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York, which bid was given Document No. 434050.

Councilman Godfrey entered the meeting at this time.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Oliver Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101715, the clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of three thousand dollars, which bid was given Document No. 434051; The bid of Daley Corporation, accompanied by bond written by the Glens Falls Indemnity Company in the sum of three thousand dollars, which bid was given Document No. 434052;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of three thousand one hundred dollars, which bid was given Document No. 434053;

Councilman Dail returned to the meeting at this time

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of four thousand dollars, which bid was given Document No. 434054;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of three thousand eight hundred dollars, which bid was given Document No. 434055.

On motion of Councilman Swan, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for a period of one year from and including December 1, 1950, to and including November 30, 1951, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$228.48, written by San Diego Trust and Savings Bank, which bid was given Document No. 434056.

On motion of Councilman Wincote, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102129 of Preliminary Determination for the paving and otherwise improving of Riley Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102424, recorded on Microfilm Roll No. 39, determining that the proposed improvement of Riley Street, within the limits and as particularly described in Resolution No. 102129 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 102014, for the paving and otherwise improving of Franklin Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received, which protest was presented to the Council.

The Mayor inquired if any interested affected property owners were present who desired to be heard.

Mrs. Sarah J. McPherson, circulator of the petition of protest appeared at the microphone, but made no statement, members of the Council being aware that it was she who had sponsored the objections.

The City Engineer made a verbal report in which he said that there was a 28.9% protest, and called the Council's attention to the fact that 5 of the protestants were signers of the original petition for the work and that they had evidently changed their minds. It was pointed out that by deducting the 5 protestants from the petition favoring the improvement, it reduced the percentage to below 50.

Councilman Wincote moved to abandon the proceedings, which motion was seconded by Councilman Swan.

A woman, whose name the Clerk did not understand, spoke. She said that the improvement is needed. The Mayor replied that the Council is bound by the wishes of a majority of the property owners, who in this case, do not want the work done. The speaker said that some of the protestants no longer live on Franklin. The Mayor said it made no difference if they lived there or not, inasmuch as it was their property ownership which was to be taken into consideration.

RESOLUTION NO. 102425, recorded on Microfilm Roll No. 39, sustaining the protest of Property Owners against the work of paving Franklin Avenue, within the limits and as particularly described in Resolution of Intention No. 102014, abandoning proceedings for said proposed improvement, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on Resolution of Intention No. 102015 for the paving and otherwise improving of Jewell Street, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received from Mrs. Georgia C. Guild, which protest was presented to the Council.

The Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no additional protests were presented.

The City Engineer reported a protest of 4.4%.

RESOLUTION NO. 102426, recorded on Microfilm Roll No. 39, overruling and denying the protest of Mrs. Georgia C. Guild, against the proposed paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution No. 102015, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for the paving and otherwise improving of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, Glenfield Street, Heather Street, Manzanita Place, Marlborough Avenue, Pepper Drive, Snowdrop Street, Ruberose Street, Violet Street, Fairmount Avenue, the Northwesterly and Southeasterly Alley in Block 37 Lexington Park, the Alley lying Northeast-erly of and contiguous to Lot 31 Block 38 Lexington Park, Hollywood Park, Quince Street, and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 102016, the Clerk reported that written protests had been received from Marion S. Kugel and from Daniel A. Sexton, Jr., which protests were presented to the Council.

The Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard, verbally, and no written protests were presented.

The City Engineer reported a protest of 1.2%.

RESOLUTION NO. 102427, recorded on Microfilm Roll No. 39, overruling and denying the protests of Marion S. Kugel and Daniel A. Sexton, Jr., against the proposed improvement of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, and other streets set forth in said Resolution, within the limits and as particularly described in Resolution of Intention No. 102016, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

There was a round of applause from the large gathering interested in having the improvement made.

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on the Street Superintendent's Assessment No. 2001 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 5 Alhambra Park, within the limits and as particularly described in Resolution of Intention No. 98194, the Clerk reported that a written appeal had been received from Frank B. Earley and Velma Earley, which appeal was presented to the Council.

The Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard, verbally, and no additional written appeals were presented.

RESOLUTION NO. 102428, recorded on Microfilm Roll No. 39, overruling and denying the appeal of Frank B. Earley and Velma Earley from the Street Superintendent's Assessment No. 2001 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 5 Alhambra Park, within the limits and as particularly described in Resolution of Intention No. 98194, overruling and denying all other appeals thereon, confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on the Street Superintendent's Assessment No. 2002 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 99 City Heights, within the limits and as particularly described in Resolution of Intention No. 98442, the Clerk reported that no written appeals had been received.

The Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 102429, recorded on Microfilm Roll No. 39, confirming the approving the Street Superintendent's Assessment No. 2002 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 99 City Heights, within the limits and as particularly described in Resolution of Intention No. 98442, overruling and denying appeals, if any, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Engineer's Report and Assessment for the furnishing of electric current in Garnet Street Lighting District No. 1, for a period of one year from and including January 30, 1951 to and including January 29, 1952, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102430, recorded on Microfilm Roll No. 39, confirming the Engineer's Report and Assessment for Garnet Street Lighting District No. 1, filed in the office of the City Clerk April 23, 1951, approving the same as a whole, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Engineer's Report and Assessment for the furnishing of electric current in Sunset Cliffs Lighting District No. 1, for a period of one year from and including January 15, 1951 to and including January 14, 1952, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented. RESOLUTION NO. 102431, recorded on Microfilm Roll No. 39, confirming the Engineer's Report and Assessment for Sunset Cliffs Lighting District No. 1, filed in the office of the City Clerk April 23, 1951, approving the same as a whole, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, continued from the meeting of May 24 until this meeting, reporting on bids for the erection of Utility Building, Municipal Golf Course, Balboa Park, and recommending award to H. W. Grizzle, was presented.

The report asked for by the Council from the City Manager was not available at this time, and the City Manager asked to have consideration postponed until he could send for records on the improvement.

In compliance with the Manager's request, the matter was continued temporarily, and will be found listed at the end of the minutes for this meeting.

RESOLUTION NO. 102432, recorded on Microfilm Roll No. 39, rejecting all bids received by the Purchasing Agent on May 23, 1951, for the furnishing of 80 Traffic Signs for the Wabash Freeway, directing the Purchasing Agent to purchase said signs required at this time in the open market, without advertising for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager and Purchasing Agent have reported that the low bid does not conform to the specifications, that the second low bid is irregular because no certified or cashier's check accompanied it, and that the Purchasing Agent has recommended rejection and purchase in the open market.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing requirements of Books for the City Library and for other City Departments for the period commencing July 1, 1951 and ending June 30, 1952, was presented.

RESOLUTION NO. 102433, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of books for the City Library and for other City departments for the period commencing July 1, 1951 and ending June 30, 1952, under Document No. 433924, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing requirements of binding for books, magazines, music and newspapers for the Library Department for a period of one year commencing July 1, 1951, was presented.

RESOLUTION NO. 102434, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing to The City of San Diego binding of books, magazines, music and newspapers for the Library Department for a period of one year commencing July 1, 1951, under Document No. 433948, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102435, recorded on Microfilm Roll No. 39, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the construction of a new information booth in Horton Plaza, Broadway between 3rd and 4th Avenues, in accordance with Document No. 433922, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Prior to adoption of said Resolution, the City showed a plat to members of the Council, indicating its location at the southwest corner of the Plaza. He said, also, that the City has received the offer of a donation. He told the Councilmen that the City may not call for bids, in view of the offer, pointing out that advertising would be held up if the donation is made.

RESOLUTION NO. 102436, recorded on Microfilm Roll No. 39, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing traffic signals and safety lighting at 25th Street and Imperial Avenue, bearing Document No. 433920, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102437, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to advertise for sale and sell approximately four tons of scrap brass and fifteen tons of scrap cast iron, located at the Kettner Boulevard and Vine Street Yard, no longer desirable for use or retention by The City, the cost of the sale to be deducted from proceeds, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on communication from residents objecting to condition of two old houses moved into the 900 block on Archer Street, and attaching petition addressed to the Planning Commission via the City Council relative to the same matter, stating that the Planning Director and Chief Building Inspector have investigated and that a 30-day extension of time for completion has been granted by the Chief Building Inspector under Section 2C7 of Ordinance No. 4754 N.S. for completion inasmuch as the work has been started, was presented. The communication stated that the first signer on both documents has been advised of the extension granted.

The City Manager made a verbal report, along the lines of his written report.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from Lt. Edward K. Bowen, jg, regarding "No Left Turn" sign at 32nd and McCandless Streets, stating that the problem has been discussed by the Traffic Engineer with Commander Eikam, executive officer at the Naval Station at whose request the sign was installed, and that arrangements have been made to keep the sign covered at all times except during critical morning and evening peak traffic periods, and advising that Lt. Bowen has been informed of the disposition of the matter, was presented.

Lt. Bowen's letter point out that without cutting through the parking lot, turning right and turning around at the Navy Exchange gas station or other such devious routes, an extra 1.4 miles of driving is required from his residence at 2415 Senn Street.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from E. H. Shields suggesting diversion of water from Spook Canyon to Hodges Reservoir, was presented. Also transmitted, was copy of his reply to Mr. Shields, which states that the Water Engineering Department has investigated the suggestion and has advised that an investigation has been made and that a tunnel would be long and expensive to build and would not produce sufficient quantity of water to justify its construction.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from Society for Crippled Children relative to condition of south 36th Street between National Avenue and Ocean View Boulevard, stating that the Public Works Department has been instructed to prepare the road to uniform cross section and grade and apply light surfacing material, which will be accomplished during the week of May 21 or as soon thereafter as possible, advising the Council that a copy of the report had been sent to the writer.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from the Shoreline Planning Association of California, Inc., relative to plans for the coming fiscal year necessitating a \$200.00 membership fee for the City, stating that the sum is included in the 1951-52 budget, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from Robert C. Watson relative to smoking on buses and in theatres, was presented.

Also transmitted was copy of his reply to the writer, which stated that there is no ordinance prohibiting smoking in theatres except in certain specified areas which ordinance is rigidly enforced by the Fire Department (stages and projection booths); that most theatres adopt the policy of segregating smokers from non-smokers; also, it stated that smoking on buses is prohibited, that it is not feasible to assign policemen to buses to see that the law is adhered to, but that bus drivers usually assume the responsibility of requesting violators to desist, and if compliance is not forthcoming they are at liberty to call a policeman and have the offending passenger removed.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on request of Municipal Employees' Association for representation at conferences of the Council for discussion of the proposed pay plan, was presented. The same letter from the Manager was presented to the Council, and read, at the special meeting of the previous day. The letter advised that the conferenced scheduled for Monday May 28 was an executive session (it was actually called as a special meeting, and adjourned to an executive session) but that interested groups or individuals are welcome to attend the formal Council meeting when official action is taken.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager recommending intersection stop at Gravilla and Tyrian Streets, which is a blind intersection due to a high wall on the property line at the northwest corner, was presented.

RESOLUTION NO. 102438, recorded on Microfilm Roll No. 39, establishing an

intersection stop at Gravilla Street and Tyrian Street, affecting traffic on Tyrian Street, authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager recommending prohibition of parking on the east side of Tyrian Street, due to its narrowness and because it is a natural feeder route from a fairly large area into La Jolla Boulevard.

RESOLUTION NO. 102439, recorded on Microfilm Roll No. 39, prohibiting parking of automobiles at all times on the easterly side of Tyrian Street between Rosemont Street and Bon Air Street, authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager announcing that "inasmuch as the duties of Superintendent of Streets for 1911 Act Improvement purposes are more closely related to the functions of the City Engineer than those of the Assistant Director of Public Works, I am appointing A. K. Fogg, City Engineer, as Superintendent of Streets for this purpose, effective June 1, 1951", was presented.

RESOLUTION NO. 102440, recorded on Microfilm Roll No. 39, approving appointment by the City Manager of A. K. Fogg, City Engineer, as Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Director recommending that the City Attorney be requested to include with other items now pending as amendments to Ordinance No. 8924 one covering Section 10 relating to non-conforming uses of land, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said communication was referred to the City Attorney.

Communication from the Planning Director stating that inasmuch as the annexation of Mission Bay area to the City has been completed, the City is in a position to abandon the paper street created by Court Decree in Superior Court Case No. 84864 (Recorded Book of Deeds 1176, page 266), attaching drawing indicating area proposed to be closed, stating that the City will become owner of the area vacated by virtue of ownership of land on each side of the road, recommending that the City Attorney be instructed to prepare necessary proceedings to effectuate the closing, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was referred to the City Attorney.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Illinois Manor, subject to posting of an adequate bond to insure the required improvements, was presented.

RESOLUTION NO. 102441, recorded on Microfilm Roll No. 39, authorizing the City Manager to execute for and on behalf of The City of San Diego a contract with Louis Feldman, Nathan Feinberg and Bertha Feinberg, for installation and completion of unfinished improvements required for Illinois Manor, directing the City Engineer to present an ordinance establishing official grades of all streets within said subdivision, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102442, recorded on Microfilm Roll No. 39, adopting Map of Illinois Manor, being a subdivision of portion of Lot 3 of the Partition of the East Half of Pueblo Lot "G", accepting on behalf of the public Illinois Street, unnamed alley and unnamed easement shown for public purposes, declaring said streets and easement to be dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that the street, alley and unnamed easement are accepted on behalf of the public, directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Federal Communications Commission, signed by the Secretary, regarding the City's letter transmitting copies of Resolutions Nos. 102093 and 102094 in connection with pending television proceedings, was presented.

The Communication stated that it is indicated that the resolutions are neither specific as to particular VHF channel or channels to be added to those proposed, nor are they accompanied by supporting engineering statements. Also, the communication transmitted the Commission's Third Notice of Further Proposed Rule Making, regarding procedure to be followed by parties desiring to participate formally in the proceedings.

On motion of Councilman Kerrigan, seconded by Councilman Swan, the matter was referred to the City Manager.

Communication from Richard L. Parsons, 2660 E Street, relative to transportation system "operating to a great disadvantage to the corporation as well as to the commuting patrons", requesting study by the Council, stating that the City Manager does not understand his language, that he will take other steps to iron out the matter if the Council finds him to be in error, was presented.

Mr. Parsons spoke on the subject of his communication, and referred particularly to transfer points, which he said made it necessary to walk to far and that in some instances encouraged "jay walking". He said that the City Manager had not seen the things he had pointed out.

RESOLUTION NO. 102443, recorded on Microfilm Roll No. 39, referring commun-

ication from Richard L. Parsons, relative to the San Diego Transit System to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, reporting on claim of Louis Paradise, in the sum of \$45.00, stating that payment has been made, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, reporting on claim of Ruth Shockman and M. L. Shockman regarding personal injury sustained in San Diego Zoo by Mrs. Shockman and loss of time from work by Mr. Shockman in caring for her - in the sum of \$17,206.23 - stating that the Zoo's insurance carrier is the Commercial Casualty Co., in the Orpheum Theatre Building, and recommending denial, was presented.

The City Manager and the Deputy City Attorney reported on the matter to the Council, and said that the Zoological Society, which is a separate corporation, carries its own insurance.

On motion of Councilman Schneider, seconded by Councilman Swan, the matter was referred to the City Attorney for report and recommendation, by Resolution No. 102444, recorded on Microfilm Roll No. 39.

RESOLUTION NO. 102445, recorded on Microfilm Roll No. 39, directing notice of filing of the Street Superintendent's Assessment No. 2009, made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 1 Monte Mar Vista, within the limits and as particularly described in Resolution of Intention No. 99396, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102446, recorded on Microfilm Roll No. 39, directing notice of filing of the Street Superintendent's Assessment No. 2010, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Florida Court, within the limits and as particularly described in Resolution of Intention No. 96930, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 102447, recorded on Microfilm Roll No. 39, accepting bid of San Diego Gas & Electric Company and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, for a period of one year from and including October 15, 1950, to and including October 14, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 102448, recorded on Microfilm Roll No. 39, accepting bid of San Diego Gas & Electric Company and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1950, to and including November 15, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102449, recorded on Microfilm Roll No. 39, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Dodson Street, approving Plat No. 2264 showing the exterior boundaries of the district to be included in the assessment therefor, directing the City Clerk upon passage of the resolution of intention for said improvement to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102450, recorded on Microfilm Roll No. 39, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for a period of one year from and including December 16, 1950 to and including December 15, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 102451, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 102452, recorded on Microfilm Roll No. 39, closing portion of Friars Road, within the limits set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102453, recorded on Microfilm Roll No. 39, for the paving and otherwise improving of Dodson Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102454, recorded on Microfilm Roll No. 39, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alleys in Block 1 Ocean View, and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102455, recorded on Microfilm Roll No. 39, ascertaining and declaring the wage scale for the paving and otherwise improving of 59th Street and Kenwood Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102456, recorded on Microfilm Roll No. 39, ascertaining and declaring the wage scale for the paving and otherwise improving of Jarvis Street and Scott Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102457, recorded on Microfilm Roll No. 39, ascertaining and declaring the wage scale for the paving and otherwise improving of Wightman Street, 38th Street and 41st Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102458, recorded on Microfilm Roll No. 39, approving the diagram of the property affected or benefited by the work of improvement to be done on paving and otherwise improving of the Alleys in Block L Plumosa Park, within the limits and as particularly described in Resolution of Intention No. 100470, directing the City Clerk to deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102459, recorded on Microfilm Roll No. 39, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Draper Avenue, within the limits and as particularly described in Resolution of Intention No. 100471, directing the City Clerk to deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102460, recorded on Microfilm Roll No. 39, approving diagram of the property affected or benefited by the work of improvement to be done on the installation of an ornamental lighting system in portion of 30th Street, within the limits and as particularly described in Resolution of Intention No. 99509, directing the City Clerk to deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102461, recorded on Microfilm Roll No. 39, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Dawes Street, Emerald Street, Everts Street and Felspar Street, within the limits and as particularly described in Resolution of Intention No. 101111 and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102462, recorded on Microfilm Roll No. 39, directing the City Engineer to furnish the Council with a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of 51st Street, within the limits and as particularly described in Resolution of Intention No. 101047, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102463, recorded on Microfilm Roll No. 39, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Gresham Street and Graham Street, within the limits and as particularly described in Resolution of Intention No. 101112, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102464, recorded on Microfilm Roll No. 39, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Venice Street, Brighton Avenue and the Northeasterly and Southwesterly Alley in Block 91 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 101051, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending that, effective September 1, 1951, the area in and adjacent to Sunset Cliffs, indicated on plat attached to said communication as the area with a yellow border be established as a street lighting assessment district, was presented.

RESOLUTION NO. 102465, recorded on Microfilm Roll No. 39, adopting recommendation of the City Manager filed in the office of the City Clerk under Document No. 434110 for the establishment of a street lighting assessment district in portions of Sunset Cliffs, Riviera Villas, Cornish Heights and other tracts adjacent to Sunset Cliffs, as indicated on Drawing 2987L attached to said recommendation, authorizing and directing the City Engineer to furnish a description of the exterior boundaries of the district to be benefited by said improvement and to be assessed to pay the costs and expenses thereof, all in pursuance of the Lighting District Ordinance of 1938, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102466, recorded on Microfilm Roll No. 39, adopting recommendation of the City Engineer, filed in the office of the City Clerk on May 22, 1951, under Document No. 433665, authorizing and directing the City Engineer to amend proceedings for improvement of Brant Street in accordance with said recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102467, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 432111 for the paving and otherwise improving of Archer Street, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, directing the City Engineer to consolidate said assessment district with the district heretofore ordered by Resolution No. 100668 for improvement of Agate Street, Dawes Street, Van Nuys Street and Archer Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102468, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 430856 for the paving and otherwise improving of Denver Street, Erie Street and Frankfort Street, each between Ingulf Street and Jellett Street, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, directing the City Engineer to consolidate said assessment district with the district heretofore ordered by Resolution No. 94589 for the improvement of streets in Bay Park Village and South Orchard Tract, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102469, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 432443 for the paving and otherwise improving of Felspar Street, between Olney Street and Pendleton Street, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, directing the City Engineer to consolidate said assessment district with the district heretofore ordered by Resolution No. 100670 for the improvement of Noyes Street and Felspar Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102470, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 432840 for the paving and otherwise improving of Rex Avenue, between Shiloh Road and 52nd Street, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, directing the City Engineer to consolidate said assessment district with the district heretofore ordered by Resolution No. 99822 for the improvement of Rex Avenue, Wightman Street and Shiloh Road, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102471, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 431841 for the paving and otherwise improving of Thomas Avenue, between Gresham Street and Ingraham Street, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, directing the City Engineer to consolidate said assessment district with the district heretofore ordered by Resolution No. 98139 for the improvement of Reed Avenue and Thomas Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102472, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 432441 for the paving and otherwise improving of the Alleys in Blocks 206 and 207 Mission Beach, directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102473, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 431339 for the paving and otherwise improving of the Alley in Block 244 University Heights, directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102474, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 430857 for the paving and otherwise improving of Birch Street, between Woden Street and the center line of Vesta Street, directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102475, recorded on Microfilm Roll No. 39, granting petitions contained in Documents No'd 422850 and 432839, for the paving and otherwise improving of Central Avenue, between the northerly line of Thorn Street and the southerly line of Quince Street, directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102476, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 430919 for the paving and otherwise improving of Dawes Street, from Lorring Street to the north line of Opal Street, directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102477, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 432442 for the paving and otherwise improving of Felspar Street, between Dawes Street and Everts Street, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the paving and otherwise improving thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102478, recorded on Microfilm Roll No. 39, granting petition contained in Document No. 433152 for the installation of sewers in the area in and adjoining the Aschoff, Miller and Kelly Subdivision and Pueblo Lot 276, directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be assessed to pay the costs, damages and expenses thereof, directing the City Engineer to include said assessment district portions of Pueblo Lots 276, 339 and the Subdivision of Pueblo Lot 277 in accordance with his recommendation filed under Document No. 433609, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102479, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of 140 feet of four-inch C.I. pipe and 640 feet of two-inch W.I. pipe, and the installation of 940 feet of six-inch water main and one fire hydrant in 32nd Street, between Collier Avenue and the Alley south of Adams Avenue, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102480, recorded on Microfilm Roll No. 39, authorizing and empowering the City Manager to enter into agreement with the State of California, Department of the California Highway Patrol, acting through its duly appointed and qualified Commissioner, wherein said City agrees and consents to the use by the Highway Patrol, through remote control, of Radio Station KMA363 and of the building and power facilities of the City repeater station at Lyons Peak, and said State agrees to provide two metallic telephone circuits from the California Highway Patrol office to the fire alarm building, Balboa Park, and to make all California Highway Patrol radio equipment reasonably available, at stated intervals, for any desired routine service work, upon payment of \$368.00 per month to the City, from July 1, 1951 to June 30, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102481, recorded on Microfilm Roll No. 39, authorizing and directing the City Manager, for and on behalf of the City, to make application to the Board of Supervisors of the County of San Diego, and to take all necessary steps to acquire for public purposes tax-deeded Lot 22 in City Gardens from the State of California, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102482, recorded on Microfilm Roll No. 39, accepting deed of Robert "M" Cox and Betty Jane Cox, bearing date May 18, 1951, conveying an easement and right of way for street purposes in portion of 1/4 Section 81 of Rancho de La Nacion, excepting therefrom any portion of Sea Breeze Drive as said Drive is located and established as of the date of said Resolution, setting aside and dedicating the same to the public use as and for a public street, and naming the same Potomac Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4819 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$5,000.00 from the General Fund Reserve for Improvement Projects, for the purpose of providing funds for construction of a Central Stores Facilities at the Chollas Yard, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

The final reading of such Ordinance was in full.

Proposed Ordinance incorporating Lots 64 to 67 inclusive and the south 9 feet of Lot 68 D. B. Williams Subdivision; Lots 36 to 39 inclusive and Lots 71 to 75 inclusive G. A. Bush Addition; portions of Lots 37 and 38 Fleischer's Addition; the northerly 1/2 of Lot 12 and Lots 13 to 16 inclusive Block 9 Estudillo and Caprons Addition, into RC Zone as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 190 (New Series) insofar as the same conflicts - on Washington Street, from 7th to 9th Avenues; originally petitioned for from R-4 to C - was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., of Tuesday, the 19th day of June, 1951.

At this time the report of the City Purchasing Agent, bearing the City Manager's stamp of approval, which matter had been continued to this meeting from the meeting of May 24, 1951, and brought up earlier in this meeting awaiting a report from the City Manager, was considered again. Said report recommended acceptance of the bid of H. W. Grizzle, low bidder, in the sum of \$10,360.00 for erection of Utility Building with comfort stations, at Municipal Golf Course, Balboa Park.

The City Manager made a verbal report in which he corrected a previous report in which he had said that the cost was about \$10.00, whereas it is actually about \$8.00 per square foot. Also, the City Manager told the Council about the proposed use to be made of the building.

RESOLUTION NO. 102483, recorded on Microfilm Roll No. 39, accepting bid of H. W. Grizzle for erection of Utility Building with Comfort Stations, at Municipal Golf Course Balboa Park, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4820 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$10,600.00 from the Capital Outlay Fund for the purpose of providing funds for the erection of a utility building, with comfort stations, on the Municipal Golf Course in Balboa Park, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

The City Manager requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

Communication from the Purchasing Agent reporting on bids for furnishing pipe and fittings for Lakeside Pumping Plant, and recommending award to Consolidated Western Steel Corporation, the low bidder. Said communication bears the Assistant City Manager's stamp of approval, and reports that the Water Department Director concurs in the recommendation.

RESOLUTION NO. 102484, recorded on Microfilm Roll No. 39, accepting bid of Consolidated Western Steel Corporation for the furnishing of pipe and fittings for the Lakeside Pumping Plant, for the sum of \$23,173.00, plus sales tax, authorizing and directing the City Manager to execute a contract therefor, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Prior to adoption of the Resolution, the City Manager said that bid opening had been "postponed to get this bid", and that it is a fair bid.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the Council took a recess, at the hour of 10:45 o'clock A.M., until the hour of 3 o'clock P.M. this date.

Upon declaring the meeting in recess, the Mayor announced that the Council would go into conference.

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Upon re-convening, at the hour of 5:02 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

Communication from the City Attorney, presenting an Ordinance establishing new zones, and amending the present zoning Ordinance. He explained the matter to the Council, and recommended reference to Conference for study.

RESOLUTION NO. 102485, recorded on Microfilm Roll No. 39, referring the communication from the City Attorney, which communication submitted Ordinance amending the present Zoning Ordinance, and referring said proposed Ordinance, amending Sections 5A & 6, and adding 4 new Sections to Ordinance No. 8924, in connection with zoning, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4821 (New Series), recorded on Microfilm Roll No. 39, establishing a Schedule of Compensation for Officers and Employees in the Classified Service of The City of San Diego, providing Uniform Compensation for Like Service; and Establishing a Schedule of Compensation for Officers and Employees in the Unclassified Service of said City; and Repealing Ordinance No. 4428 (New Series) adopted May 29, 1950, and Ordinance No. 4429 (New Series) adopted May 29, 1950, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Prior to adoption of said Ordinance, a written or printed copy thereof was furnished to each member of the Council.

Upon presentation of the Ordinance to the Council, the City Attorney advised its adoption at this time. He said that he will meet with the Personnel Director and the City Manager first thing on Thursday morning, at which time it will be checked in detail, and any clerical errors found, would be corrected.

The City Manager revied the classification Ordinance, regarding funds needed in the Budget for salaries. He said that the Budget is based, now, on the old figures, which will have to be raised as a result of adoption of said Ordinance No. 4821 (New Series).

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Wincote, seconded by Councilman Schneider, at the hour of 5:12 o'clock P.M.

John D. Butler

Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadstrom*

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, May 31, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:10 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Mayor Butler
Absent---Councilmen Dail and Godfrey
Clerk----Fred W. Sick

The next two items were withdrawn from Council Conference, on motion of Councilman Kerrigan, seconded by Councilman Schneider, and ordered filed:

Communication from the Harbor Commission relative to salaries and wages in the Harbor Department, recommended by Kroeger and Associates;

Kiwanis Club of Pacific Beach relative to filling vacancy on the City Planning Commission.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the oft-continued proposed Ordinance incorporating portions of Pueblo Lots 1788 and 1299 into "M-2" Zone, repealing conflicting ordinances, the property lying between Pacific Highway and the Santa Fe Railway, northerly of Balboa Avenue, was presented again. On motion of Councilman Schneider, seconded by Councilman Kerrigan, the hearing was continued until the hour of 10:00 o'clock A.M., of Thursday, June 14, 1951.

Councilman Godfrey entered the meeting at this time

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Joseph W. Johnson, 4068 - 38th Street, from the decision of the Zoning Committee in denying by its Resolution No. 5529 his application No. 9328 for variance to the provisions of Ordinance No. 8924 Section 8a for permission to convert garage into living unit making a total of 3 living units of which 2 will be served by a 3-foot access court on Lot 41 Block 37 City Heights, at said address, a report from the Zoning Engineer was presented and read.

A letter from Mr. Johnson, stating that he can obtain guarantees to provide any tenant with off-street parking or garage space if the tenant or tenants own a car, and requesting return of the request to the Commission with a favorable recommendation for approval, was presented and read.

The Planning Director showed a plot plan of the property, and stated that it would be advisable to refer the matter back, inasmuch as the situation has changed since the request was originally denied by the Commission.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said matter was referred back to the Zoning Committee.

Claim of The Pacific Telephone and Telegraph Company, 740 South Olive Street, Los Angeles 55, in the sum of \$225.00, for damage to underground cable by a road grader, was presented.

RESOLUTION NO. 102486, recorded on Microfilm Roll No. 39, referring claim of The Pacific Telephone and Telegraph Company to Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of Edward Rolecki, a minor, by Catherine Rolecki, his mother and natural guardian, by Ray Miller, Attorney for Claimant, 424 Granger Building, in the sum of \$3,000.00, for injury while playing over, around and about a sewer pipe, was presented.

RESOLUTION NO. 102487, recorded on Microfilm Roll No. 39, referring claim of Edward Rolecki, a minor, by Catherine Rolecki, to Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing requirements of Fuel and Diesel Oils for period of one year beginning July 1, 1951, was presented.

RESOLUTION NO. 102488, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City of San Diego's requirements of Fuel and Diesel Oils for a period beginning July 1, 1951, and ending June 30, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing requirements of Ferric Chloride for the period beginning July 1, 1951, and ending June 30, 1952, was presented.

RESOLUTION NO. 102489, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City with its requirements of Ferric Chloride for the period beginning July 1, 1951 and ending June 30, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing requirements of liquid Chlorine for the period beginning July 1, 1951 - for one year - was presented.

RESOLUTION NO. 102490, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City with its requirements of Liquid Chlorine for the period of one year commencing July 1, 1951 and ending June 30, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, submitting Resolution authorizing bids for magazine and newspaper subscriptions for the period of one year beginning September 1, 1951, was presented.

RESOLUTION NO. 102491, recorded on Microfilm Roll No. 39, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego Library with subscriptions to magazines and newspapers for the year beginning September 1, 1951 and ending August 31, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102492, recorded on Microfilm Roll No. 39, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the construction of a concrete parking apron in front of the Administration Building, Lindbergh Field, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102493, recorded on Microfilm Roll No. 39, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for moving and renovation of the Hangar located at 2830 Pacific Highway, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on suggestion made by W. E. Dent for conservation of water, attaching a copy of his reply to Mr. Dent, was presented. On motion of Councilman Wincote, seconded by Councilman Schneider, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on complaint of Eugene Raimo regarding operations of Jet Manufacturing Company at 5050 Newport Avenue, Ocean Beach, attaching copies of his reply to Mr. Raimo and from the Planning Director addressed to the Jet Manufacturing Company requiring compliance with conditions under which permission to operate and notifying the Company that continued violation may result in revocation of the permit to operate, was presented.

On motion of Councilman Wincote, seconded by Councilman Swan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on petition of property owners for the naming of the east-way Alley in Block 389 Pacific Beach, lying Mission Boulevard and Strand Way "Wave Crest Court", stating that it has been a long-standing policy of the City not to name alleys because of the parking problems that arise and because in many instances separate sewer and water service installations are required to take care of properties developed along the alley, and because the zoning ordinance prohibits construction of residential property unless it faces on a street, recommending denial, was presented.

RESOLUTION NO. 102494, recorded on Microfilm Roll No. 39, denying petition of property owners requesting the naming of the east-west alley in Block 389 Pacific Beach, lying between Mission Boulevard and Strand Way, "Wave Crest Court", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 4 sections of the Subdivision Ordinance in connection with the Tentative Map of Clearview Manor, was presented.

RESOLUTION NO. 102495, recorded on Microfilm Roll No. 39, suspending Sections 3I2, 5C, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Clearview Manor, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map, being an amended map for the subdivision of portion of the southwest quarter of Section 34 T-16S, R2W, SBBM, known as Clearview Manor, located on 54th Street just northerly of the subdivision of Westwood Hills, was presented.

RESOLUTION NO. 102496, recorded on Microfilm Roll No. 39, approving the amended Tentative Map of Clearview Manor, subject to 9 conditions set forth in detail in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the Subdivision Ordinance in connection with the Tentative Map of Cosgrove Estates, was presented.

RESOLUTION NO. 102497, recorded on Microfilm Roll No. 39, suspending Sections 3C, 3I1, 5C, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Cosgrove Estates, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Cosgrove Estates, for the subdivision of portion of Lots 20 and 21 of East Redlands, comprising 55 lots, located northerly of 59th Street and Adams Avenue, subject to various conditions, was presented.

RESOLUTION NO. 102498, recorded on Microfilm Roll No. 39, approving the Tentative Map of Cosgrove Estates, subject to 9 conditions set forth in detail in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the Subdivision Ordinance in connection with the Tentative Map of Furlow Heights Unit No. 3, was presented.

RESOLUTION NO. 102499, recorded on Microfilm Roll No. 39, suspending Sections 3E5, 3J6, 4A8 and 6, 5C, of the Subdivision Ordinance, in connection with the Tentative Map of Furlow Heights Unit No. 3, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the amended Tentative Map of Furlow Heights Unit No. 3, a subdivision of a portion of Lot 16 of C. C. Seaman's Subdivision and a portion of Section 34, Twp. 16S, R2W, SBB&M, subject to 9 conditions, was presented.

RESOLUTION NO. 102500, recorded on Microfilm Roll No. 39, approving Tentative Map of Furlow Heights Unit No. 3, subject to 9 conditions, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 6 sections of the Subdivision Ordinance in connection with the Tentative Map of Hazelwood, was presented.

RESOLUTION NO. 102501, recorded on Microfilm Roll No. 39, suspending Sections 3E5, 3I2, 3J6, 5C, 4A8 and 6 of the Subdivision Ordinance, in connection with the Tentative Map of Hazelwood, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Hazelwood, a subdivision of portion of Section 34 and of Lot 7 of Wadsworth Olive Grove, consisting of 82 lots lying southerly of Furlow Heights Unit No. 1 and extending westerly across 52nd Street, was presented.

RESOLUTION NO. 102502, recorded on Microfilm Roll No. 39, approving Tentative Map of Hazelwood, subject to 9 conditions, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending reapproval of the suspension of 2 sections of the Subdivision Ordinance, previously suspended by Resolution No. 93660 and reapproved by Resolution No. 97945, was presented.

RESOLUTION NO. 102503, recorded on Microfilm Roll No. 39, reapproving suspension of Sections 4A8 and 6, heretofore approved and reapproved, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending reapproval of the Final Map of Rancho View, a subdivision of the west half of the north-half of the northwest Quarter of Lot 29 Horton's Purchase, heretofore approved by Resolution No. 97946, was presented.

RESOLUTION NO. 102504, recorded on Microfilm Roll No. 39, reapproving the Tentative Map of Rancho View, a subdivision of 16 lots, located on A Street easterly of 49th Street, heretofore approved and reapproved, subject to 8 conditions set forth in detail in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Asst. Planning Director, recommending in connection with rezoning of Block B Bird Rock Villas, establishment of a 25-foot setback along Chelsea Avenue across Block B, to provide better protection and a buffer between the R-1 zone on the west side of Chelsea Avenue and the recommended R-4 zone for the westerly portion of Block B, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending the granting of an amended petition for rezoning portion of Block B Bird Rock Villas from the existing Zone R-1 to Zone R-4, and recommending that it be referring to the City Attorney for an Ordinance, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending granting petition of the San Diego City Schools for rezoning of portions of Pueblo Lots 182 and 193, as shown on plat attached thereto, for use as an elementary school site, from the existing R-1 Zone to Zone R-2, and recommending reference to the City Attorney for an Ordinance, was presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Pacific Indemnity Company, signed by J. E. Dalton, dated May 28, 1951, reporting on claim of Joe Collins and Peggy Collins, in the sum of \$12.31, reporting that the case has been closed by the payment of said sum, was presented. On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was ordered filed.

RESOLUTION NO. 102505, recorded on Microfilm Roll No. 39, granting revocable permit to J. R. Townsend Co., Inc., State and B Streets, San Diego 1, California, to install and maintain one 550-gallon Gasoline Storage Tank 5 feet below the sidewalk adjacent to said company's property at 1306 Kettner Boulevard, subject to the several conditions contained in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102506, recorded on Microfilm Roll No. 39, granting permission to L. A. MacDonald, 2124 Sunset Boulevard, San Diego, to install a four inch cast sewer line between the property line and the sidewalk, to be placed 1.0 feet outside the property line and run in a southwesterly direction, parallel to the southeasterly line of Lot 7 Block 174 Middletown Subdivision, to point of intersection with public sewer, to serve property at 3704-06-08-10 Kettner Boulevard, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102507, recorded on Microfilm Roll No. 39, authorizing and approving expenses of Arthur C. Jenkins, consultant on matters in connection with the San Diego Transit System, for transportation from San Francisco to San Diego and return, for conferences with the City Manager, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102508, recorded on Microfilm Roll No. 39, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date May 10, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 38 and 39 Block 262 Guions Addition, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, on conditions therein expressed, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102509, recorded on Microfilm Roll No. 39, accepting quitclaim deed of Mrs. L. B. Hord, bearing date May 11, 1951, quitclaiming a portion of Lots 51 and 52 Block 180 University Heights, authorizing and directing the City Clerk to transmit said quitclaim deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102510, recorded on Microfilm Roll No. 39, accepting deed of Collwood Construction Company, Inc., a corporation, bearing date May 9, 1951, conveying

an easement and right of way for street purposes in portion of Lot 48 Collwood Unit No. 1, setting aside and dedicating the same to the public use as and for a public street, and naming the same Collwood Boulevard, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102511, recorded on Microfilm Roll No. 39, accepting deed of Collwood Construction Company, Inc., bearing date May 9, 1951, conveying an easement and right of way for street purposes in portion of Lots 53 and 54 Collwood Unit 1, setting aside and dedicating the same to the public use as and for a public street, and naming the same Collwood Boulevard, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102512, recorded on Microfilm Roll No. 39, accepting deed of Union Title Insurance and Trust Company, a corporation, and Morris Steinbaum, Frieda Steinbaum, Albert Steinbaum, Roberta G. Steinbaum, Herman Miller, Blanche A. Miller, M. Bert Fisher and Mae Fisher, bearing date September 11, 1950, conveying an easement and right of way for street purposes in portion of Lots 14 and 15 Marcellena Tract, and a portion of Lot 22 Partition of Rancho Mission of San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Collwood Boulevard, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102513, recorded on Microfilm Roll No. 39, accepting deed of Cecil Grisetti and Amber L. Grisetti, bearing date May 12, 1951, conveying portions of Lot 7 Orange Crest, setting aside and dedicating the same to the public use, and naming the same 54th Street, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102514, recorded on Microfilm Roll No. 39, accepting deed of Alphoretta B. Fish, bearing date April 27, 1951, conveying portions of Lot 6 Block 33 Point Loma Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabaska Drive, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102515, recorded on Microfilm Roll No. 39, accepting deed of Howard F. Barton and Francel T. Barton, bearing date May 2, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 3 Block 158 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102516, recorded on Microfilm Roll No. 39, accepting deed of Virgil J. Park and Alta M. Park, bearing date May 14, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 1 Block 6 Homeland Villas, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102517, recorded on Microfilm Roll No. 39, accepting deed of Collwood Construction Company, Inc., a corporation, bearing date August 28, 1950, conveying an easement and right of way for slope purposes in portion of Lots 60 and 63 Collwood Unit No. 1, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102518, recorded on Microfilm Roll No. 39, accepting deed of Harry C. Hargreaves and Annalee M. Hargreaves, bearing date May 16, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 23 Randolph Terrace, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102519, recorded on Microfilm Roll No. 39, accepting deed of San Diego Unified School District of San Diego County, California, bearing date May 1, 1951, dedicating an easement and right of way for water main purposes in portion of Westbourne Street, as closed by Resolution No. 100303 of the Council of the City of San Diego,

lying within the boundaries of Starkey's Prospect Park, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102520, recorded on Microfilm Roll No. 39, accepting deed of Union Title Insurance and Trust Company, a corporation, bearing date May 15, 1951, conveying an easement and right of way for water main purposes in portion of Section 16 Township 16 South, Range 2 West, S.B.B.M., in Lot 67 of Rancho Mission of San Diego, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4822 (New Series), recorded on Microfilm Roll No. 39, appropriating the sum of \$500.00 from the Capital Outlay Fund, for the purpose of providing additional funds for the purchase of miscellaneous small parcels of land, to be used for permanent public improvements, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail. The final reading of such Ordinance was in full.

ORDINANCE NO. 4823 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of the Alley in Block 149 University Heights, between the south line of Howard Avenue and the north line of Polk Avenue, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Thereupon, on motion of Councilman Swan, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

ORDINANCE NO. 4824 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of 55th Street, between the north line of Montezuma Road and the westerly prolongation of the northerly boundary line of College Park Unit No. 3, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

ORDINANCE NO. 4825 (New Series), recorded on Microfilm Roll No. 39, establishing the grade of Oliphant Street, between the northwesterly line of Capistrano Street and the northeasterly prolongation of the southeasterly line of Clove Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

Councilman Wincote, requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda:

RESOLUTION NO. 102521, recorded on Microfilm Roll No. 39, as follows:

"WHEREAS, Thomas E. Sharp has contributed \$500,000 to the San Diego Community Hospital; and

WHEREAS, said contribution assures the construction of said hospital within the immediate future; and

WHEREAS, it has been determined that said hospital will be named in memory of his son, Lieut. Donald N. Sharp, an Air Force Bomber Pilot who gave his life in the service of his country; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That Thomas E. Sharp's contribution of \$500,000 be, and it is hereby publicly recognized as being of inestimable benefit to all the citizens of The City of San Diego, and that said contribution assures the construction of said community hospital within the immediate future.

BE IT FURTHER RESOLVED that this Council does hereby express, on behalf of all the citizens of The City of San Diego, its heartfelt appreciation of the generous contribution made by said Thomas E. Sharp in the name of his son, Lieut. Donald N. Sharp.

AND BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby instructed to forward a certified copy of this resolution to Thomas E. Sharp.

Presented by E. W. BLOM

Approved as to form by J. F. DuPaul, City Attorney.

By LOUIS M. KARP, Deputy City Attorney.

Passed and adopted by the said Council of the said City of San Diego, California, this 31st day of May, 1951, by the following vote, to-wit:
YEAS---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler
NAYS---Councilmen None
ABSENT-Councilman Dail

JOHN D. BUTLER
Mayor of the City of San Diego, California
FRED W. SICK
City Clerk of the City of San Diego, California
By HELEN M. WILLIG, Deputy

I HEREBY CERTIFY that the above and foregoing resolution was passed by the Council of the said City of San Diego, at the time and by the vote, above stated.

FRED W. SICK
City Clerk of the City of San Diego, California
By HELEN M. WILLIG, Deputy"

(SEAL)

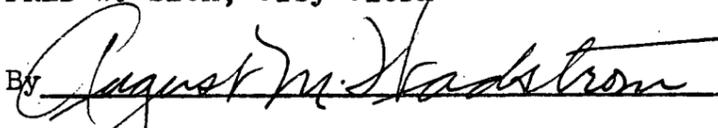
Louis M. Karp, Deputy City Attorney, made a verbal report in which he told the Council that the salary ordinance, passed and adopted on May 29, 1951, has been checked by the City Attorney, the City Manager and by the Civil Service Department, and that it is correct with the exception of one typographical error, which has been corrected.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Kerrigan, at the hour of 10:22 o'clock A.M.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By  Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, June 5, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

Mayor Butler Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Absent---Councilmen None
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, May 29, 1951, and of Thursday, May 31, 1951, were presented to the Council by the Clerk.
On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

Mayor Butler recognized 8th grade students of St. John's Grammar School, whom he welcomed to the meeting. He introduced them, together with Sister Mary Louise, their teacher. At the Mayor's request they arose.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the construction of Jamacha Road 12" Cast Iron Pipe Line from 6th Street and Imperial Avenue to Hermosillo Manor, the Clerk reported that 4 bids had been received.

Said bids were presented to the Council by the Clerk, and were opened and publicly declared upon motion duly made and seconded.

Said bids were as follows:

The bid of Walter H. Barber, 7309 El Cajon Boulevard, La Mesa, California, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of ten percentum of the amount of the accompanying bid, which bid was given Document No. 434269;

The bid of Carroll & Foster, 2285 Newton Avenue, San Diego, accompanied by bond written by Maryland Casualty Company in the sum of 10% of amount of bid, which bid was given Document No. 434270;

The bid of V. R. Dennis Construction Co., P.O. Box "F" Hillcrest Sta., San Diego, Calif., accompanied by bond written by Continental Casualty Company in the sum of 10% of the aggregate sum of the bid, which bid was given Document No. 434271;

The bid of ABC Construction Company, Inc., accompanied by bond written by United Pacific Insurance Company in the sum of an amount of money equal to ten per cent of the amount of the accompanying proposal, which bid was given Document No. 434272.

On motion of Councilman Swan, seconded by Councilman Wincote, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

At this time, Mr. Thomas E. Sharp came forward, at the invitation of the Mayor.

Mayor Butler read the Resolution adopted May 31, 1951, numbered 102521, expressing public recognition of the \$500,000 contribution toward the San Diego Community Hospital, to be named in honor of his son, Liet. Donald N. Sharp, Air Force Bomber Pilot who gave his life in the service of his country, which he presented, together with a parchment plaque bearing the Mayor's and Councilmen's signatures.

Mr. Sharp responded briefly, and said that the hospital would be a memorial not only to his son but to all boys "who made the supreme sacrifice". The hospital, he said, would probably be built within the next 18 months.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed improvement of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 102126, the Clerk reported that two written protests had been received, from Elbert, Ltd., and from Bessie Krolin, which protests were presented to the Council.

The City Engineer reported a 2.8% protest. The original petition, he said was some 53%, but that additional signatures had been secured to bolster it but had not been counted.

Councilman Dail told of adding names to the petition which brought it up as high as 80% on one of the streets, and made the same statement as the City Engineer about their not being counted as part of the original petition.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102522, recorded on Microfilm Roll No. 40, overruling and denying the protests of Elbert, Ltd., and of Bessie Krolin, against the proposed paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and public rights of way, within the limits and as particularly described in Resolution of Intention No. 102126, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102218 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 153 University Heights, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102523, recorded on Microfilm Roll No. 40, determining the proposed paving and otherwise improving of the Alley in Block 153 University Heights, within the limits and as particularly described in Resolution of Preliminary Determination No. 102218, to be feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2005, made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 13 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 98909, the Clerk reported that a written appeal had been received from Herbert B. Jackson, which appeal was presented to the Council.

The City Engineer reported that the appeal covered a dispute which had arisen between Mr. Jackson and the contractor who had removed the fence adjoining the Jackson property, which had been replaced by Mr. Jackson. He said that it was an old fence, which needed new material for rebuilding, that the question was one having to do with the amount which each should pay for the fence. He said it is a question in which the City is not involved,

and one which will have to be settled between the two parties.

RESOLUTION NO. 102524, recorded on Microfilm Roll No. 40, overruling and denying the appeal of Herbert B. Jackson from the Street Superintendent's Assessment No. 2005 made to cover the costs and expenses of the paving and otherwise improving the Alley in Block 13 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 98908, overruling and denying all other appeals therefrom, confirming and approving said Assessment No. 2005, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to file for record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2003 made to cover the costs and expenses of the paving and otherwise improving of Ampudia Street, within the limits and as particularly described in Resolution of Intention No. 98256, the Clerk reported that a written appeal had been received from Fred J. Martinez, which appeal was presented to the Council.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no additional written appeals were presented.

RESOLUTION NO. 102525, recorded on Microfilm Roll No. 40, overruling and denying the appeal of Fred J. Martinez from the Street Superintendent's Assessment No. 2003 made to cover the costs and expenses of the paving and otherwise improving of Ampudia Street, within the limits and as particularly described in Resolution of Intention No. 98256, overruling and denying all other appeals therefrom, confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to file said warrant, diagram and assessment in his office for record, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2004, made to cover the cost and expenses of the paving and otherwise improving of Opal Street, within the limits and as particularly described in Resolution of Intention No. 99508, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 102526, recorded on Microfilm Roll No. 40, confirming and approving the Street Superintendent's Assessment No. 2004 made to cover the cost and expenses of the paving and otherwise improving of Opal Street, within the limits and as particularly described in Resolution of Intention No. 99508, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to file said warrant, diagram and assessment in his office for record, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District, for a period of one year from and including February 15, 1951 to and including February 14, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 102527, confirming and adopting as a whole the "Engineer's Report and Assessment for Crown Point Lighting District No. 1", filed in the office of the City Clerk April 27, 1951, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted. Said Resolution was recorded on Microfilm Roll No. 40.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1951 to and including March 4, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 102528, recorded on Microfilm Roll No. 40, confirming and adopting as a whole the "Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 2", filed in the office of the City Clerk April 27, 1951, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District No. 1, for a period of one year from and including February 1, 1951, to and including January 31, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 102529, recorded on Microfilm Roll No. 40, confirming and

adopting as a whole the "Engineer's Report and Assessment for Presidio Hills Lighting District No. 1", filed in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Application of Yale Kahn, 5274 Marlborough, for permission to operate a cabaret at Carnival Room, 133 West Broadway, was presented, together with recommendation for approval from the interested City departments.

RESOLUTION NO. 102530, recorded on Microfilm Roll No. 40, granting permission to Yale Kahn to conduct a cabaret with paid entertainment at Carnival Room, 133 West Broadway, where liquor is sold but no dancing conducted, subject to the regular license fee and to compliance with existing regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing one year's requirements of Premix and Transit Mix Concrete, was presented.

RESOLUTION NO. 102531, recorded on Microfilm Roll No. 40, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing to The City of San Diego its requirements of Premix and Transit Mix Concrete for one year commencing June 1, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the stamps of approval of the Purchasing Agent and the Acting City Manager, reporting on bids received for construction of a 54 inch sewer outfall at the Sewage Treatment Works, recommending acceptance of the low bid of Walter H. Barber in the sum of \$102,236.30, was presented.

The City Engineer, upon being asked to report upon the estimate for the cost of the project said that it had been approximately \$67,000.00. The contractor, he said, is taking a chance on the job which he described as a risky one.

RESOLUTION NO. 102532, recorded on Microfilm Roll No. 40, accepting the bid of Walter H. Barber, at the unit prices set forth in his bid, as the lowest, responsible and reliable bidder, for construction of a 54-inch outfall sewer at the Sewage Treatment Works, awarding contract therefor and authorizing the City Manager to execute the same for and on behalf of the City, upon execution by said Walter H. Barber of said contract, and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on communication from the Alice Birney Parent Teachers Association regarding the possibility of keeping pedestrian underpass on El Cajon Boulevard and Park Boulevard open during the summer vacation, and regarding the traffic signals was presented, together with copy of his reply to the Association and a letter to the City Schools.

The City Manager's letter to the Parent Teachers Association points out that the tunnel is maintained by the San Diego City Schools and that the request is being referred to the Schools, and states that it is not feasible to assign an officer specifically to the location to prevent child molestation but that the department is increasing patrol of all school and playground areas. The report says also that the traffic signals have been checked and are functioning properly, but that they will not give pedestrians sufficient time to cross either Washington or Normal unless they are actuated by the push button provided for pedestrian use.

The Manager's letter to the City Schools transmits the request of said Association in regard to the tunnel for consideration.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

Communication from the City Manager reporting on communication from Alex Gordon regarding need for traffic signals at the intersection of University Avenue with Arnold Avenue, attaching copy of his reply to Mr. Gordon, was presented.

The City Manager's reply to Mr. Gordon stated that the City Traffic Engineer and Police Department's Traffic Division have investigated the request but find that on a basis of either traffic volume, or accident, or pedestrians using the crossing, or a combination of all three, the location is far down the list of intersections which justify use of traffic signals. It points out that various other means are being taken to improve traffic conditions at the point in question.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from the City Manager reporting on communication from R. G. Callvert requesting re-enactment of ordinances governing erection of fences in the City, attaching copy of his reply to Mr. Callvert, and stating that the City Attorney and Planning Director are collaborating on re-enactment with modifications, was presented.

Councilman Schneider moved to refer the matter to Council Conference, which motion received no second.

The City Manager made a verbal report in which he said that he had already received a "thank you" from Mr. Callvert, and that he had invited Mr. Callvert to appear and express his views in the matter.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the matter was ordered filed.

Communication from the City Manager reporting on communication from Richard L. Parsons relative to Transit Company service, attaching copy of his reply to Mr. Parsons, was presented.

The Manager's reply to Mr. Parsons pointed out that the City had employed the services of Arthur C. Jenkins, consulting engineer, to make a survey of operations, and pointed out that the report has just been completed and filed with the Council, also that it will be studied and every effort made to institute recommendations for betterment of service.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the City Manager reporting on communications from San Diego County Chevrolet Dealers' Association and San Diego Junior Chamber of Commerce requesting removal of traffic island on Sixth Avenue at Elm Street, attaching copies of his replies to the effect that it would not be feasible for the City to grant the requests, which are in connection with the annual "Soap Box Derby", was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the City Engineer referring to proceedings for improvement of Gamma Street, 42nd Street and Beta Street, advising of necessity for a double-deck street ~~street~~ on Gamma Street between 39th and 41st Streets. The report stated that together with retaining wall, special curbs, guard fence and guard rail the cost would probably be \$25,000.00, which he said it is very doubtful that the property could stand if assessed against the district, was presented.

The City Manager asked to have the matter continued until the Thursday meeting of this week.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was continued until the meeting of Thursday, June 7, 1951.

Communication from the City Attorney reporting on Resolution No. 102444 referring to his office the communication of Pacific Indemnity Company reporting on claim of M. L. Shockman and Ruth Shockman, in the amount of \$17,206.23 arising out of an accident occurring in the Zoo on February 17, 1951, was presented.

The report stated that the Commercial Casualty Company, the Zoo's insurance carrier, and that they are aware of the claim and are taking care of the same, and recommended filing.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated May 28, 1951, signed by J. M. MacConnell, reporting on claim of Jack Ross in the sum of \$220.00, which had been closed by payment of \$200.00, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

RESOLUTION NO. 102533, recorded on Microfilm Roll No. 40, directing notice of filing of the Street Superintendent's Assessment No. 2013, made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alleys in Block 18 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 100220, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102534, recorded on Microfilm Roll No. 40, directing notice of filing of the Street Superintendent's Assessment No. 2011, made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alleys in Blocks 52 and 71 University Heights, within the limits and as particularly described in Resolution of Intention No. 98910, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102535, recorded on Microfilm Roll No. 40, directing notice of filing of the Street Superintendent's Assessment No. 2012, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Dwight Street, within the limits and as particularly described in Resolution of Intention No. 98626, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF AWARD NO. 102536, recorded on Microfilm Roll No. 40, accepting bid of John B. Henry for the paving and otherwise improving of the Alleys in Block 69 Ocean Beach, and awarding contract, within the limits and as particularly described in Resolution of Intention No. 101713, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

The City Engineer reported to the Council in writing that the low bid was 12.7 below the estimate.

RESOLUTION OF AWARD NO. 102537, recorded on Microfilm Roll No. 40, accepting bid of Griffith Company for the paving and otherwise improving of Fortuna Avenue, and awarding contract, within the limits and as particularly described in Resolution of Intention No. 101714, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

The City Engineer reported to the Council in writing that the low bid was 24.7% below the estimate.

RESOLUTION OF AWARD NO. 102538, recorded on Microfilm Roll No. 40, accepting bid of Griffith Company for the paving and otherwise improving of Oliver Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101715, and awarding contract, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 102539, recorded on Microfilm Roll No. 40, accepting bid of San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1, for a period of one year from and including December 1, 1950, to and including November 30, 1951, and awarding contract, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 102540, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution of Intention No. 102015, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 102541, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, Glenfield Street, Heather Street, Manzanita Place, Marlborough Avenue, Pepper Drive, Snowdrop Street, Tuberosa Street, Violet Street, Fairmount Avenue, the Northwesterly and Southeasterly Alley in Block 37 Lexington Park, the Alley lying Northeasterly of and contiguous to Lot 31 Block 38 Lexington Park, Hollywood Park, Quince Street, and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 102016, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102542, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in Garnet Street Lighting District No. 1, for a period of one year from and including January 30, 1951, to and including January 29, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102543, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in Sunset Cliffs Lighting District No. 1, for a period of one year from and including January 15, 1951, to and including January 14, 1952, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 102544, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of the Alleys in Block 1 Ocean View, and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 102545, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of 59th Street and Kenwood Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 102546, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Jarvis Street and Scott Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 102547, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Wightman Street, 38th Street and 41st Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 102548, recorded on Microfilm Roll No. 40, for the closing of portion of Ocean Boulevard, within the limits set forth in said Resolution, declaring that it is not deemed necessary that any land be taken therefor, setting forth the exterior boundaries of the district of lands to be affected and assessed to pay the damages, costs and expenses thereof, electing to proceed under the provisions of the "Street Opening Act of 1889", directing publication of notice and posting thereof, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 102549, recorded on Microfilm Roll No. 40, for the closing of portion of Playa Del Norte Street, within the limits set forth in said Resolution, declaring that it is not deemed necessary that any land be taken therefor, setting forth the exterior boundaries of the district of lands to be affected and assessed to pay the damages, costs and expenses thereof, electing to proceed under the provisions of the "Street Opening Act of 1889", directing publication of notice and posting thereof, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102550, recorded on Microfilm Roll No. 40, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year, from and including May 1, 1951, to and including April 30, 1952, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102551, recorded on Microfilm Roll No. 40, ascertaining and declaring the wage scale for the paving and otherwise improving of Riley Street, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102552, recorded on Microfilm Roll No. 40, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101050, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending amendment to proceedings for the improvement of Gamma Street, 42nd Street and Beta Street, to include installation of retaining wall, a guard fence and rail, encasement of sewers and construction of a fire hydrant, together with a proposed resolution to carry the recommendation into effect, was presented.

The City Manager requested that this item (there was another matter listed earlier in these minutes) relating to said amendments be continued until the Thursday meeting.

On motion of Councilman Wincote, seconded by Councilman Schneider, the matter was continued until the meeting of Thursday, June 7, 1951.

RESOLUTION NO. 102553, recorded on Microfilm Roll No. 40, authorizing the City Manager to execute a lease to Foster and Kleiser Company on City-owned Lots 23 and 24 Block 309 Seaman and Choate's Addition, for the purpose of maintaining an advertising billboard panel, reserving to the City the right to make any use of the land which does not materially interfere with such maintenance of the billboard thereon, under form of lease on file in the office of the City Clerk under Document No. 434237, for a term of 5 years at a rental of \$20.00 per year payable in advance, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Prior to adoption of said Resolution, Councilman Schneider asked the City Manager for the location of the proposed billboard, expressing the belief that there were certain areas where City-owned land should not be leased for such purpose.

The City Manager could not answer the question, but informed Mr. Schneider that he will report on the location. (The property is located on the north side of National Avenue, at the westerly corner of 33rd Street).

RESOLUTION NO. 102554, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to execute for and on behalf of The City an agreement with Business Extension Bureau, 453 Spreckels Building, San Diego, for an exchange of information as to new businesses, business transfers and related data, in accordance with the terms and conditions contained in Document No. 434283 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The City Manager was asked for information in the matter. He made a verbal report in which he said it is to the City's interest to have the contract which offers an exchange of information with free service to the City, plus an income.

RESOLUTION NO. 102555, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego an agreement with Barrett W. Coates, Carl E. Herfurth and Arthur W. England, consulting actuaries, doing business under the name and style of Coates, Herfurth & England, wherein said parties agree to furnish to the Board of Trustees of the Police and Fire Retirement System such technical actuarial advice as may be requested by said Board of Trustees; for which services the City will pay \$600.00 in two installments of \$300.00, the first to be paid on

the 30th day of September, 1951, and the second on the 30th of June, 1952, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Councilman Wincote questioned the need for the information authorized, expressing the belief that it was for special information to be received by the City, as told to him by a member of said firm

The City Manager reported on the need for the services authorized, and on the fee to be paid.

The City Attorney told the Council that the service is required by the City Charter, and that it is for the purpose of furnishing necessary information in connection with determining actuarial figures in the said Retirement System.

RESOLUTION NO. 102556, recorded on Microfilm Roll No. 40, approving change order No. 5, dated May 17, 1951, heretofore filed with the City Clerk as Document No. 434241, issued in connection with contract between The City and H. W. Grizzle for construction of Fire Station No. 5 at Ninth and University Avenues, which contract is contained in Document No. 428790 on file in the City Clerk's Office, changes amounting to an increase in the contract price of \$25.00, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102557, recorded on Microfilm Roll No. 40, approving change order No. 5, dated April 25, 1951, heretofore filed with the City Clerk as Document No. 434243, issued in connection with contract between The City and C. A. Larson Construction Company for construction of the Pacific Beach Branch Library, which contract is contained in Document No. 430663 on file in the office of the City Clerk, changes amounting to an increase in the contract price of \$392.50, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102558, recorded on Microfilm Roll No. 40, authorizing and empowering the City Attorney to file a disclaimer to the complaint in action designated as "Asberry Stockton vs. Griffith Company, a corporation; Robert E. Hopkins & Company; Robert C. Lindsay, City Treasurer of the City of San Diego, et al", No. 163885 for the purpose of quieting title, in portions of Lots 26 to 29 inclusive in Block 257 University Heights, against public improvement assessment bonds numbered 13, 14, 15, 16, 17 Series 975 issued by The City of San Diego under and pursuant to the provisions of the Act of 1911, the City of San Diego having no right, title or interest in said real property described arising out of the said bonds, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending granting excess-width driveway on Fourth Avenue between J and K Streets, to Trepte Construction Company, Inc., to serve an addition to the Industries Supply Company's warehouse, was presented.

RESOLUTION NO. 102559, recorded on Microfilm Roll No. 40, granting permission to Industries Supply Company, by Trepte Construction Company, Inc., to install a 45-foot driveway on the east side of Fourth Avenue, as measured at the top of the full-height curb, approximately between points 102-1/2 feet and 147-1/2 feet north of the north line of K Street, adjacent to Lot D Block 121 Horton's Addition, to provide access to an addition to Industries Supply Company's warehouse, being constructed on the east side of Fourth Avenue between J and K Streets, at 345 Fourth Avenue, in compliance with City regulations, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending granting excess-width driveway on Reynard Way between Brookes Avenue and Torrence Street, to Sidney Jacobsen, to serve a 4-car garage, was presented.

RESOLUTION NO. 102560, recorded on Microfilm Roll No. 40, granting permission to Sidney Jacobsen, 1011 Eighth Avenue, San Diego 1, to remove 39 feet of curbing and install a driveway on the easterly side of Reynard Way, approximately between points 246 feet and 285 feet south of the south line of Torrence Street, adjacent to Lot 11 Royal Heights, to serve approach to four-car garage facing Reynard Way, located between Brookes Avenue and Torrence Street, to be constructed in compliance with City regulations, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102561, recorded on Microfilm Roll No. 40, granting permission to Andrew T. Freeman, authorized agent for Freeman Supply Company, 4673 Federal Boulevard, San Diego 2, California, to install a sewer line to serve property at said address, to have a total drop of 25 inches instead of 34 inches which would be required if 1/4" per foot City regulation were complied with, following approval by the City Manager and Department of Public Health, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The following matters were shown on the Council's agenda as having been referred directly to the City Manager by the City Clerk's office, to expedite action:

Petition of Raymond C. Camacho requesting sale of City-owned land at 43rd and Epsilon Streets;

Communication from Frederick Baltzly Sr. making suggestion for water conservation;

Communication from National City Chamber of Commerce relative to need for bus service in the district south of National Avenue and east of 43rd Street.

The City Manager requested, and was granted permission under unanimous consent of the Council, to present the several matters which follow, all of which were unlisted on the agenda for this meeting:

RESOLUTION NO. 102562, recorded on Microfilm Roll No. 40, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the remodeling of and addition to Administration Building, Lindbergh Field Municipal Airport, under Document No. 434279, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102563, recorded on Microfilm Roll No. 40, opposing adoption of the proposed bill which would extend the base of the 3-1/3% electrical energy tax to include sales by Government-owned plants; and urging the House Ways and Means Committee to reconsider the question of the proposed electrical energy tax, and further urging Congress to defeat the passage of the proposed bill, directing the City Clerk to forward certified copies thereof to The Honorable Clinton D. McKinnon, Member of Congress; to the Chairman of the House Ways and Means Committee; to the Chairman of the Senate Committee; and to The Honorable William F. Knowland and The Honorable Richard M. Nixon, Senators from California, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102564, recorded on Microfilm Roll No. 40, opposing adoption of an amendment to the Defense Production Act of 1951, Title IV, Section 402, Sub-section (e), which would authorize the Office of Price Stabilization to regulate rates charged by public utilities in states where publicly owned utilities are not now under the jurisdiction of state or local rate regulatory authorities; urging the Banking and Currency Committees of both Houses of Congress to reject the proposed amendment; urging the Congress of the United States to defeat the passage of the proposed bill, authorizing and directing the City Clerk to forward certified copies thereof to The Honorable Clinton D. McKinnon, Member of Congress; to the Chairmen of the Banking and Currency Committees of both Houses of Congress; and to The Honorable William F. Knowland and The Honorable Richard M. Nixon, Senators from California, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102565, recorded on Microfilm Roll No. 40, authorizing and directing Louis M. Karp, Deputy City Attorney, to go to Sacramento for the purpose of attending the hearing on Senate Bills 848 and 850 (San Diego-Coronado Tube), in the Assembly Committee on Conservation, Planning and Public Works, on Wednesday, June 6, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102566, recorded on Microfilm Roll No. 40, authorizing and directing the City Treasurer to exchange \$2,000,000 par value of 1-1/4% U. S. Treasury Notes purchased from inactive funds in the City Treasury, due July 1, 1951, for \$2,000,000 U. S. Treasury Notes maturing in approximately nine and one-half months, authorizing and directing the City Treasurer to sell all or such amount of said investments whenever additional cash is required for the purpose for which said funds were originally accumulated and placed in the Treasury of the City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Prior to adoption of said Resolution, Councilman Wincote objected. He said that if all took advantage of the idea, as proposed by the City of San Diego, it might upset the national government finances, and that it could conceivably run into billions.

After Resolution No. 102567 was adopted, Councilman Wincote pursued his ideas in connection with Federal financing and expenditures of funds. He said he felt that the City might lead the way in proposing to the Federal Government that it reduce expenses.

RESOLUTION NO. 102567, recorded on Microfilm Roll No. 40, referring to Council Conference for study and possible action, the matter of recommending to the Federal Government the matter of reduction of its expenses, was on Councilman Wincote, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4826 (New Series), recorded on Microfilm Roll No. 40, amending Section 7 of Ordinance No. 4821 (New Series), adopted May 29, 1951 - the Ordinance establishing a schedule of compensation for officers and employees in the Classified Service and in the Unclassified Service (the amendment covers Director of Operations of Police Department, and Director of Service of Police Department), was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

The final reading of such Ordinance was in full.

RESOLUTION NO. 102568, recorded on Microfilm Roll No. 40, granting permission to the North Park Business Club to install decorations on University Avenue, from 28th Street to Boundary Street, and on 30th Street, from Lincoln Avenue to Wightman Street, in the North Park area, between June 6 and June 10, 1951, subject to rules set forth in said Resolution which shall apply to decorative lighting fixtures, decorative lighting circuits,

decorative garlands, and all other apparatus used for decorative purposes, where and when suspended over public walks and thoroughfares, including permits, safety measures and public liability, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The City Manager told members of the Council that a complete set of rules is to be made up and distributed to all service and community organizations which sponsor carnivals and similar events, which would clarify in advance many points and would save time and effort of the organizations and departments of the City. It was suggested that the Manager might furnish copies of the rules to the Council before distribution, which he agreed to do. No action was taken upon the matter of rules.

RESOLUTION NO. 102569, recorded on Microfilm Roll No. 40, adopting and approving the execution of the Grant Agreement to be submitted to the Administrator of Civil Aeronautics, U. S. Department of Commerce, to obtain Federal aid in the development of Montgomery Field, in the City of San Diego, all as set forth in detail in said Resolution, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Councilman Kerrigan requested, and was granted, unanimous consent, to present the next matter of business, not listed on the Council's agenda:

Mr. Kerrigan brought up, verbally, the matter of a "going out of business sales" ordinance, and made reference to criticism which had been leveled at the Council relative to repeal of the ordinance on the subject.

Comment was made by members of the Council on an article appearing in the Better Business Bureau publication which had lampooned the City administration on the subject.

RESOLUTION NO. 102570, recorded on Microfilm Roll No. 40, referring to the City Attorney the matter of the "going out of business sales" ordinance, for a report to the Council on the subject, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Councilman Schneider requested, and was granted, unanimous consent, to present the next matter of business, not listed on the Council's agenda;

Mr. Schneider spoke about a letter he had received from Mrs. Eugene Buysse, 3179 N. Mt. View Dr., protesting use of City property by neighbors who had erected 6-foot wire fences which in at least one instance she claims to be a traffic hazard due to obstructing the view of cars backing into the street. The letter was filed by Mr. Schneider with the Council.

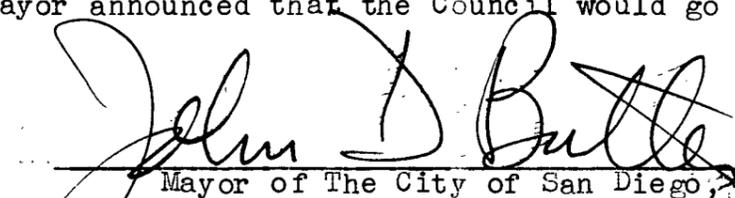
Mrs. Buysse spoke to the Council, who said that they were unable to take action at this time, inasmuch as investigation of the matter would have to be made.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, Mrs. Eugene Buysse's communication was referred to the City Manager and to the City Attorney for report to the Council.

Mayor Butler thanked the students from St. John's school, who had attended the meeting, and he invited them to go to his office.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 11:10 o'clock A.M.

Upon adjourning, the Mayor announced that the Council would go into conference.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, June 7, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:04 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeals of Anthony Calabrese from Zoning Committee decisions in connection with construction of a cafe, bar and apartments at 1533 Pacific Highway, Ray Hart, Contractor representing Mr. Calabrese, appeared and made statements in support of the appeal. Inasmuch as Mr. Calabrese was not present but was reported to be coming soon, the matter was continued temporarily.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of H. Bruce Weston, 305 Genter Street, La Jolla, from the decision of the Zoning Committee in attaching to its Resolution No. 5543 which granted variance to Ordinance No. 245 New Series Section 42, to John O. Knight, owner, and H. Bruce Weston, purchaser, to divide Lot 1 Block 4 F. T. Scripps Addition into 2 approximately equal parcels and erect 2 living units on each parcel, at the southeast corner of Genter Street and La Jolla Boulevard, in Zone R-2, requiring the granting an easement for widening of La Jolla Blvd. according to plans of the City Engineer, the appeal was presented.

The Zoning Engineer made no report, the matter apparently having been considered in an earlier conference of the Council.

RESOLUTION NO. 102571, recorded on Microfilm Roll No. 40, sustaining appeal of H. Bruce Weston from the condition imposed by the Zoning Committee for the granting of an easement for widening of La Jolla Boulevard according to plans of the City Engineer, in connection with its Resolution No. 5543 which variance to the provisions of Ordinance No. 245 New Series Section 4A, permitted John O. Knight, owner, and H. Bruce Weston, purchaser, to divide Lot 1 Block 4 F. T. Scripps Addition into 2 approximately equal parcels and erect 2 living units on each parcel, on the southeast corner of Genter Street and La Jolla Blvd., in Zone R-2, a 10-foot setback to be maintained from the existing east line of La Jolla Boulevard, and overruling said Committee's decision in imposing said condition, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Claim of Helen M. Henderson, by Charles B. Provence, 435 Bank of America Building, San Diego, in the sum of \$458.62, in connection with damage to her automobile by a City-owned truck, and for loss of use of said automobile, was presented.

RESOLUTION NO. 102572, recorded on Microfilm Roll No. 40, referring claim of Helen M. Henderson to the Pacific Indemnity Company was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Mrs. Lena Jordan, 4553 Texas Street, in the sum of \$298.00, for damage to her automobile by a Police patrol car, was presented.

RESOLUTION NO. 102573, recorded on Microfilm Roll No. 40, referring claim of Mrs. Lena Jordan to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Henry R. Murray, 417 University Avenue, in the sum of \$35.00, for personal injuries in fall at the corner of Goldfinch and Washington Streets, was presented.

RESOLUTION NO. 102574, recorded on Microfilm Roll No. 40, referring claim of Henry R. Murray to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Mrs. Louis Norship, 2203 Broadway, in the sum of \$31.00, for personal injury when a bench overturned with her at Golden Hill Park, was presented.

RESOLUTION NO. 102575, recorded on Microfilm Roll No. 40, referring claim of Mrs. Louise L. Norship to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing asphaltic street repair and surfacing materials for the period of one year commencing July 1, 1951, for the Public Works Department, was presented.

RESOLUTION NO. 102576, recorded on Microfilm Roll No. 40, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing asphaltic street repair and surfacing materials for the period of one year commencing July 1, 1951, in accordance with Document No. 434329, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for rental of 5-yard dump trucks for the period of one year commencing July 1, 1951, was presented.

Councilman Swan asked about the matter, and was informed by the City Manager that it is in the City's interest to rent such trucks as needed, and that it is an economical way of handling the matter.

RESOLUTION NO. 102577, recorded on Microfilm Roll No. 40, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing trucks, by rental, during the period of one year commencing July 1, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Application of Dorothy M. Schwarz and Chester N. Dunlap, for a cabaret license at Ewing's Restaurant and Cocktail Lounge, 3902 Fourth Avenue, was presented, together with recommendations for approval by interested City departments.

RESOLUTION NO. 102578, recorded on Microfilm Roll No. 40, granting permission to Dorothy M. Schwarz and Chester N. Dunlap to conduct a cabaret with paid entertainment at Ewing's Restaurant and Cocktail Lounge, 3902 Fourth Avenue, where liquor is sold but no dancing conducted, subject to regular license fee and to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on communication from Mrs. Orlan J. Clark, 4669 - 32nd Street, requesting information on what benefits were received by the homecoming Korean veterans of the First Division, from the \$5,000.00 appropriated by the City for the purpose, was presented, together with copy of his reply to Mrs. Clark.

A motion was made and seconded to file the matter.

Before the roll was called on the motion, the City Manager made a verbal report, in which he told the Council that a complete report had not been received from the Chamber of Commerce, the organization which handled details of the reception for the Marines.

Councilman Swan spoke, and commented upon the City's failure to have an official reception for the wounded service men who arrived in port yesterday aboard the USS Consolation.

The Mayor replied that no request for a reception had been received from military or naval sources, that the City would most certainly have entertained the men if it had been appropriate to do so. Most of the men, he said, were seriously wounded with many being litter cases and that a reception for them would not have been quite the thing. He said, however, that thousands were on hand to greet the men as they were brought ashore, but that the municipal welcome had not been extended for the reasons he had given.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

No action was taken upon the matter brought up by Mr. Swan.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Westwood Hills Unit No. 5, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 102579, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with O. D. Arnold and Ethel Arnold, husband and wife, for installation and completion of the unfinished improvements and the setting of monuments required for O. D. Arnold's Westwood Hills, Unit No. 5, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102580, recorded on Microfilm Roll No. 40, adopting Map of O. D. Arnold's Westwood Hills Unit No. 5, being subdivision of portion of Lot 17 Rancho Mission of San Diego, accepting on behalf of the public Timothy Drive, Fieger Street, Hanna Street, 55th Street, Pirotte Drive, Grape Street, Faulconer Street, portion of unnamed alley, and unnamed easements shown thereon for public purposes, declaring said streets, portion of unnamed alley and unnamed easements to be public streets and easements and dedicated to the public use, directing the City Clerk to endorse upon said map as and for the act of the Council that said streets portion of unnamed alley and unnamed easements are accepted on behalf of the public as therein stated, directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Two communications from the City Engineer, bearing the stamps of approval of the City Manager, which had been continued until this meeting from the meeting of June 5, 1951, relative to improvements on Gamma Street, 42nd Street and Beta Street, which referred to the double deck street which would be necessitated on portion of Gamma Street, together with retaining wall, special curbs and guard fence and guard rail, at a cost of approximately \$25,000.00, which cost would be too great for the assessment district to bear, were presented again.

The City Engineer made a verbal report, along the lines of his communications.

RESOLUTION NO. 102581, recorded on Microfilm Roll No. 40, abandoning proceedings heretofore taken for the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, under Resolutions Nos. 99814 and 94016, directing the City Engineer

to re-engineer the project for said streets, but to eliminate therefrom the section of Gamma Street between 39th Street and 41st Street, authorizing and directing the City Engineer to prepare and submit a plat of the district to be assessed for the proposed improvement, was on motion of Councilman Dail, adopted by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Zoning Director, recommending granting request of Cordie and John Adams for extension of Council Resolution No. 101303, which said Resolution granted permission to operate a grocery store at 2976 L Street, was presented.

RESOLUTION NO. 102582, recorded on Microfilm Roll No. 40, granting an extension of one year beyond the expiration date provided in Resolution No. 101303 to Cordie and John Adams for operation of a grocery store located at 2976 L Street, as recommended by the Zoning Committee, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Zoning Engineer, recommending denial of request of Robert L. Maw for a six months' extension of Council Resolution No. 100404 which Resolution granted zone variance to permit division of portion of Pueblo Lot 104 into two parcels and build a single family residence on each, which property is located on the southeasterly corner of Rosecroft Lane and Catalina Boulevard in Zone R-1, which property was not then owned by Mr. Maw and which has not yet been acquired by him, was presented.

RESOLUTION NO. 102583, recorded on Microfilm Roll No. 40, denying request of Robert L. Maw for a six months' extension on Council Resolution No. 100404 which Resolution granted zone variance to permit division of portion of Pueblo Lot 104 into two parcels and build a single-family residence on each, which property is located on the southeasterly corner of Rosecroft Lane and Catalina Boulevard, in Zone R-1, in accordance with recommendation of the Zoning Committee, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Zoning Engineer, reporting on the appeal of Jesse L. Hudson and Minnie M. Hudson from the decision of the Zoning Committee in denying application to erect a lath house addition and 128 sq. ft. of storage room to the existing lath house to be used in connection with retail sales of plants and nursery stock, Lots 8 and 9 Block 2 Beverly Subddision, at 1115 Euclid Avenue, in Zone R-2, which had been heard by the Council on May 17, 1951, and referred back to the Zoning Committee by the Council on May 17, 1951, reiterating its recommendation for denial, was presented.

RESOLUTION NO. 102584, recorded on Microfilm Roll No. 40, overruling and denying the appeal of Jesse L. Hudson and Minnie M. Hudson from the decision of the Zoning Committee in denying by its Resolution No. 5510 dated May 2, 1951, for variance to the provisions of Ordinance No. 116 New Series to permit erection of a 672 square foot lath house addition and 128 square foot storage room addition to the existing lath house to be used in connection with retail sales of plants and nursery stock, on Lots 8 and 9 Block 2 Beverly Subdivision, at 1115 Euclid Avenue, in Zone R-2, sustaining said Zoning Committee decision, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Pacific Indemnity Company, dated June 1, 1951, signed by J. M. MacConnell, reporting on claim of Mrs. R. W. Berg in the sum of \$63.00, stating that the case had been closed by payment of \$48.00 on May 28, 1951, was presented.

On motion of Councilman Dail, seconded by Councilman Schneider, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated June 1, 1951, signed by J. M. MacConnell, reporting on claim of Harold R. Butler in the sum of \$18.14, stating that the case had been closed by payment of said sum on May 25, 1951, was presented.

On motion of Councilman Dail, seconded by Councilman Schneider, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated June 1, 1951, signed by J. M. MacConnell, reporting on claim of Proctor & Gamble Distributing Co., in an unstated amount, stating that the case had been closed by payment of \$45.38 on May 28, 1951, was presented.

On motion of Councilman Dail, seconded by Councilman Schneider, said communication was ordered filed.

Communication from San Diego Tavern Owners Association and Associates, and Tobacco Vendors, etc., by D. Danforth, committee secretary, 307-8 Spreckels Bldg., San Diego 1, dated June 1, 1951, was presented. Said communication referred to the endorcement date of May 17 for Ordinance No. 4784 (New Series) adopted April 17, 1951, which Ordinance repealed Ordinance No. 2342 (New Series) having to do with prohibiting the playing of the "26 dice" game for cash or merchandise. The communication requested the granting of a rehearing on Ordinance 4784 N.S., with a view to granting some type of discretionary relief from the hardship on small businessmen to the extent of about 25% decrease in revenue.

RESOLUTION NO. 102585, recorded on Microfilm Roll No. 40, referring communication from San Diego Tavern Owners Association, et al, for re-hearing on Ordinance No. 4784 N.S. re use of dice games, to Council Conference, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

At this time Mayor Butler told members of the Council that Anthony Calabrese had arrived in the Council Chamber, and asked that the hearings on his two appeals be resumed.

Councilman Dail was excused from the meeting at this time.

Appeal of Anthony Calabrese from the decision of the Zoning Committee, in its Resolution No. 5554, to attach a condition for the signing and recording of an agreement for removal at the owner's expense of any construction beyond the setback line, in connection with variance to the provisions of Ordinance No. 401 New Series to permit Anthony and Josephine Calabrese to construct an addition to the existing cafe and bar, with a 5-foot setback on Lot 3 Block 288 Middletown, at 1533 Pacific Highway, in "C" Zone, and to permit a flower box to project 27 inches into the setback area and top projection of a pylon to project 32 inches into the setback area, a report from the Zoning Engineer was presented and read.

Appeal of Anthony Calabrese from the decision of the Zoning Committee, in its Resolution No. 5553, denying variance to the provisions of Ordinance No. 8924 Section 8a to permit construction of a storage room and lounge room, adjoining a living unit on the second floor above restaurant, with no side yard, on Lots 3 and 4 Block 288 Middletown, at 1533 Pacific Highway, in "C" Zone, a report from the Zoning Engineer was presented and read.

Ray Hart, contractor, who had constructed the improvements for Mr. and Mrs. Calabrese, spoke. He showed the Council the original plan, setting out the building's location. He said that an error had been made by him, in that he had failed to note the requirement for the location of the buildings on the back of the plans.

Councilman Dail returned to the meeting at this time.

The Zoning Engineer asked Mr. Hart questions in connection with the inspection cards posted on the premises.

Mr. Hart replied that he does not have them. He said that Mr. Calabrese would have a hard time borrowing money on the improvements if he were required to sign an agreement to remove the building from the setback encroachment when required by the City to do so, to provide for widening of Pacific Highway.

The Zoning Engineer told of investigations which he had made and which he had pointed out to Mr. Hart as being constructed too far out into the setback area.

The Mayor asked Mr. Calabrese if he wished to be heard.

Mr. Calabrese replied that he had nothing to say, and that the Council's action would be all right with him.

RESOLUTION NO. 102586, recorded on Microfilm Roll No. 40, denying the appeal of Anthony Calabrese from the decision of the Zoning Committee in requiring in its Resolution No. 5554 the signing and recording of an agreement to remove at the owner's expense of any construction beyond the setback line, in connection with variance to the provisions of Ordinance No. 401 (New Series), which said Resolution permitted Anthony and Josephine Calabrese to construct an addition to the existing cafe and bar, and a flower box to project 27 inches into the setback area and a top projection of a pylon to project 32 inches into said setback area, sustaining said Committee's action in requiring the signing and recording of such an agreement, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted. Said matter was also referred to the City Attorney.

RESOLUTION NO. 102587, recorded on Microfilm Roll No. 40, sustaining the appeal of Anthony Calabrese from the decision of the Zoning Committee in denying application of Anthony and Josephine Calabrese for permission to construct a storage room and lounge room adjoining a living unit on the second floor above a restaurant, with no sideyard, on Lots 3 and 4 Block 288 Middletown, at 1533 Pacific Highway in Zone C, overruling said Committee decision, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102588, recorded on Microfilm Roll No. 40, setting public hearings, pursuant to the provisions of Section 71 of the City Charter, for Tuesday, June 26, 1951 at 2:00 o'clock P.M. and Thursday, June 28, 1951, at 2:00 o'clock P.M., in the Council Chamber, for the purpose of affording the public an opportunity to be present and be heard with reference to the Annual Appropriation Ordinance proposed to be adopted for the fiscal year 1951-52, directing the City Clerk to publish for 5 days a notice of public hearings which shall contain a statement that the proposed ordinance will not be adopted until after said public hearings have been held, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102589, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to execute a lease agreement with Jack W. Brem and Helen Brem, whereby Block 15 of Bayside is to be leased for one year for the purpose of conducting and operating concrete block plant and general building contracting, including landscaping and garden wall contracting, in accordance with form of lease on file in the office of the City Clerk as Document No. 434345, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102590, recorded on Microfilm Roll No. 40, granting the request of H. W. Grizzle, dated May 21, 1951, for extension of 30 days, to and including July 24, 1951, heretofore filed with the City Clerk as Document No. 434347, in which to complete contract for construction of Fire Station No. 5 at Ninth and University Avenues, which said contract is contained in Document No. 428790 filed in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Proposed Resolution authorizing Crafts 20 Big Shows, Inc., sponsored by the Fraternal Order of Eagles, Pacific Beach #3039, to hold a carnival (Eagles Fun Dazes), on Grand Avenue, between Bayard Street and Cass Street, from June 13, 1951, to June 17, 1951, was presented.

R. A. Smith, who resides at Grand Avenue and Cass Street, in Pacific Beach, appeared. Mr. Smith, a property owner at said location, protested the proposed carnival. Mr. Smith said that such carnival has been tried before, and that it was detrimental to the communication. He stated that the location chosen is a bad one, being in a thickly settled section of the beach. Mr. Smith said that other nearby property owners oppose the permit, although it is realized that they are late in doing so, and future permits.

Mayor Butler presented a letter addressed to him, which had been handed in by him, signed by Wayne E. Miller, real estate broker. The communication stated that Mr. Smith, one of his clients, owns the best piece of income property in Pacific Beach, and that the show near his property would be treating him and his tenants to some thing that he would not want to have done.

Mr. Smith said that he has 20 apartment which would be affected by the carnival.

The City Manager made a verbal report. He said that carnivals cause a tremendous worry and take up a lot of time for City officials and departments. He said that the promoters had "complied with everything". He said, also, that a survey had been made to determine consent of the property owners for the operation of the carnival, but that Mr. Smith had been out of town, so he could not be consulted.

Mr. Smith said that the carnival will disturb his tenants.

The City Manager reported, further, and said that every effort had been made to secure signatures of consent before recommending granting of the permit.

Mr. Smith thanked the Council for permitting him to be heard in the matter. He asked that permit for the carnival be not granted for next year, although his request is late for consideration at this time. He said that the merchants of Pacific Beach do not want the carnival.

Councilman Wincote said that signs had been tacked up all over the beach area, even over the face of other signs.

The Mayor, expressing regret in the matter, said that the project has gone too far to deny it for this year's showing.

There was considerable discussion in connection with a closing hour, for midnight, 11:30, then at an hour to be determined by the City Manager, with the Manager to have the power to close the carnival at any time that it becomes a nuisance to the neighborhood.

RESOLUTION NO. 102591, recorded on Microfilm Roll No. 40, authorizing the Crafts 20 Big Shows, Inc., sponsored by the Fraternal Order of Eagles, Pacific Beach Branch #3039 to hold a carnival (Eagles Fun Dazes), on Grand Avenue between Bayard Street and Cass Street, in Pacific Beach, from June 13, 1951, to June 17, 1951, for the purpose of raising funds for the welfare and other projects of the Fraternal Order of Eagles, subject to final inspection and approval of the Fire Marshal and Building Inspection Department, on condition that the closing hour be set by the City Manager and that the City Manager have the power to close the concession at any time that it becomes a neighborhood nuisance, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102592, recorded on Microfilm Roll No. 40, referring the matter of carnival shows conducted in the City of San Diego to the City Manager, for a report to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102593, recorded on Microfilm Roll No. 40, granting Crafts 20 Big Shows, Inc., sponsored by the North Park Business Club to hold a carnival at 29th Street and University Avenue, June 6 to June 10, 1951, subject to final inspection and approval of the Fire Marshal and Building Inspection Department, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Councilman Schneider apologized to the City Manager for the manner of handling the matter, and said that having lived in China for many years he felt he had lost face in that he had made the "pitch" for the carnival in the Club's behalf.

RESOLUTION NO. 102594, recorded on Microfilm Roll No. 40, authorizing a one-page advertisement in The Front Page, published by the San Diego Newspaper Guild, 469 Spreckels Building, San Diego, authorizing a requisition to be drawn on the Advertising and Publicity Fund for the sum of \$150.00 in payment thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102595, recorded on Microfilm Roll No. 40, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date May 22, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 2 Block A La Jolla Country Club Heights, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, in said property, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102596, recorded on Microfilm Roll No. 40, accepting deed of Walter P. Mitchel and Abigail S. Mitchel, executed in favor of The City of San Diego, bearing date May 18, 1951, conveying an easement and right of way for street purposes in portion of Pueblo Lot 1774, setting aside and dedicating the same to the public use as and for a public street, and naming the same La Jolla Rancho Road, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102597, recorded on Microfilm Roll No. 40, accepting deed of Florence Chambers, bearing date May 17, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 3 and 4 Block 2 First Street Addition, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102598, recorded on Microfilm Roll No. 40, accepting deed of Roy A. Cook and Virginia R. Cook, bearing date March 27, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 1 Corella Tract, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102599, recorded on Microfilm Roll No. 40, accepting deed of John N. Gross and Beatriz Mendoza Gross, bearing date May 21, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 14 Block 21 Reed & Hubbell's Addition, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102600, recorded on Microfilm Roll No. 40, accepting deed of William Byrne Hull and Louise M. Hull, bearing date May 7, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block A La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102601, recorded on Microfilm Roll No. 40, accepting deed of Albert M. Lane and Queene L. Lane, bearing date May 11, 1951, conveying an easement and right of way for sewer purposes in portion of Pueblo Lot 1788, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102602, recorded on Microfilm Roll No. 40, accepting deed of Lyman A. MacDonald, Fay MacDonald, F. E. Williams and Grace L. Williams, bearing date May 18, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 7, 8 and 9 Block 174 Middletown Addition, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 4827 (New Series), recorded on Microfilm Roll No. 40, appropriating the sum of \$104,000.00 from the General Fund Reserve for Improvement Projects, for the purpose of providing funds for the construction of a 54-inch outfall sewer at the Sewage Treatment Plant, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

Prior to passage of said Ordinance, members of the Council asked questions about the project, its necessity and the high bid.

The City Manager reported, again, as he had previously. He told the Council that the line crosses Navy property, and that sewage is actually spilling onto the Navy's property. The Navy, he said is pressing the City for completion of the project through its grounds.

ORDINANCE NO. 4828 (New Series), recorded on Microfilm Roll No. 40, appropriating the sum of \$225.00 from the Capital Outlay Fund, for the purpose of providing additional funds to cover the final costs in connection with the construction of the 32nd and Redwood Streets bridge, was on motion of Councilman Schneider, seconded by Councilman

Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

The next matter was presented by the City Manager, upon unanimous consent granted by the Council, which matter was not listed on the agenda:

RESOLUTION NO. 102603, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego an Amendment to Concession Agreement whereby Agreement dated September 26, 1946, between the City and C. S. Johnson is amended by adding a new party, to-wit: Wallace G. Johnson and the terms extended to May 31, 1953, all in accordance with form of First Amendment to Concession Agreement on file in the office of the City Clerk as Document No. 434387, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(Although the Resolution does not state the purpose of the said agreement, it covers the placing of refuse containers on the City streets, provides for their maintenance, and permits advertising to be placed thereon).

The next matter was presented by Councilman Dail, upon unanimous consent granted by the Council, which matter was not listed on the agenda:

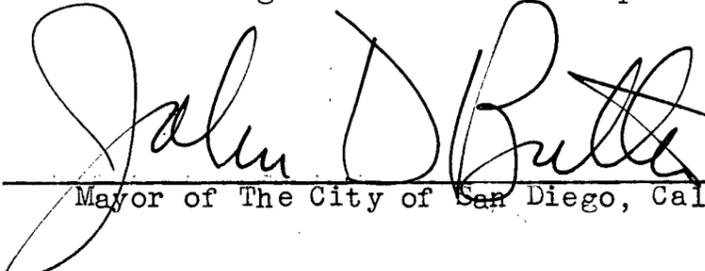
Councilman Dail presented a letter from Conti & Son Monument Company, Box 94, 3871 Imperial Avenue, signed by Lee Conti, Manager, enclosing checks covering statements rendered for March and April, advising that the two accounts are being paid for under protest, based on exorbitant charge being made for foundations by Mt. Hope Cemetery. Also the communication states that the cemetery is now requiring unnecessary work causing considerable delay in installation of markers. It states, also, that appeal has been made both to the cemetery superintendent and the head of the Park board without results. Said communication was read to the Council.

The City Manager made a verbal report regarding charges made at Mt. Hope Cemetery (charges were increased by the City some months ago upon recommendation of the City Manager). He said that the Office of Price Stabilization had informed the writer of the Conti letter that the City of San Diego had no right to raise its cemetery rates. He said that the City questions the OPS ruling on that point. The City Manager told the Council that a further ruling has been asked for, and that notice has been received by the City in regards to appeals, appeal on the matter to be made to Washington.

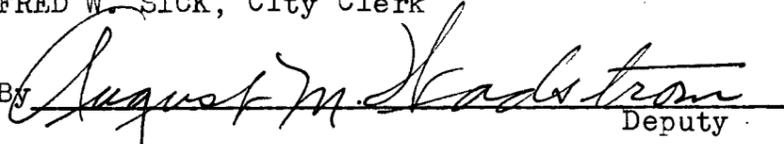
RESOLUTION NO. 102604, recorded on Microfilm Roll No. 40, referring to the City Manager and to the City Attorney the matter of increased rates in Mt. Hope Cemetery, which had been raised by the City, in connection with protest thereon made by Conti & Son Monument Company, and in relation to verbal information from the City Manager that the Office of Price Stabilization has made a ruling that the City of San Diego did not have the right to raise its rates, for a report and recommendation, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Kerrigan, at the hour of 11:10 o'clock A.M.

The Mayor announced that the Council would go into Conference upon adjournment of this meeting.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, June
12, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:06 o'clock A.M.

Present--Councilmen Wincote, Schneider, Kerrigan, Dail, Mayor Butler
Absent---Councilmen Swan, Godfrey
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, June 5, 1951, and of Thursday, June 7, 1951, were presented to the Council by the Clerk
On motion of Councilman Kerrigan, seconded by Councilman Schneider, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in Resolution of Intention No. 101859, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of six hundred dollars, which bid was given Document No. 434549.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Dail, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of 33rd Street, Beech Street, and Date Street, within the limits and as particularly described in Resolution of Intention No. 101860, the Clerk reported that four bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Daley Corporation, accompanied by bond written by the Glens Falls Indemnity Company in the sum of two thousand five hundred dollars, which bid was given Document No. 434550;

Councilman Swan entered the meeting at this time.

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of twenty nine hundred dollars, which bid was given Document No. 434551;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of twenty three hundred dollars, which bid was given Document No. 434552;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of twenty one hundred dollars, which bid was given Document No. 434553;

On motion of Councilman Kerrigan, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Seventh Avenue Lighting District No. 1, for a period of one year to and including January 1, 1951, to and including December 31, 1951, the Clerk reported that one bid had been received.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$5.10 written by San Diego Trust and Savings Bank, which bid was given Document No. 434554.

On motion of Councilman Dail, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District No. 1, for a period of one year

from and including January 1, 1951, to and including December 31, 1951, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$4.08 written by San Diego Trust and Savings Bank, which bid was given Document No. 434555.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2006 made to cover the costs of the paving and otherwise improving of the Alley in Block 52 Fairmount Addition to City Heights and Polk Avenue, within the limits and as particularly described in Resolution of Intention No. 98713, the Clerk reported that written appeals had been received from Eva E. Hayward and from Mrs. Chas. W. Pierceall, which appeals were presented to the Council.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mrs. Chas. W. Pierceall spoke. She contended that she had been overcharged. Mrs. Pierceall said she is willing to pay what she owes for the improvement, but made comparison with an adjoining parcel which she pointed out was considerably less in amount.

The City Engineer made a verbal report in which he said that Mrs. Pierceall's property is being assessed for the paving, a portion of the drainage, and for a sewer lateral. He said that while a sewer lateral was installed to serve the Pierceall property none was installed on the adjoining property with which comparison was being made.

Mrs. Pierceall said she could not understand a lateral having been installed to serve her property, and none next door. She said that she had lived in the same place for twenty years, and had owned it for ten, all of which time there had been sewer service. Mrs. Pierceall was asked if perhaps her property had a cesspool and septic tank, rather than sewer. The reply was that sewer service has been supplied to her property in the past, and felt that there was no new installation at the time of the alley paving.

The City Engineer replied that there could have been an error in the records, and felt that it would be advisable to make a further check. He requested a continuance of the hearing for one week to permit his checking the matter.

RESOLUTION NO. 102605, recorded on Microfilm Roll No. 40, continuing the hearing on the Street Superintendent's Assessment No. 2006, made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 52 Fairmount Addition to City Heights and Polk Avenue, within the limits and as particularly described in Resolution No. 98713, until the hour of 10:00 o'clock A.M., of Tuesday, June 19th, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The claim of Rev. Patrick O'Neill, Our Lady of Angeles' Rectory, 656-24th Street, San Diego 2, in the sum of \$27.54, for damage to automobile by a City truck, was presented.

RESOLUTION NO. 102606, recorded on Microfilm Roll No. 40, referring claim of Rev. Patrick O'Neill to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Manager reporting on petition of Raymond C. Camacho requesting sale of City-owned property at the southwesterly corner of 43rd and Epsilon Streets, stating that the City has established \$1500.00 as the valuation, and that Mr. Camacho is not interested at a figure over \$300.00, and recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, the City Manager's communication and the matter upon which it reported, were ordered filed.

Councilman Godfrey entered the meeting at this time.

Communication from the City Planning Commission, signed by Victor R. Lundy, president, submitting form of Ordinance which would amend the City Zone Ordinance to provide a new section setting up requirements for off-street parking for new construction (together with earlier documents on the subject), recommending reference to the City Attorney for preparation of the necessary Ordinance, was presented.

RESOLUTION NO. 102607, recorded on Microfilm Roll No. 40, referring to Council Conference the Ordinance form submitted by the Planning Commission which would amend the City Zone Ordinance by adoption of a new section setting up requirements of off-street parking for new construction, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Planning Commission, signed by Victor R. Lundy, president, submitting recommendation from the Citizens' Committee for Study of Off-Street Parking, which committee had been appointed by said Commission president, that parking conditions be improved not by zoning Ordinance but by traffic Ordinance which will properly limit standing time of vehicles upon streets determined to be congested, and that parking meter fees be not less than one cent for each six minutes, was presented.

RESOLUTION NO. 102608, recorded on Microfilm Roll No. 40, referring communication from the Planning Commission submitting Citizens' Committee recommendation for study of off-street parking to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Kerrigan requested, and was granted unanimous consent to present the next matter, now listed on the agenda, which was in Conference. Said matter was also withdrawn from Conference and brought up for consideration.

Proposed Ordinance amending Section 5A and Section 6, adding four new sections to be known as and numbered 3B, 3C, 4B and 5B to Ordinance No. 8924 (Zoning Ordinance), and repealing Sections 6 and 7 - providing for "R-1B" Zone, "R-1C" Zone, "CP" Zone, etc., was presented, together with communication from the City Planning Director which had been previously considered and referred and referred to Conference.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., of Tuesday, June 26, 1951.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Redwood Village Unit No. 8, subject to the posting of an adequate bond to insure the installation of the required improvements, was presented.

RESOLUTION NO. 102609, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Hubner Building Company, a partnership, for the installation and completion of the unfinished improvements and the setting of the monuments required for Redwood Village Unit No. 8, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102610, recorded on Microfilm Roll No. 40, adopting Map of Redwood Village Unit No. 8, being portion of Parcel "00" of Lot 19 Rancho Mission of San Diego, accepting on behalf of the public Perique Street, Jodi Street, Demus Street, Hughes Street, Gayle Street, Buren Street, together with any and all abutter's and access rights in and to that portion of College Avenue adjacent and contiguous to Lots 925 to 939 inclusive, subject to access only at such points as may be established by proper authority and unnamed easements shown thereon for public streets, declaring said public streets and unnamed easements to be dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets, abutter's and access rights in and to that portion of College Avenue mentioned subject to access at such points as may be established by public authority, and unnamed easements are accepted on behalf of the public as therein stated, directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Kerrigan requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda. Mr. Kerrigan pointed out that it had to do with the Tentative Map of Alvarado, and two Resolutions needed to be adopted ahead of the approval of the Final Map thereof (which matter appeared on the agenda). The Planning Director also made a brief explanation, in which he pointed out that the Final Map approving resolution had been filed by the City Attorney prior to the day when the Planning Department expected it.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending reapproval of the Tentative Map of Alvarado Tract of the subdivision of Lot 3 of Marcellena and reapproval of conditions attached thereto, was presented.

RESOLUTION NO. 102611, recorded on Microfilm Roll No. 40, reapproving the suspension of Sections 3G1, 3I1, 3E5, 3J2, 4A8 and 6 of the Subdivision Ordinance, heretofore suspended by Resolution No. 97674, in connection with the Tentative Map of Alvarado, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102612, recorded on Microfilm Roll No. 40, reapproving the Tentative Map of Alvarado, a subdivision of an approximately 25-acre parcel of land located on the north side of Montezuma Road easterly of Fairmount Avenue, heretofore approved by Resolution No. 97675, subject to conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Alvarado, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 102613, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager, ^{to execute} for and on behalf of The City of San Diego a contract with Alvarado Community Association, subdivider, and Union Title Insurance and Trust Company, as Trustee, for the construction and completion of unfinished required improvements and setting of the required monuments and stakes for Alvarado, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102614, recorded on Microfilm Roll No. 40, adopting Map of Alvarado and accepting Yerba Santa Drive and Mesquite Drive, together with any and all abutters' rights and access rights in and to that portion of Navajo Road adjacent and contiguous to Lots 9 to 12 inclusive, and that portion of Montezuma Road adjacent and contiguous to Lots 6, 7 and 9, subject to access only at such points as may be established by public authority, and unnamed easements shown thereon for public purposes, declaring said streets and unnamed easements shown thereon for for public purposes to be public streets and easements and dedicated to the public use, rejecting as a dedication for public streets the lands shown thereon as "Reserved for Future Street Purposes", directing the City Clerk to endorse upon said map as and for the act of the Council, that said streets, abutters' rights and access rights in and to portion of Navajo Road are accepted on behalf of the public as therein stated, directing the City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent recommending abandonment of the

proceedings for closing the Alley in Block 134 Central Park, stating that the Roman Catholic Church, original petitioner, is no longer interested, was presented.

RESOLUTION NO. 102615, recorded on Microfilm Roll No. 40, abandoning proceedings heretofore taken for closing of the Alley in Block 134 Central Park, as recommended by the Street Superintendent, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Street Superintendent, bearing the City Manager's stamp of approval, recommending abandonment of proceedings for closing of 33rd Street between Ocean View Boulevard and Pueblo Lot 1161, stating that plans are soon to be filed for improving of said street and that costs of the closing proceedings have not been paid by the petitioner for the closing, was presented.

RESOLUTION NO. 102616, recorded on Microfilm Roll No. 40, abandoning proceedings heretofore taken for the closing of portions of 33rd Street, in Sanborn's Addition, as recommended by the Street Superintendent, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Pacific Indemnity Company, dated June 5, 1951, signed by J. M. MacConnell, reporting on claim of Carthell Sullivan against the City in the amount of \$196.71, stating that the case has been settled by payment of said amount, was presented.

On motion of Councilman Swan, seconded by Councilman Schneider, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 5, 1951, signed by J. M. MacConnell, reporting on claim of Dortheria Sullivan against the City in the amount of \$175.00, stating that the case has been settled by payment of said amount, was presented.

On motion of Councilman Swan, seconded by Councilman Schneider, the matter was ordered filed.

RESOLUTION NO. 102617, recorded on Microfilm Roll No. 40, approving and adopting the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving of the Alley in Block 2 Subdivision of Lots 7 to 17 inclusive Block N Teralta, filed in the office of the City Clerk under Document No. 434300, approving plat No. 2267 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said Alley, directing the City Clerk upon the passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102618, recorded on Microfilm Roll No. 40, approving and adopting the plans, drawings, typical cross-sections, profiles and specifications for the grading and paving and otherwise improving of Brant Street and Washington Street, filed in the office of the City Clerk under Document No. 434302, approving plat No. 2270 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said Alley, directing the City Clerk upon the passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102619, recorded on Microfilm Roll No. 40, approving and adopting the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of La Jolla Hermosa Avenue, filed in the office of the City Clerk under Document No. 434298, approving plat No. 2273 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said Avenue, directing the City Clerk upon the passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102620, recorded on Microfilm Roll No. 40, approving and adopting the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of Niagara Avenue and Catalina Boulevard, filed in the office of the City Clerk under Document No. 434304, approving plat No. 2266 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said Avenue and Boulevard, directing the City Clerk upon the passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102621, recorded on Microfilm Roll No. 40, approving and adopting the plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of Thorn Street and 45th Street, filed in the office of the City Clerk under Document No. 434296, approving plat No. 2260 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said streets, directing the City Clerk upon the passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102622, recorded on Microfilm Roll No. 40, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Garnet Street Lighting District No. 1, for a period of one year from and including January 30, 1951, to and including January 29, 1952, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102623, recorded on Microfilm Roll No. 40, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Sunset Cliffs Lighting District No. 1, for a period of one year from and including January 15, 1951, to and including January 14, 1952, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 102624, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 102126, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102625, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District No. 1, for a period of one year from and including February 15, 1951, to and including February 14, 1952, in accordance with the Engineer's Report and Assessment filed April 27, 1951 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102626, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1951, to and including March 4, 1952, in accordance with the Engineer's Report and Assessment filed April 27, 1951 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102627, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District No. 1, for a period of one year from and including February 1, 1951, to and including January 31, 1952, in accordance with the Engineer's Report and Assessment filed April 27, 1951, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102628, recorded on Microfilm Roll No. 40, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1951, to and including April 30, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 102629, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Riley Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 102630, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in Loma Portal Lighting District Number One, for a period of one year from and including June 28, 1951, to and including June 27, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 102631, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District Number One, for a period of one year from and including June 15, 1951, to and including June 14, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 102632, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District Number Two, for a period of one year from and including July 1, 1951, to and including June 30, 1952, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 102633, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in San Diego Lighting District Number Three, for a period of one year from and including July 16, 1951, to and including July 15, 1952, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 102634, recorded on Microfilm Roll No. 40, for the closing of the Alley in Block 77 Point Loma Heights, determining that it is not deemed necessary that any land be taken therefor, setting out the boundaries of the district of lands to be affected by said work and improvement, and to be assessed to pay the damages, costs and expenses thereof, electing to proceed under the provisions of the "Street Opening Act of 1889", directing posting and publishing of notices thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 102635, recorded on Microfilm Roll No. 40, for the closing of portions of Placer Street and Plumas Street in Lemona Subdivision, determining that it is not deemed necessary that any land be taken therefor, setting out the boundaries of the district of lands to be affected by said work and improvement, and to be assessed to pay the damages, costs and expenses thereof, electing to proceed under the provisions of the "Street Opening Act of 1889", directing posting and publishing of notices thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 102636, recorded on Microfilm Roll No. 40, for the changing of the grade of portion of Evergreen Street, within the limits as set forth in said Resolution and of portion of Macaulay Street within the limits as set forth in said Resolution, as shown on map signed by the City Engineer and filed under Document No. 433381 in the office of the City Clerk on May 15, 1951, electing to proceed in making said change of grades under the provisions of the "Change of Grade Act of 1909", directing posting and publication of notices of said contemplated grade changes, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102637, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of the Alley in Block 2 Subdivision of Lots 7 to 17 inclusive Block N Teralta, providing for posting and publishing notices thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102638, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of portions of Brant Street and Washington Street, providing for posting and publishing notices thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102639, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of portion of La Jolla Hermosa Avenue, providing for posting and publishing notices thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102640, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Niagara Avenue and Catalina Boulevard, providing for posting and publishing notices thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102641, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of portions of Thorn Street and 45th Street, providing for posting and publishing notices thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Portion of said 45th Street, as shown on plans and profiles therefor on file in the office of the City Clerk, are to be in accordance with modified grades shown thereon.

RESOLUTION NO. 102642, recorded on Microfilm Roll No. 40, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 153 University Heights, within the limits described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102643, recorded on Microfilm Roll No. 40, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 187 City Heights, within the limits and as particularly described in Resolution of Intention No. 98623, directing the City Clerk at the time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102644, recorded on Microfilm Roll No. 40, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 19 Fairmount Addition to City Heights, and public right of way, within the limits and as particularly described in Resolution of Intention No. 100056, directing the City Clerk at the time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102645, recorded on Microfilm Roll No. 40, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of the Alley in Block 175 San Diego Land and Town Company's Addition, and Sampson Street, within the limits and as particularly described in Resolution of Intention No. 99505, directing the City Clerk at the time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102646, recorded on Microfilm Roll No. 40, adopting recommendation of the City Engineer filed in the office of the City Clerk on June 6, 1951, under Document No. 434294, authorizing said City Engineer to amend the proceedings for improvement of the Alley in Block 149 University Heights in accordance with his said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102647, recorded on Microfilm Roll No. 40, adopting recommendation of the City Engineer filed in the office of the City Clerk on June 6, 1951, under Document No. 434292, authorizing said City Engineer to amend the proceedings for improvement of 33rd Street in accordance with his said recommendation, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102648, recorded on Microfilm Roll No. 40, granting permission to H. G. Bell Jr. to install sewers in 56th Street, between Trojan Avenue and Meade Avenue, by private contract, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 434268, on conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending establishment of a through street on La Jolla Shores Drive, due to increased volumes of traffic coupled with occasional minor or near accidents, along the route to the La Jolla Shores residential area and to the La Jolla Beach and Tennis Club, was presented.

RESOLUTION NO. 102649, recorded on Microfilm Roll No. 40, establishing La Jolla Shores as a through highway, between the northerly line of Torrey Pines Road and the southerly line of Avenida de la Playa, authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102650, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to enter into an agreement with the City of Chula Vista for the use of City radio equipment for a term of one year, beginning July 1, 1951, and ending June 30, 1952, on terms and under conditions set out in form of agreement filed with the City Clerk and designated as Document No. 434584, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102651, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to enter into an agreement with the City of El Cajon for the use of City radio equipment for a term of one year, beginning July 1, 1951, and ending June 30, 1952, on terms and under conditions set out in form of agreement filed with the City Clerk and designated as Document No. 434585, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102652, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to enter into an agreement with the County of San Diego for the use of City radio equipment for a term of one year, beginning July 1, 1951, and ending June 30, 1952, on the terms and under the conditions set out in form of agreement filed with the City Clerk and designated as Document No. 434586, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102653, recorded on Microfilm Roll No. 40, accepting bid submitted by Carroll & Foster for the installation of Jamacha Road 12-inch cast iron pipe line, from 65th Street and Imperial Avenue to Hermosillo Manor, declaring said bid to be the lowest bid received and that it is the lowest, responsible and reliable bidder, rejecting all bids received therefor except said bid, awarding contract and authorizing the City

Manager to execute the same upon execution by Carroll & Foster of said contract, and upon the execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102654, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to do all the work in connection with the installation of 900 feet of 8-inch water main and 3 fire hydrants in Pepper Drive west of Violet Street to Tulip Street, by appropriate City forces, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102655, recorded on Microfilm Roll No. 40, consenting to assignment of lease executed by Roy C. Taylor, of Lots 28, 31, 37, 40 and 42 Encima de San Diego Addition No. 1, consisting of approximately .6 of an acre, bounded on the north by Skyline Avenue, on the east by Woodman Street and on the west by Pagel Street, dated December 9, 1949, on file in the office of the City Clerk as Document No. 410531, to Ishar Singh Gill and B. S. Gyanee, co-partners, (mailing address, B. S. Gyanee, P.O. Box 8635, Cole Branch, Los Angeles 46, California), said Assignment of Lease heretofore executed by the said Roy C. Taylor and filed in the office of the City Clerk as Document No. 434587, accepting, ratifying and confirming the same, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102656, recorded on Microfilm Roll No. 40, granting permission to R. L. Hill to erect and maintain for a period of 15 days commencing June 15, 1951, a tent at the Farmers' Market, 2750 Midway Drive, in accordance with all rules, regulations and ordinances of the City, and subject to inspection and approval of the Building Inspection and Fire Departments, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102657, recorded on Microfilm Roll No. 40, granting permission to F. K. Cardwell, 2754 Calhoun Street, to install a four inch cast iron sewer line between the property line and the sidewalk, to be placed 1 foot outside the property line and run in a southerly direction, parallel to the southeasterly line of Lot 60 Boulevard Gardens Subdivision, to point of intersection with public sewer, to serve property at 1216 Vega Street, on conditions set forth in said Resolutions, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102658, recorded on Microfilm Roll No. 40, granting permission to The Salvation Army Citadel, through Thomas H. Lowery Plumbing Co., 1082 South 43rd Street, San Diego 13, to install a 4" soil pipe sewer from the Salvation Army Citadel at 830 - 8th Avenue, to point of connection at City sewer main in 7th Avenue, with a fall of less than 1/4" per lineal foot but not less than 1/8" lineal foot, following approval by the City Manager and Department of Public Health, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102659, recorded on Microfilm Roll No. 40, authorizing and directing the City Auditor and Comptroller to transfer the following funds:

- \$610.00 from Maintenance and Support to Outlay, City Council's Fund;
- \$1,225.00 from Maintenance and Support, Public Buildings Division, Department of Public Works Fund, to Maintenance and Support, Elections Fund;
- \$400.00 from Maintenance and Support, City Attorney's Fund, to Maintenance and Support, Planning Department Fund;
- \$2,350.00 from Maintenance and Support, City-County Building Administration Fund, to Salaries and Wages, City-County Building Administration Fund;
- \$156.00 from Outlay to Maintenance and Support, Activity 16, Fire Department Fund;
- \$50.00 from Maintenance and Support, Public Buildings Division, Department of Public Works Fund, to Maintenance and Support, Inspection Department Fund;
- \$60.00 from Maintenance and Support, Public Buildings Division, Department of Public Works Fund, to Maintenance and Support, Social Welfare Department Fund;
- \$200.00 from Maintenance and Support, Health Department Fund, to Maintenance and Support, Library Department Fund;
- \$1,900.45 from Outlay to Maintenance and Support, Park and Recreation Department Fund;
- \$2,000.00 from Maintenance and Support, Health Department Fund, to Maintenance and Support, Park and Recreation Department Fund;
- \$1,350.00 from Maintenance and Support, Public Buildings Division, Public Works Department Fund, to Maintenance and Support, Park and Recreation Department Fund;
- \$400.00 from Maintenance and Support, Health Department Fund, to Travel Expense Account, General Appropriations;
- \$150.00 from Maintenance and Support, Public Buildings Division, Department of Public Works Fund, to Sales Tax Account, General Appropriations;
- \$425.00 from Outlay to Maintenance and Support, Police Department Fund;
- \$2,100.00 from Salaries and Wages, City Manager's Fund, to Salaries and Wages, Planning Department Fund;
- \$150.00 from Maintenance and Support, Public Buildings Division, Department of Public Works Fund, to Maintenance and Support, Budget Office Fund;
- \$550.00 from Outlay, Public Buildings Division, Department of Public Works Fund, to Outlay, City Council's Fund;

\$900.00 from Maintenance and Support to Outlay, City Attorney's Fund;
 \$600.00 from Maintenance and Support, Public Buildings Division, Department
 of Public Works Fund, to Travel Expense Account, General Appropriations;
 \$500.00 from Maintenance and Support, Health Department Fund, to Maintenance
 and Support, Activity II, Engineering Department Fund;

was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Prior to adoption of said Resolution, the City Manager made a brief verbal explanation, in which he told the Council that the transfers were needed, and that it is not possible at the beginning of the fiscal year to foresee every requirement accurately.

RESOLUTION NO. 102660, recorded on Microfilm Roll No. 40, authorizing Mayor John D. Butler to go to Detroit, Michigan, for the purpose of attending a conference on Civil Defense, sponsored by Mayor Albert Cobo of Detroit, Mayor William Devin of Seattle, and Mayor Frank Zeidler of Milwaukee, and the American Municipal Association; and to go to Washington, D.C., in connection with the Flood Control Bill, In Lieu Tax Bill, Second Barrell Bill, transfer of the old Government Dyke Lands to The City, and other matters affecting The City of San Diego pending before Congress of the United States, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102661, recorded on Microfilm Roll No. 40, authorizing the Purchasing Agent to advertise and sell equipment from the University Heights Filter Plant, which is more particularly listed in said Resolution, in connection with construction of the University Heights North Reservoir and removal of the old Filter Plant, all expenses in connection with said sale to be deducted from the proceeds thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102662, recorded on Microfilm Roll No. 40, approving and allowing the bill of San Diego City & County Convention Bureau, in the sum of \$804.57, for expense incurred in the soliciting and servicing of conventions for San Diego, approved by members of the Advertising Control Committee, authorizing a requisition on the Advertising & Publicity Fund of said City in said sum, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4829 (New Series), recorded on Microfilm Roll No. 40, setting aside and dedicating portion of Lot 15 Block 2A La Jolla Hermosa, more particularly described in said Ordinance, for public use of the people of The City of San Diego forever, to be used as a public park, and to be hereafter used for no other purpose, to be held in trust by The City of San Diego for the use and purpose of a free public park and for no other use or different purpose whatsoever, directing the City Clerk to file for record in the office of the County Recorder a certified copy of said Ordinance, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays---Councilmen None. Absent---Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Mayor Butler.

The final reading of such Ordinance was in full.

Prior to adoption of said Ordinance, the City Manager made a verbal report in which he told the Council that a trade had been contemplated with an adjoining property owner, but that said owner is no longer interested.

The Manager was questioned regarding dedicating the land for park purposes, wondering if it might not be better to hold it simply as public land and use it for a park.

The reply of the City Manager was that the matter had been studied thoroughly, and that it had been felt that the action to dedicate the land forever as and for a public park would be the best one. He showed members of the Council a plat of the property and its relation to the beach, and said that it actually would be used in connection with the beach and not be developed. Also, the Manager said that land for a needed future street had been excluded from the portion to be dedicated for park use.

Proposed Ordinance incorporating the westerly 100 feet of Block B Bird Rock Villas into "R-4" Zone as defined by Ordinance No. 8924 and amendments, repealing Ordinance No. 13294 approved August 31, 1931, insofar as the same conflicts, was presented.

A communication from the Planning Commission, signed by the Asst. Planning Director, states that it is the proposal of William M. Brooks to develop all of said block into a 36-unit apartment-hotel which will maintain a 25-foot setback from the property line on Chelsea Avenue, and recommended that the matter be set down for public hearing.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said proposed Ordinance was set for hearing on Tuesday, June 26, 1951, at the hour of 10:00 o'clock A.M.

Proposed Ordinance incorporating portions of P.L. 182 and P.L. 193 into "R-2" Zone as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 32 (N32 Series) adopted September 6, 1932, insofar as the same conflicts, was presented.

A communication from the Planning Commission, signed by the Asst. Planning Director, states that the School Board had recently purchased said property for an elementary school site, that although it is far from an ideal school site, it is apparently the only property available of adequate size to serve the growing school needs in Azure Vista, Sunset Cliffs and Ocean Beach area, and recommends that the matter be set down for public hearing.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., on Tuesday, June 26, 1951.

Proposed Ordinance establishing a set-back line of 25 feet from the front property line on the east side of Chelsea Avenue between P.L. 1783 and Colima Street, being in Block B Bird Rock Villas, providing penalty for violation, was presented.

A communication from the Planning Commission, signed by the Asst. Planning Director, stating that the setback is to provide better protection and a buffer between the R-1 zone on the west side of Chelsea and the recommended R-4 zone on the westerly portion of Block B (previously mentioned in these minutes), was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., on Tuesday, June 26, 1951.

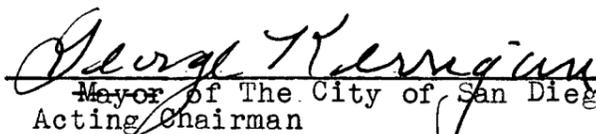
The City Manager requested, and was granted, unanimous consent to present the next two matters which were not listed on the Council's agenda:

RESOLUTION NO. 102663, recorded on Microfilm Roll No. 40, authorizing Roy E. Butler, Office of Civil Defense, to attend the regular course of the Staff College of the Federal Civil Defense Administration, to be held in the permanent headquarters of the Staff College at Olney, Maryland, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

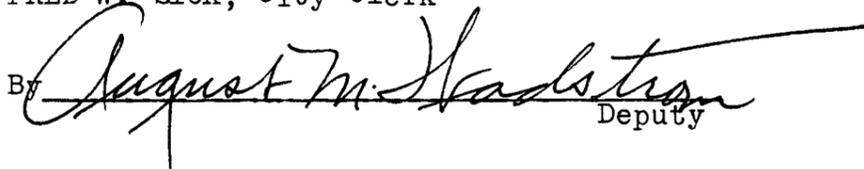
RESOLUTION NO. 102664, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager to enter into a Revocable Permit authorizing the United States of America, represented by the Chief of the Bureau of Yards and Docks, to construct, install, use, maintain and remove a water pipe line in accordance with City standards, along 18th Street, and certain City-owned property from B Street to the U. S. Naval Hospital, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 10:31 o'clock A.M.

The Mayor announced, upon adjournment, that the Council would meet in Conference at the hour of 2:00 o'clock P.M., this date.


Mayor of The City of San Diego, California
Acting Chairman

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, June 14, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor, at the hour of 10:03 o'clock A.M.

Present--Councilmen Swan, Schneider, Kerrigan, Mayor Butler
Absent---Councilmen Wincote, Dail, Godfrey
Clerk----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portions of Pueblo Lots 1788 and 1209 into "M-2" Zone, repealing conflicting ordinances - which property lies between Pacific Highway and the Santa Fe Railway, northerly of Balboa Avenue - and continued until this time, attention of the Council was called to the fact that appeals had been filed in the matter of a zone variance upon the same property, and that a hearing had been set thereon for the hour of 10:00 o'clock A.M., on Thursday, June 21, 1951.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the continued hearing was continued again, until the hour of 10:00 o'clock A.M., on Thursday, June 21, 1951.

At this time a majority of the members of the Council executed the following undertakings for street lighting, with San Diego Gas & Electric Company:

- Midway Drive Lighting District No. 1;
- La Jolla Shores Lighting District No. 1;
- Adams Avenue Lighting District No. 1

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Maritt John Rand, 4653 Del Monte Ave., from the decision of the Zoning Committee in denying by its Resolution No. 5520 application for variance to the provisions of Ordinance No. 12793 to permit construction of addition to existing garage with duplex above and garages and washroom below, making 3 living units on Lots 37 and 38 Block 21 Ocean Beach, at Del Monte Avenue, in Zone R-2, the Mayor pointed out that there were only 4 members of the Council present, and that it needs 5 members to overrule the Committee's decision. Nevertheless he told Mr. Rand that he might be heard at this time if he wished.

Mr. Rand spoke. He said that all objections entered had come from R-1 residents to the rear of his property, and none from the owners of R-2 property. He thought that objections were not valid. He showed a chart of the character of the residences in the neighborhood. Mr. Rand said that he had built a large house 13 years ago, anticipating that other large homes would be built in the area overlooking the Ocean. He said that, however, his property is surrounded by small units, now. Also, he told the Council that there would be no traffic problem in the area. He expressed the belief that the improvement which he proposed to make would enhance the R-2 zone area.

Glenn A. Rick, Planning Director, made a verbal report. He said that the area is predominantly one of single-family residences. He pointed out that Mr. Rand has the right to build another house at the rear of the property without a variance, but that he wants 2 extra dwellings. He opposed the variance, and said that he felt the property would be overcrowded. Mr. Rick mentioned protests which had been received.

Mr. Rand said again that he has a large unit, and that small units have been added to the neighborhood. He said he felt he was being penalized.

Mr. Rick said he does not want a further breakdown of the area, contending that if it were done in the Rand case, others would ask for the same privilege, and that the area would become overcrowded. He said he wants to protect the improvements that are in now.

The Mayor inquired if any other interested persons were present who desire to be heard.

L. S. Anderson, whose property abuts on the alley adjoining the Rand property spoke. He said that his residence is in the R-1 zone. Mr. Anderson said that as soon as apartments are built on the alleys, others would ask for the same right. He said that would crowd the property. He said, also that it would make a too-small play area for the increased number of children. He disagreed with Mr. Rand by saying that there are several large houses in the block being completed. Most of the properties, he said, are owner-occupied.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said hearing was continued until the meeting of June 19, 1951, at the hour of 10:00 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Russell F. Kimball and Frances D. Kimball from the decision of the Zoning Committee in attaching a condition to provide for the granting of an easement for widening of La Jolla Blvd. according to plans of the City Engineer, in connection with variance to the provisions of Ordinance No. 245 New Series Section 4a to permit John O. Knight, owner, and Russell F. and Frances D. Kimball, purchasers, to divide Lot 8 Block 4 F. T. Scripps Addition into two parcels, each 70 ft. by 100 ft. and erect two living units on each parcel, on the northeast corner of La Jolla Blvd. and Arenas St., in Zone R-2, the Mayor pointed out, again that there were only 4 members of the Council present.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said hearing was continued until the meeting of Tuesday, June 19, 1951, at the hour of 10:00 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Harold G. Lewis, by R. J. Klitgaard, attorney, 407 Southern Title Bldg., San Diego 1, from the decision in denying in part application No. 9425 for variance to Ordinance No. 8924 Section 8C permission to install a sign on an apartment hotel on Lots 11 and 12 except the SWly 25 ft. thereof, Block 46 Roseville, at Rosecrans and Fenelon Streets in Zone R-4 (Zoning Committee Resolution No. 5582 granted one of the signs referred to, but makes no mention of the sign being appealed), the Mayor told Mr. Klitgaard that it would be well to continue the hearing until June 19.

Mr. Klitgaard agreed, and on motion of Councilman Schneider, seconded by Councilman Kerrigan, said hearing was continued until the meeting of Tuesday, June 19, 1951, at the hour of 10:00 o'clock A.M.

For sale Petition of Lee E. Mattei, 3714 Lotus Street, requesting that the City put up/its Lot 19 Block 16 Point Loma Heights, adjoining his property located on Wabaska Drive at the corner of Capistrano, offering to bid \$500.00 therefor, and enclosing certified check in the sum of \$60.00, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said petition was referred to the City Manager.

Claim of Mrs. Warren L. Hoagland, 2030 Garfield Road, P.O. Box 785 San Diego 10, against "Mr. Charles A. Hellingson of 1731 Washington Place, San Diego", in the sum of \$89.69, for damages to her car, was presented. (Claim does not state if Mr. Hellingson is a City employee, or just how the City is affected).

RESOLUTION NO. 102665, recorded on Microfilm Roll No. 40, referring claim of Mrs. Warren L. Hoagland to Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Betty B. Newson (also known as Mrs. George F. Newton) driver of car; Dassah Newton, legal owner; in the estimated sums of \$121.53 or \$116.78, for damage to her automobile by a City-owned truck, was presented.

RESOLUTION NO. 102666, recorded on Microfilm Roll No. 40, referring claim of Betty B. Newton to Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of a 36" conduit for coaxial cable across Wabash Boulevard right of way, recommending award to Pace Construction Company - the low bidder, of 4 bidders - was presented.

RESOLUTION NO. 102667, recorded on Microfilm Roll No. 40, accepting bid of Pace Construction Company for construction of 36" conduit for coaxial cable across Wabash Boulevard right of way, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing of Pumps, Motors and Starters, for Catalina Chesterton and 65th and Herrick Streets Pumping Plants, was presented.

RESOLUTION NO. 102668, recorded on Microfilm Roll No. 40, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Pumps, Motors and Starters for Catalina, Chesterton and 65th and Herrick Streets Pumping Plants, in accordance with specifications on file in the office of the City Clerk bearing Document No. 434611, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Manager reporting on petition of Hillyer & Hillyer, Bank of America Building, in behalf of George G. Edes and Lieut. and Mrs. David Work, requesting the City Manager to instruct the Planning Department to forthwith O.K. plans and to issue building permits in order that the necessity for mandamus proceedings may be avoided, in connection with proposed construction of a duplex house on each of Lots 15 and 16 Block 1 Ocean Spray Addition, together with letters and petitions of protest against the proposed construction, was presented.

Said report states that revised plans for construction of 2 duplexes on Opal Street have been submitted, that they have been approved with provisions, and recommended filing.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from the Planning Commission, addressed to the City Manager, dated June 8, 1951, signed by the Asst. Planning, reporting on tentative plan of Bay View Hills Housing Development for construction of 86 single-family residences, 181 duplexes and 56 8-family multiple dwellings, making a total of 396 residential units, being located on portions of Lots 77, 79, 80 and 103 of Rancho de la Nacion, lying approximately one-quarter mile north and easterly of the northeast corner of the subdivision of Paradise Hills, recommending to the City Manager a tentative design and acceptance of streets and alleys dedications

in the proposed project, subject to 11 conditions, was presented.

RESOLUTION NO. 102669, recorded on Microfilm Roll No. 40, determining that the acceptance and dedication of the streets and alleys of Bay View Hills Housing (Wherry Housing Project), on portions of Lots 77, 79, 80 and 103 of Rancho de la Nacion, shall be subject to the improvements and conditions more particularly set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 sections of the Subdivision Ordinance, in connection with the Tentative Map of Hubner Park Annex No. 1, was presented.

RESOLUTION NO. 102670, recorded on Microfilm Roll No. 40, suspending sections 3E5, 3J6, 5C, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Hubner Park Annex No. 1, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the amended Tentative Map of Hubner Park Annex No. 1, for the subdivision of a portion of Lots 27 and 28 of Waterville Heights, consisting of 46 lots fronting on Streamview Drive, located between Hubner Park and Redwood Village Unit No. 7, subject to 9 conditions, was presented.

RESOLUTION NO. 102671, recorded on Microfilm Roll No. 40, approving the amended Tentative Map of Hubner Park Annex No. 1, subject to the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 5 Sections of the Subdivision Ordinance, in connection with the Tentative Map of Emanon Tract, was presented.

RESOLUTION NO. 102672, recorded on Microfilm Roll No. 40, suspending Sections 3E5, 3J6, 5C, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Emanon Tract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Emanon Tract, for the subdivision of a portion of Lot 27 La Mesa Colony into 18 lots, located on the north side of Montezuma Road approximately midway between 63rd Street and Catoclin Drive, was presented, with 10 conditions.

RESOLUTION NO. 102673, recorded on Microfilm Roll No. 40, approving the Tentative Map of Emanon Tract, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission reporting on petition for rezoning of Lots 1-2 Block 2 Broderick & West Addition, from the existing R-4 Zone to Zone M-1, at the southwest corner of 34th and Pickwick Streets, adjacent to and below grade of Federal Boulevard in the new Wabash Boulevard development, recommending denial, was presented.

Also presented was a communication from Lloyd T. Penick, the petitioner for the zone change, appealing the Commission's denial.

The City Clerk told the Council that he had received a telephoned request from Councilman Dail for continuance of the matter until the meeting of next Tuesday.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was continued until the meeting of Tuesday, June 19, 1951.

Communication from the Planning Commission reporting on proposed setback along Narragansett Avenue and Redondo Street, on Lots 18 to 21 Sefton Estates (initiated by the Planning Commission, at request of R. R. West, in connection with his offer to dedicate land for Narragansett Avenue in accordance with the Major Street, Plan, was presented. Said communication recommended that the matter be referred to the City Attorney for preparation of the necessary Ordinance establishing a 10-foot setback, which action would be followed by a public hearing.

On motion of Councilman Swan, seconded by Councilman Kerrigan, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission recommending that the Council make a finding that the use of Lots 1 and 2 of P.L. 1103 (The Mission Valley Polo Grounds) for the purchase or sale of not more than 2 horses a month is a customary and incidental use to riding stable on the Polo Grounds, now operating under Zone Variance in R-1A Zone, which classification shall not permit operation of an auction or horse market, was presented.

Councilman Swan wanted to know why such permission was confined to 2 horses, rather than to 3, for instance.

The Planning Director reported that 2 horses for purchase or sale in a month was what had been asked for. He reported on past experiences with the Polo Grounds, and told of many problems which had been brought before the Council by protesting neighboring property owners on account of activities there.

Councilman Swan persisted with his question about the number of horses.

The Planning Director said that the Planning Commission made the recommendation for the 2 horses, after making a study of the request, feeling that to be a reasonable and legitimate request, but that it did not wish to go beyond the requested number. He recommended adoption of the proposed Resolution which accompanied the Commission's communication.

RESOLUTION NO. 102674, recorded on Microfilm Roll No. 40, making a finding

that the use of Lots 1 and 2 of Pueblo Lot 1103 (Mission Valley Polo Grounds) for the purchase or sale of not more than two horses a month, is a customary and incidental use to a riding stable on the Polo Grounds (operating under Zone Variance Resolution No. 74572), in an R-1A Zone, said classification not to be inferred as permitting the operation of an auction or horse market, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

stamp of approval of

Communication from the Superintendent of Streets, bearing the Assistant City Manager, recommending granting petition to close 9 feet on each side of Vermont Street, between the south line of Lincoln Street and the north line of the State Right of Way adjacent to Lots 1 and 54 of Block 180 and Lots 21 and 22 of Block 181 University Heights, being in the public interest, was presented.

RESOLUTION NO. 102675, recorded on Microfilm Roll No. 40, granting petition for the closing of 9 feet on each side of Vermont Street between the south line of Lincoln Avenue and the north line of State Right of Way, adjacent to Lots 1 and 54 Block 180 and Lots 21 and 22 Block 181 University Heights, as recommended by the Superintendent of Streets, directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from Marie M. Herney, member of the Civil Service Commission, bearing date June 12, 1951 (being carbon copy of original delivered to Mayor Butler), submitting her resignation from the San Diego Civil Service Commission, effective at the convenience of the Mayor and Council, so that the problem of her replacement can be satisfactorily effected, was presented. Said communication set forth the fact that Miss Herney had served as a Commissioner since Sept. 13, 1938, during which time she has tried to participate in making the Civil Service system under the Charter a strong and effective vehicle of personnel administration, and thanked the Mayor and Council for the privilege of serving and for the excellent cooperation of the Mayor, Council, and City Manager. The communication made further complimentary reference to other Commissioners, the Commission's Secretary and the Civil Service staff.

Councilman Schneider moved to accept the resignation, which motion was seconded by Councilman Kerrigan.

There was some discussion as to the matter of recognition of Miss Herney's services to the City, the preparation of a scroll of commendation, and award of an appropriate service pin.

As a result of the discussion those points were informally incorporated into the motion as put by the Mayor.

RESOLUTION NO. 102676, recorded on Microfilm Roll No. 40, referring to the City Manager and to the City Attorney the matter of preparation and presentation of a Resolution accepting the resignation of Marie M. Herney from the San Diego Civil Service Commission, which Resolution shall contain commendation from the Mayor and Council for her service, also that the Manager be requested to prepare an appropriate scroll for presentation to Miss Herney, together with a service pin to be awarded, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Kerrigan brought up the matter of Mr. John Birkel's many years of service to the City as a member of the City Planning Commission, and felt that recognition should be given and that a service pin be awarded.

RESOLUTION NO. 102677, recorded on Microfilm Roll No. 40, requesting the City Attorney to prepare and present a Resolution authorizing the presentation to John Birkel of a service pin in recognition of his long membership on the City Planning Commission.

(A Deputy City Clerk checked with the Mayor's Office and learned that former Mayor Harley E. Knox had written a letter to Mr. Birkel thanking him in the City's behalf upon his resignation from the Commission - accounting for no direction to the City Attorney to prepare a Resolution of thanks, inasmuch as the former Mayor had done so upon Council request).

The matter of recognition of services to the City of San Diego by members of boards and commissions, was gone into at this time.

RESOLUTION NO. 102678, recorded on Microfilm Roll No. 40, referring to Council Conference the matter of awarding service pins to members of City boards and commissions in recognition of their services, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from Pacific Indemnity Company, dated June 8, 1951, signed by J. M. MacConnell, reporting payment of the \$40.00 claim of Mrs. Catherine Connor, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 8, 1951, signed by J. M. MacConnell, reporting payment of \$14.11 claim of P. H. Drummy, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 8, 1951, signed by J. M. MacConnell, reporting payment of the \$11.92 claim of James H. Harrell, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 7, 1951, signed by J. M. MacConnell, reporting payment of the \$26.71 claim of Mr. and Mrs. George Solberg, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said matter was ordered filed.

Communication from San Diego Tavern Owners Association and Associates, Tobacco Vendors, etc., by D. Danforth, Committee Secretary, dated June 8, 1951, referring to letter of June 4 "pleading for relief under Ordinance 4784", and to press notices in connection therewith, stating that it is desired that the playing of "Cup Dice behind the cigar counter and the bar, and not the resumption of special concessions (cages etc operated by females) for playing "26", was presented.

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

Communication from Florence A. Carithers, 4063 - 38th Street, San Diego 5, requesting that measures be taken to prohibit the United Nations flag being flown over our public schools, our civic and Federal buildings, especially on such days as Flag Day, Fourth of July, and all National holidays, was presented.

Communication from Mr. and Mrs. M. F. Labrum, 1147 West Palm Street, requesting that the flying of the flag of the United Nations over schools, Civic Center, Fed- Bldg on Flag day, 4th of July, or on any and all national holidays, was presented.

Communication from Josie Render, 3564 University Ave., San Diego 4, asking to see "our own flag, the Stars and Stripes" displayed over public buildings on Flag Day, June 14, and opposing flying of any and all other flags here on our Nation's day, was presented.

On motion of Councilman Swan, seconded by Councilman Schneider, the 3 communications on the subject of flags, were ordered filed.

RESOLUTION NO. 102679, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager if, as and when, the City is in need of the services of experts to appraise real property, either for the purpose of purchase or sale, to employ any one or more of the following named appraisers during the fiscal year 1951-52: John Milton Barber; O. W. Cotton; Charles W. Curtis; LeRoy E. Goodbody; Ewart W. Goodwin; Hotchkiss and Anewalt; Fred B. Mitchell; Edwin A. Mueller; J. A. Arvin and Harry Warburton; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City will have need of the services of qualified real estate appraisers for the purpose of appraising realty, either to be sold by the City or purchased by the City, that the Charter authorizes the City to employ such experts when necessary, that the City Manager has recommended the above-named appraisers as well qualified and experienced to render valuable services to the City and that they are willing to perform such services.

RESOLUTION NO. 102680, recorded on Microfilm Roll No. 40, authorizing the City Building Inspection Department to issue without charge copies of the Uniform Building Code to the various City departments, libraries, municipalities and courts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102681, recorded on Microfilm Roll No. 40, authorizing a schedule of rentals for the use of the buildings and facilities in Balboa Park, in accordance with recommendation of the City Manager and the Park and Recreation Director, amending Paragraph 4 of Resolution No. 89537, as follows:

"For the use of the stadium of Balboa Park for a special event, the rental charges shall be:

(a) Where no admission charge is made to the public, the rental charge shall be \$200.00 per day;

(b) For a charitable benefit or scholastic event where an admission charge is made, the rental charge shall be \$200.00 per day minimum or 10 per cent of the gross receipts exclusive of federal, state, or city taxes, whichever is the greater; but in no event shall the maximum rental for such event be greater than \$500.00 per event;

(c) For any commercial event, a minimum rental of \$200.00 per day or 15 per cent of the gross receipts exclusive of Federal, state or municipal taxes, whichever is the greater;

(d) In addition to the above rentals, there shall be made a charge of \$50.00 per event for the use of the lights in said stadium";

was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102682, recorded on Microfilm Roll No. 40, authorizing a service charge to be made for chairs and tables furnished by the Park and Recreation Department to individuals, in accordance with recommendation of the City Manager and the Park and Recreation Director, amending Paragraph 9 of Resolution No. 92208, as follows:

"Whenever the lessee shall require less than 500 chairs, there shall be no charge by the Park and Recreation Department for the furnishing of said chairs. In the event said lessee shall require 500 or more chairs, the Park and Recreation Department shall charge said lessee 4 cents per chair for all chairs so furnished. For all tables over three furnished by the Park and Recreation Department, there shall be a charge of \$0.75 per table";

was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102683, recorded on Microfilm Roll No. 40, authorizing a schedule of fees for the Municipal Golf Course located at Balboa Park, in accordance with recommendation of the City Manager and the Park and Recreation Director, for a straight 20 per cent increase for all types of greens fees, as follows:

- "18-hole golf course.....\$1.20 greens fee;
- 9-hole golf course.....\$.60 greens fee;
- Monthly ticket.....\$6.00,
entitles purchaser to play 18 holes of golf per day. Tickets are not valid on Saturdays, Sundays and Holidays until after 1:00 P.M.
- Student monthly tickets.....\$1.20,
entitle students to play a maximum of 18 holes of golf on school days only after 3:00 P.M.

was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102684, recorded on Microfilm Roll No. 40, waiving liquidated damages provided for in section 2-02 of the specifications for the contract between The City and Andrew Baird, which contract is filed with the City Clerk as Document No. 4309E7 for the installation of acoustical materials in the Ocean Beach Gymnasium, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said resolution recites that the work was required to be completed by May 3, 1951, but due to circumstances beyond the control of the contractor, to-wit: use of the gymnasium by players during the construction period, the work was not actually completed until May 23, 1951.

RESOLUTION NO. 102685, recorded on Microfilm Roll No. 40, waiving liquidated damages provided for in section 2-02 of the specifications for the contract between The City and Wulff's Automatic Sprinkler Company, which contract is filed with the City Clerk as Document No. 429478 for the installation of a sprinkler system in the War Memorial Building at La Jolla, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said resolution recites that the work was required to be completed by April 29, 1951, but due to circumstances beyond the contractor's control, to-wit: delay of the National Fire Underwriters and the Fire Marshal in making the final check of the building, the work was not actually completed until May 25, 1951.

RESOLUTION NO. 102686, recorded on Microfilm Roll No. 40, approving Change Order No. 44, dated May 28, 1951, heretofore filed with the City Clerk as Document No. 434627, issued in connection with the contract between The City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section A, and which said contract is contained in Document No. 414553 on file in the office of the City Clerk, the changes amounting to an increase in the contract price of approximately \$250.00, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102687, recorded on Microfilm Roll No. 40, granting permission to the Stadium Racing Association, 3963 Park Boulevard, for a public display of fireworks at the Balboa Stadium, July 4, 1951, from 10:00 P.M. to 11:00 P.M., upon condition that the permittee shall comply with all laws of the State of California, ordinances of The City of San Diego, and rules and regulations adopted by the State Fire Marshal pertaining to the public display of fireworks, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102688, recorded on Microfilm Roll No. 40, granting permission to Edith H. Finck, 6030 Waverly Avenue, La Jolla, to install a 32-foot driveway, as measured at the top of the full-height curb, on the southerly side of Tennyson Street, approximately between points 110 and 142 feet east of the junction of the southerly line of Tennyson Street with the easterly line of Wabaska Drive, adjacent to a portion of Block H of Resubdivision of Blocks 21 to 32 and a portion of Block 40 Point Loma Heights, to provide access to 3-car garage in connection with construction of apartment, on conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102689, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager to make application to the Board of Supervisors of the County of San Diego, and to take all necessary steps to acquire from the State of California, for the City of San Diego, the Unnumbered Lot lying southerly of Jamacha Road and north and west of Lots 20 and 24 Block D Narragansett Heights; Rancho ExMission Partition in Subdivision 5 of Partition of Lot 12, being tax-deeded property, for public purposes, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102690, recorded on Microfilm Roll No. 40, allowing the bill of San Diego Chamber of Commerce, bearing date of June 7, 1951, in the sum of \$969.45 for expenses incurred, as approved by the Advertising Control Committee, authorizing requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1950-1951 for said sum, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102691, recorded on Microfilm Roll No. 40, accepting subordination agreement executed by James P. Bowers and Elizabeth R. Bowers, beneficiaries and Security Trust & Savings Bank, trustee, bearing date May 22, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Acre Lot 51 Pacific Beach, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego through, along and across said property, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102692, recorded on Microfilm Roll No. 40, accepting subordination agreement executed by Charles R. Jones and Evelyn B. Jones, beneficiaries, and Union Title Insurance & Trust Company, trustee, bearing date May 29, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 83 Block 1 La Jolla Strand, to the right of way and easement for alley purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102693, recorded on Microfilm Roll No. 40, accepting subordination agreement executed by The Mutual Life Insurance Company of New York, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date April 20, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 10, Block D La Jolla Country Club Heights, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102694, recorded on Microfilm Roll No. 40, accepting subordination agreement executed by San Diego Federal Savings & Loan Association, beneficiary, and Southern Title and Trust Company, trustee, bearing date May 31, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 162 and 163 Plumosa Manor Unit No. 2, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102695, recorded on Microfilm Roll No. 40, accepting quitclaim deed of Violet Cotton and O. W. Cotton, bearing date May 19, 1951, quitclaiming a portion of Pueblo Lot 1202, authorizing and directing the City Clerk to transmit said quitclaim deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102696, recorded on Microfilm Roll No. 40, accepting quitclaim deed of Albert A. Frost and Jessie T. Frost, bearing date May 22, 1951, quitclaiming a portion of Pueblo Lot 1202, authorizing and directing the City Clerk to transmit said quitclaim deed, together with a certified copy of said resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102697, recorded on Microfilm Roll No. 40, accepting deed of Francis C. Spurrier and Shirley Spurrier, bearing date May 22, 1951, conveying an easement and right of way for alley purposes in portion of Lot 83 Block 1 La Jolla Strand, setting aside and dedicating the same to the public use as and for a public alley, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102698, recorded on Microfilm Roll No. 40, accepting deed of Western Mutual Corporation, formerly Ninth and E Corporation, bearing date June 1, 1951, conveying an easement and right of way for street purposes in portion of 1/4 Section 81 in Rancho de la Nacion, setting aside and dedicating the same to the public use as and for a public street, and naming the same Potomac Street, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102699, recorded on Microfilm Roll No. 40, accepting deed of Harold B. Reed and Katharine B. Reed, bearing date March 27, 1951, conveying a portion of Goldfinch Street, as closed by the Council of The City of San Diego in Block 457 Subdivision of part of East Half of Pueblo Lot 1122, setting aside and dedicating the same to the public

use as and for a public street, and naming the same Reynard Way, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102700, recorded on Microfilm Roll No. 40, accepting deed of R. E. Hazard, bearing date June 1, 1951, conveying a perpetual right of way and easement for the construction and maintenance of a levee for the San Diego River Floodway in a parcel of land lying and being in the northerly 4.95 acres of Pueblo Lot 1101, shown on the City Engineering Department's Drawing No. 22-493, designated as "Tract No. 23" and more particularly described in said deed, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102701, recorded on Microfilm Roll No. 40, accepting deed of Fred J. Cicone, bearing date May 29, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 32 Lemon Villa, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102702, recorded on Microfilm Roll No. 40, accepting deed of Thomas J. Getz and Evalyn G. Getz, bearing date May 31, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 12, 13, 14, 15 Block A Montezuma Terrace, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102703, recorded on Microfilm Roll No. 40, accepting deed of Jack Christopher Thompson, Jr. and June Nelson Thompson, bearing date June 1, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 21 Block D Chatsworth Estates, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102704, recorded on Microfilm Roll No. 40, accepting deed of Vance A. Newcomb and Maxine Newcomb, bearing date May 17, 1951, conveying an easement and right of way for storm drain purposes in portion of Acre Lot 51 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Deeds from The J. W. Anderson Corporation and from Milton P. and Otilie Sessions, both being for storm drain purposes, were withdrawn by the Property Department and stricken from the Council's agenda.

The City Manager requested, and was granted, unanimous consent to present the next two matters, not listed on the Council's agenda:

RESOLUTION NO. 102705, recorded on Microfilm Roll No. 40, amending Paragraph 6 of Resolution No. 98053 adopted May 23, 1950, which said Resolution granted to J. F. Holtmyer permission to operate a wood-working shop on his premises on Lot 8 Block 5 Florence Heights, for a period of two years, to read: "That any permission granted be limited to approximately two years, that is, June 30, 1952" (said Resolution No. 98053 inadvertently limited said permission to June 30, 1951), was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from J. F. DuPaul, City Attorney, reporting on the matter of "closing out" or "quitting business" sales, which matter had been referred to in the Better Business Bureau's sheet entitled "Crusader", headed "Toothless San Diego" in which the Council was accused of quietly repealing ordinances regulating the same and referring to sales being repeated time after time, was presented. Said communication stated that the subject is fully covered in Council Ordinance No. 3179 (New Series) adopted May 14, 1946, adopted to place in one ordinance all of the licensing provisions of The City of San Diego, and pointed out that Title V Sections 54, 55 and 56 referring to "closing out" or "quitting business" sales were taken from an old Ordinance No. 81 (New Series) adopted November 14, 1932, and each and all of the provisions were incorporated into Title V of Ordinance No. 3179 (New Series). The communication said, also, that the City Attorney was amazed at the article for the reason that his office has always worked closely with the Better Business Bureau, and that the best of relations have always existed in the past, and that he has always felt that the paid personnel of the Bureau would immediately communicate with him if there had been any questions about the effect of ordinances, or any suggestions pertaining to proposed ordinances. Also, the communication said that the City Attorney was sure that in the past no communication had been addressed to the Council or to his office pertaining to the matter involved, and trusting that in the future the close cooperation that has existed between his office and the Bureau will continue.

Mr. Du Paul's letter was read in its entirety to the Council.
Mr. Du Paul made a verbal report, in which he made further reference to subjects contained in the letter.
On motion of Councilman Kerrigan, seconded by Councilman Swan, the matter was ordered filed, and the City Clerk directed to furnish copies thereof to each member of the Council and to the Better Business Bureau.

There being no further business to come before the Council, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Schneider, at the hour of 10:49 o'clock A.M.

Upon adjourning, the Mayor announced a Council Conference to be held at the hour of 2:00 o'clock P.M., this date.

George Kerrigan
Mayor of The City of San Diego, California
Acting Chairman

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, June 19, 1951

A Regular Meeting of the Council was held this date, and was called to order by George Kerrigan, chairman pro tempore, at the hour of 10:00 o'clock A.M.

Present---Councilmen Swan, Wincote, Kerrigan, Dail
Absent---Councilmen Schneider, Godfrey, Mayor Butler
Clerk----Fred W. Sick

In the absence of the Mayor and the Vice Mayor, Councilman George Kerrigan presided.

The Minutes of the Regular Meetings of Tuesday, June 12, 1951, and of Thursday, June 14, 1951, were presented to the Council by the Clerk.
On motion of Councilman Wincote, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Chairman.

The Chairman announced that inasmuch/^{as}three members of the Council were absent, it would not be possible to act upon three of the hearings set for the hour of 10:00 o'clock A.M., all three of which had been continued to this meeting from the meeting of June 14, 1951, for that reason. On motion of Councilman Dail, seconded by Councilman Wincote, said hearings were continued awaiting the attendance of at least 5 members of the Council, until the meeting of June 21, 1951:

The appeal of John O. Knight, owner, and Russell F. Kimball, purchaser, from condition imposed by the Zoning Commission in connection with granting variance to permit dividing of lot into two parcels on the northeast corner of La Jolla Boulevard and Arenas Street, in Zone R-2, to grant an easement for widening of La Jolla Boulevard;

The appeal of Harold G. Lewis, by R. J. Klitgaard, his attorney, from the decision of the Zoning Committee in granting permission for sign on building at Rosecrans and Fenelon Streets, which permission did not grant a second sign asked for;

The appeal of Maritt John Randall from the decision of the Zoning Committee

in denying request for variance to permit construction of addition to existing garage with duplex above and garages and washroom below, at 4653 Del Monte Avenue.

Councilman Kerrigan presented awards to the following City employees in recognition of their long time service with the City of San Diego:

Mrs. Frances G. Barr, piano accompanist, first employed in the Playground Department as a musician on June 16, 1920 - 30 years' service completed with the Department of Parks and Recreation;

Mrs. Olivia K. Fletcher, Public Library Department, Librarian II in the Logan Heights Branch, employeed on December 13, 1925 - 25 years completed;

Ruel E. Rice, construction and maintenance foreman in the Division of Water Distribution, who has accumulated a total service of 30 years, but actually first worked in the Operating Department in October, 1914;

Charles E. Weight, Assistant Superintendent of the Division of Shops, since November 22, 1920 with the City, and has a credit of 30 years' service.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing on the Street Superintendent's Assessment No. 2006 for the paving and otherwise improving of the Alley in Block 52 Fairmount Addition to City Heights and Polk Avenue, within the limits and as particularly described in Resolution of Intention No. 98713, had been continued from the meeting of June 12, 1951, Mrs. Charles W. Pierceall spoke again.

Mrs. Pierceall referred to her previous statement about being charged for sewer service, although she had such service prior to installation under these proceedings.

Councilman Kerrigan said that the matter had been discussed in Conference this morning, and that the City Attorney had advised that the appeal should be overruled and referred to the City Attorney for further consideration.

The City Attorney said that there is another appeal in the file, from Eva E. Hayward relative to damage to her fence by the constructor. He said that the matter had been adjusted between the appellant and the contractor, who had paid her for damages.

The City Attorney reported that Mrs. Pierceall's house had been connected to the adjoining property sewer under a special permit granted by the City. He said the matter should be referred to his office and to the City Manager for solution.

RESOLUTION NO. 102706, recorded on Microfilm Roll No. 40, overruling and denying the appeals of Mrs. Charles W. Pierceall and of Eva E. Hayward from the Street Superintendent's Assessment No. 2006 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 52 Fairmount Addition to City Heights, and Polk Avenue, within the limits and as particularly described in Resolution of Intention No. 98713, overruling and denying all other appeals therefrom; confirming and approving said Assessment, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to ~~attach his~~ record the same in his office, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102707, recorded on Microfilm Roll No. 40, referring to the City and to the City Manager the verbal protest of Mrs. Charles W. Pierceall of 4122 - 46th Street, owner of Lot 29 against being assessed for a sewer lateral to serve her property, in the sum of \$77.63, when she had been granted previous permission to connect her residence to sewer lateral serving an adjoining residence, with a view to adjusting the matter, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2008, made to cover the costs and expenses of the paving and otherwise improving of the Alleys in Blocks 187 and 188 Mission Beach, and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 99700, the Clerk reported that no written appeals had been received.

Thereupon, the Chairman inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 102708, recorded on Microfilm Roll No. 40, confirming the Street Superintendent's Assessment No. 2008 made to cover the costs and expenses of the paving and otherwise improving of the Alleys in Blocks 187 and 188 Mission Beach, and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 99700, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record the same in his office, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2007, made to cover the costs and expenses of the paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 99971, the Clerk reported that no written appeals had been received.

Thereupon, the Chairman inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard in protest, and no written appeals were presented.

John Torbert, 1327 Thomas Avenue, asked about the method of levying assessment, which question was answered by the City Engineer. Mr. Torbert said he did not wish to protest or appeal.

RESOLUTION NO. 102709, recorded on Microfilm Roll No. 40, confirming the Street Superintendent's Assessment No. 2007 made to cover the costs and expenses of the

paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 99971, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record the same in his office, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 102301, for the paving and otherwise improving of Oliver Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that no protests had been received.

Thereupon, the Chairman inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Swan, seconded by Councilman Wincote, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 102378 for the paving and otherwise improving of 60th Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Chairman inquired if any interested affected property owners were present who desired to be heard.

F. A. Rogers, 4534 - 60th Street, spoke, and said that he wanted to have the work go forward as rapidly as possible.

No one appeared to be heard verbally in protest, and no written protests were presented.

On motion of Councilman Wincote, seconded by Councilman Dail, the hearing was closed.

The Chairman announced that the matter would have to be held over for adoption of the "6-vote Resolution of Feasibility" inasmuch as not enough members of the Council were present to adopt such a Resolution at this time. He said that the matter will be continued from meeting-to-meeting, until 6 Council members are in attendance.

On motion of Councilman Wincote, seconded by Councilman Swan, the following Resolution was adopted:

RESOLUTION NO. 102710, recorded on Microfilm Roll No. 40, continuing the hearing on the proposed improvement of 60th Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 102378, until the meeting of Thursday, June 21, 1951, at the hour of 10:00 o'clock A.M.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Engineer's Report and Assessment for the furnishing of electric current for the lighting of the ornamental Street Lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1951, to and including March 31, 1952, the Clerk reported that no written protests had been received.

The Chairman inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102711, recorded on Microfilm Roll No. 40, confirming and adopting as a whole the Engineer's Report and Assessment for Talmadge Park Lighting District No. 4, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Engineer's Report and Assessment for the furnishing of electric current for the lighting of the ornamental Street Lights located in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1951 to and including March 15, 1952, the Clerk reported that no written protests had been received.

The Chairman inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102712, recorded on Microfilm Roll No. 40, confirming and adopting as a whole the Engineer's Report and Assessment for University Avenue Lighting District No. 2, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating Lots 64 to 67 and south 9 feet of Lot 68 D. B. Williams Subdivision, Lots 36 to 39 and Lots 71 to 75 G. A. Bush Addition, portions of Lots 37 and 38 Fleischer's Addition, the northerly 1/2 of Lot 12 and Lots 13 to 16 Block 9 Estudillo and Capron's Addition, into "RC" Zone, repealing conflicting Ordinances - in the vicinity of Washington Street and 8th Avenue, the Clerk reported that no written protests had been received.

The Chairman inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Wincote, seconded by Councilman Dail, said proposed Ordinance was placed on its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail. Nays---Councilmen None. Absent---Councilmen Schneider, Godfrey, Mayor Butler.

The Clerk was directed to place said proposed Ordinance on the Council's agenda for the meeting of Thursday, June 21, 1951, for adoption.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids for furnishing the City's requirements of lubricating oil for a period of one year commencing July 1, 1951 - for Public Works, Police, Fire, Harbor Departments - recommending award to The Texas Company, reporting that the low bidder of 11 bidders was 1/2¢ per gallon under The Texas Co. but that it does not meet specifications, was presented.

RESOLUTION NO. 102713, recorded on Microfilm Roll No. 40, accepting bid of the Texas Company for the furnishing of Automotive Lubricating Oil for a period of one year beginning July 1, 1951, awarding contract and directing the City Manager to execute the same directing the City Clerk to return all bid checks submitted, with exception of checks submitted by the low bidder and second low bidder, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 36" and 42" Gate Valves, for University Heights North Reservoir, in accordance with specifications on file in the office of the City Clerk under Document No. 434751, was presented.

RESOLUTION NO. 102714, recorded on Microfilm Roll No. 40, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of 36" and 42" gate valves for University Heights North Reservoir, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Manager reporting on communications from National City Chamber of Commerce, the City Attorney of National City, and the Southcrest Civic Club relative to furnishing of bus service, was presented. Said communication attached copies of the City Manager's replies, and a copy of a report from the San Diego Transit System addressed to the City Manager and signed by R. F. McNally, Vice President and General Manager stating that effort to put service into effect will be made as soon as conditions guarantee operation at no loss. The Manager's letter recommended filing.

A copy of the City Manager's reply to the original correspondents, was read to the Council.

On motion of Councilman Wincote, seconded by Councilman Dail, the various documents comprising the file, were ordered filed.

Communication from the City Manager reporting on communication from Comdr. Frederick Baltzly, USN, Ret., containing suggestions for water conservation, and attaching copy of his reply to Comdr. Baltzly, was presented.

Councilman Dail suggested that letters having to do with water conservation be sent to the San Diego County Water Authority, which Authority Mr. Dail said is the sponsor of the move to preserve the water supply of this area.

The City Manager made a verbal report in which he told the Council of the combined effort of the Water Conservation Committee made up of various water agencies, both private and public. He said that he represents the City of San Diego on the Committee.

The City Manager also told the Council that letters on this subject are sent, by way of copies, to the proper authority in each instance.

On motion of Councilman Wincote, seconded by Councilman Swan, the City Manager's communication and the matter upon which it reported, were ordered filed.

At this time Councilman Swan brought up the matter having to do with the City Manager's report on the request for bus service. Mr. Swan asked various questions on the subject. The City Manager read a copy of the McNally reply at this time. No further action was taken.

Communication from the Planning Commission reporting on petition of L. T. Penick for rezoning Lots 1 through 5 in Block 2 of Broderick & West Addition, located at the southwest corner of 34th and Pickwick Streets, adjacent and below grade of Federal Blvd. in the new Wabash Blvd. development, which report recommended denial, was presented.

Also presented to the Council was a communication from Lloyd T. Penick appealing from the recommendation for denial.

The matter had been continued to this meeting, from the meeting of June 14, as requested by Councilman Dail who was not present on June 14.

Councilman Dail spoke on the subject, and asked to have it referred to the City Attorney for preparation of the Ordinance upon which a hearing would be set. He said he thought that all members of the Council should examine the property. Mr. Dail told the Council that the petition has merit, and said that it would not be of any damage to the area.

Glenn A. Rick, City Planning Director told the Council that the matter before them at this time was not a hearing, but simply a recommendation of the Commission.

The City Attorney said that it would take a 5-vote to overrule the Planning Commission. He felt that the matter should be continued until votes of 5 members were present.

William Stark, attorney representing Mr. Penick, spoke. He said he felt that the City Attorney was right, but also favored Mr. Dail's suggestion for having the Ordinance prepared and a hearing set, to speed up the proceedings.

Mr. Rick said that the question is if the Ordinance is to be prepared and a hearing set - also if the Council chooses to go along with the Commission. He said that the appeal could be denied at this time and the Commission sustained now.

Councilman Wincote moved to continue the matter until Thursday of this week, and that the Council inspect the area in a body, and that it be brought up again when 5 votes are present, which motion was seconded by Councilman Dail.

There was further discussion upon the question, whereupon the motion and second were withdrawn.

On motion of Councilman Wincote, seconded by Councilman Dail, the matter

was continued, to permit 7 members of the Council to go out and look at the property at their first opportunity - until July 10, 1951.

(The Clerk's office notified the Council's Secretary 6/19/51 of the action, to permit her to arrange for such a trip, also of the matter's continuance to 7/10/51).

Communication from San Diego County and Municipal Employees, Local Number 127, Hillcrest Station Box 51, San Diego 3, dated June 21, 1951, signed by Jay T. Dellinger, Recording Secretary, was presented.

Said communication thanked members of the Council, Civil Service Commission and Personnel Director for cooperation at the recent salary hearings, and pointed out the benefits derived from employer-employee relationship.

On motion of Councilman Dail, seconded by Councilman Wincote, said communication was ordered filed.

At this time the Chairman recognized Henry Landt, newest member of the Planning Commission, who was present at the Council meeting.

The City Planning Director, at the request of the Chairman, introduced Mr. Landt to members of the Council.

In responding to the introduction, Mr. Landt thanked the Council for his appointment to the City Planning Commission. He said that he had been a long-time resident of San Diego and that he is interested in its development. Also, he said that he hoped that the Commission will continue to do good work, and that as a result of its actions the Council would not have many appeals from its decisions.

Mr. Kerrigan, the Chairman, thanked Mr. Landt for his interest in civic affairs and for attendance at this meeting.

RESOLUTION NO. 102715, recorded on Microfilm Roll No. 40, directing notice of filing of the Street Superintendent's Assessment No. 2014 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Quimby Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 100061, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 102716, recorded on Microfilm Roll No. 40, accepting bid of T. B. Penick & Sons, a co-partnership, for the paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in Resolution of Intention No. 101859, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted. The bid was 4.4% below the estimate; the sole bidder

RESOLUTION OF AWARD NO. 102717, recorded on Microfilm Roll No. 40, accepting bid of Griffith Company, a corporation, for the paving and otherwise improving of 33rd Street, Beech Street and Date Street, within the limits and as particularly described in Resolution of Intention No. 101860, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted. The bid was 23.9% below the estimate; there were 4 bidders.

RESOLUTION OF AWARD NO. 102718, recorded on Microfilm Roll No. 40, accepting bid of San Diego Gas & Electric Co. for the furnishing of electric current for the lighting of the ornamental street lights located in Seventh Avenue Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 102719, recorded on Microfilm Roll No. 40, accepting bid of San Diego Gas & Electric Co. for the furnishing of electric current for the lighting of the ornamental street lights located in Eighth Avenue Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 1, 1951, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

At this time Councilman Dail requested, and was granted unanimous consent, to present the next matter of business not on the Council's agenda:

Mrs. Minnie M. Hudson, 1115 Euclid Avenue, who had been before the Council some weeks previously in connection with appeal from a Zoning Committee decision, appeared.

Mr. Dail said that Mrs. Hudson wished to be heard in connection with the matter of the zone variance appeal from the Zoning Committee's condition to require granting of an easement for the widening of Euclid Avenue.

Mrs. Hudson reviewed the hearing held on May 3, 1951, at which time the appeal was referred by the Council back to the Zoning Committee, and the subsequent denial thereof again, without notification. She asked for a re-hearing.

The City Manager was heard on the question. He suggested that the matter be referred back to the Zoning Committee, with the request from the Council for notification to Mrs. Hudson and her husband.

Councilman Dail asked for reconsideration of the denial of the appeal, but was informed by the Chairman and by the City Attorney that such action was not possible at this late date.

Mrs. Hudson admitted her failure to follow through in the matter, and said

it was due to ignorance on their part that they did not pursue the matter after it had sent back to the Zoning Committee (at the request of Mr. and Mrs. Hudson). Mrs. Hudson said that they felt that a right of way should not be given to the City for Euclid Avenue, without charge, unless an extended time were granted on the existing variance for the lath house and nursery business.

There was discussion across the table between Councilmen Wincote and Dail regarding the previous hearing on the reference back. Without referring to the record, Councilman Wincote outlined what he believed to have been the Council's action. The record was not sent for to determine exactly what had happened at that hearing.

On motion of Councilman Dail, seconded by Councilman Swan, the matter was referred to the Committee, with request that Mr. and Mrs. Hudson be notified of a hearing thereon.

RESOLUTION NO. 102720, recorded on Microfilm Roll No. 40, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Beardsley Street and 22nd Street, within the limits set forth in said Resolution, approving Plat No. 2268 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said streets, directing the City Clerk upon the passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102721, recorded on Microfilm Roll No. 40, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Coronado Avenue, within the limits set forth in said Resolution, approving Plat No. 2233 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said streets, directing the City Clerk upon the passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102722, recorded on Microfilm Roll No. 40, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 33rd Street, within the limits set forth in said Resolution, approving Plat No. 2207 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said street, directing the City Clerk upon the passage of the Resolution of Intention to file said plat in the office of the City Engineer, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102723, recorded on Microfilm Roll No. 40, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District No. 1, for a period of one year from and including February 15, 1951, to and including February 14, 1952, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102724, recorded on Microfilm Roll No. 40, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1951, to and including March 4, 1952, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102725, recorded on Microfilm Roll No. 40, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District No. 1, for a period of one year from and including February 1, 1951, to and including January 31, 1952, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION CHANGING GRADE NO. 102726, recorded on Microfilm Roll No. 40, in the Alley in Block 55 La Jolla Park, as shown upon map signed by A. K. Fogg, City Engineer, filed under Document No. 429179 in the office of the City Clerk on February 6, 1951, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 102727, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of the Alley in Block 153 University Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102728, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Beardsley Street and 22nd Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102729, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Coronado Avenue, Del Mar Avenue and Orchard Avenue, within the limits and as particularly described in said Resolution, was on

motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102730, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of 33rd Street and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102731, recorded on Microfilm Roll No. 40, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Landis Street, the Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 of City Heights Annex No. 1, and Block 3 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 101271, and to be assessed to pay the expenses thereof, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102732, recorded on Microfilm Roll No. 40, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Waverly Avenue and Colima Street, within the limits and as particularly described in Resolution of Intention No. 101200, and to be assessed to pay the expenses thereof, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102733, recorded on Microfilm Roll No. 40, authorizing the Street Superintendent to grant John B. Henry a 60-day extension of time for the completion of the contract for the improvement of a portion of Florida Court, in accordance with his recommendation filed in the office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102734, recorded on Microfilm Roll No. 40, extending for a period of six months from and after June 30, 1951, to and including December 31, 1951, for completion of the contract between The City of San Diego and Arrowhead Lime and Chemical Company, Sales Division, U. S. Lime Products Corporation, for the furnishing of approximately 1200 tons of bulk quicklime to the Alvarado Treatment Plant, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

Said Resolution states that the Sanitary Engineer, Water Department, has advised that because of mechanical difficulties the City has been unable to receive the quicklime in quantities contemplated by contract on file in the office of the City Clerk under Document No. 431928, and that an extension will be necessary in order for the City to take delivery of the quicklime remaining under said contract.

RESOLUTION NO. 102735, recorded on Microfilm Roll No. 40, approving request of Levenson & Levenson, dated June 6, 1951, for an extension of time of 60 days from and after the 30th day of June, 1951, in which to complete their contract for codification of all of the general ordinances of The City of San Diego, contained in Document No. 425091 on file in the office of the City Clerk, extending said contract to the 29th day of August, 1951, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102736, recorded on Microfilm Roll No. 40, approving change order No. 46, dated June 7, 1951, filed with the City Clerk as Document No. 434758, issued in connection with contract between The City of San Diego and Daley Corporation for construction of Wabash Boulevard, Section A, which contract is contained in Document No. 414553, on file in the office of the City Clerk, changes amounting to an increase in the contract price of \$52.87, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102737, recorded on Microfilm Roll No. 40, approving change order No. 4, dated May 17, 1951, filed with the City Clerk as Document No. 434241, issued in connection with contract between The City of San Diego and H. W. Grizzle for construction of Fire Station No. 5 at Ninth and University Avenues, which contract is contained in Document No. 428790 on file in the office of the City Clerk, changes amounting to an increase in the contract price of \$25.00, rescinding Resolution No. 102556 adopted June 5, 1951, which inadvertently identified said change order as "no. 5", was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Manager submitting letter from the Division of Highways requesting prohibition of all parking on both sides of Harbor Drive between 32nd Street and the southerly City limits, for the following reasons: Parking and deparking maneuvers along the highway constitute serious traffic hazards; busses have difficulty in safely stopping to pick up passengers; for general military security reasons there should be no parking on the southerly side; off street parking is sufficient to meet all requirements; was presented.

RESOLUTION NO. 102738, recorded on Microfilm Roll No. 40, prohibiting the parking of automobiles at all times on both sides of South Harbor Drive, between the easterly line of 32nd Street and the southerly limit of The City of San Diego, authorizing and direct-

ing installation of the necessary signs and markings, declaring that said Resolution will cease to be operative 6 months after receipt by the City of written Notice of Withdrawal of Approval by the State Department of Public Works, and that any resolutions or parts of resolutions in conflict therewith are repealed, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102739, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of 600 feet of two-inch W.I. pipe, and the installation of 720 feet of six-inch water main and two six-inch fire hydrants, in 42nd Street, from Gamma Street to Alpha Street, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102740, recorded on Microfilm Roll No. 40, granting permit to the Pacific Telephone and Telegraph Company to install, operate, repair, replace, maintain and use sixteen poles, five anchors and associated aerial wire over and across Mission Bay Park property in the vicinity of Midway Drive and Ingraham Boulevard, for the purpose of providing telephone service to the Dana Boat Landing, on conditions set forth in said Resolution, at the locations particularly shown on drawing entitled "R.O. 817-0344. The Pacific Tel. and Tel. Co. San Diego-Bayview Exchange Midway Dr. N/o W. Pt. Loma Bl. City of San Diego permit," accompanying application for permission to install, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102741, recorded on Microfilm Roll No. 40, granting permission to Jasper M. Robbins, 4781 Orchard Street, San Diego 7, to install and maintain a power line under and across the Alley in Block 40 Ocean Beach, to serve Lots 44, 45 and 46 in said Block, on a revocable basis, and upon conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102742, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager to make application to the Water Resources Board for reallocation to the City of the sum of \$1,031,455.00, and authorizing and directing him to submit claims to said Board for reimbursement of expenditures made by the City, all as authorized in Chapter 1914 State Statutes of 1945 and acts subsequent and amendatory thereto, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Said Resolution states that funds have been appropriated to the State Flood Control Fund of 1946 under Chapter 142 enacted at the 1st Extra Session of the 56th Legislature of the State of California, and subsequent actions, and allocated to the Water Resources Board for reallocation to The City of San Diego in connection with channel improvements to be constructed by the United States Government on the San Diego River and Mission Bay Project; the City will expend \$1,262,605.00 for construction of Sunset Cliffs Boulevard Bridge across the San Diego River Floodway; the proportionate share of said bridge to Flood Control on the River having been determined as \$1,031,455.00.

Councilman Swan asked questions in connection with the Resolution, which the City Manager. The Manager told Mr. Swan that the funds would constitute a refund from the State.

RESOLUTION NO. 102743, recorded on Microfilm Roll No. 40, approving and allowing bill of San Diego Chamber of Commerce, in the sum of \$1,332.85, in connection with expenses incurred in Marine welcome on April 29, 1951, as approved by the Advertising Control Committee, authorizing and directing a Resolution to be written on the Advertising and Publicity Fund for the fiscal year 1950-51 in said sum, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The City Manager requested, and was granted, unanimous consent to present the following matters which were not listed on the Council's agenda:

RESOLUTION NO. 102744, recorded on Microfilm Roll No. 40, authorizing Councilman Chester A. Schneider to go to Sacramento, for the purpose of conferring with legislators from this district pertaining to Assembly Bill 3217 and other matters, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

(Councilman Schneider had already gone to Sacramento before said Resolution authorizing his trip was introduced by the Manager, and adopted).

Communication from the Civil Service Commission, dated June 19, 1951, submitting copy of "Proposed Amendment to the Rules of the Civil Service Commission of The City of San Diego", occasioned by the necessity for formal rules in connection with installation of the classes and salaries in Council Ordinance No. 4821, to provide standard equitable treatment for all employees, requesting prompt action and approval of the amendments, was presented.

RESOLUTION NO. 102745, authorizing and directing the City Clerk to publish or cause to be published the proposed amendment to the Rules of the Civil Service Commission in full for at least once in the official newspaper at least 10 days prior to hearing to be held by the Council on July 3, 1951, and cause a copy of the proposed amendment to be posted in

three public places at least ten days prior to the date of said hearing, said amendment to be by a rule to be numbered "RULE I-A", to provide for determination of the resulting status of each employee in the Classified Service in the allocation of positions to classes created by Ordinance No. 4821 (New Series) adopted May 29, 1951, as amended, providing that the suggested amendment to the Rules shall not become effective until said amendment has been adopted by Ordinance after a public hearing thereon after notice, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

The City Clerk was directed to have the notice published at the earliest possible date.

It was pointed out that the hearing would not be held until after the date upon which the new classification would go into effect, but the City Attorney said that the Civil Service Department would set up the classifications and have it ready as soon as the Ordinance goes into effect.

The Chairman introduced a telegram at this time from George A. Scott, Civil Service Commission, addressed to the Mayor and City Council: "Commissioner Elser read over long distance telephone complete text of amendment to Civil Service Rules known as 1-A. Same meet with my full approval." - said telegram datelined New York, N.Y., Jun 19 1104A.

The telegram was read to the Council, and on motion of Councilman Wincote, seconded by Councilman Dail, was ordered filed.

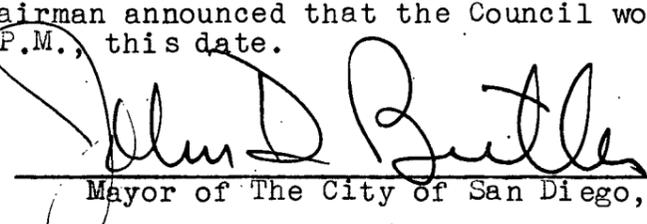
RESOLUTION NO. 102746, recorded on Microfilm Roll No. 40, accepting deed of John D. Abbott and Alta I. Abbott, executed June 14, 1951, granting all of Lots 1, 2, 3, 4, 5, 6 and 7 of Block "I" of West Hollywood, setting aside and dedicating the same to the public use as and for a public street, and naming the same Imperial Avenue, authorizing and directing the City Clerk to file said deed, together with a certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Proposed Ordinance appropriating the sum of \$6,300.00 from the Capital Outlay Fund, for the purpose of providing funds for the purchase of property to be used for the widening of Imperial Avenue easterly from Merlin Drive, was placed on its first reading, on motion of Councilman Wincote, seconded by Councilman Dail, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Dail. Nays---Councilmen None. Absent---Councilmen Schneider, Godfrey, Mayor Knox.

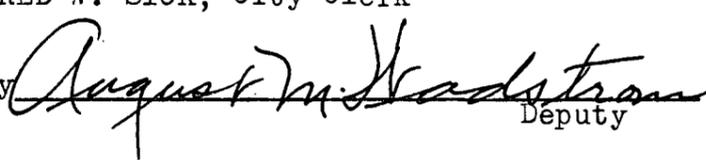
(Said Ordinance failed to receive the 5 votes necessary to place it upon its final passage at its first reading - therefore the Clerk will list it on the agenda for the next meeting of the Council).

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Wincote, seconded by Councilman Dail, at the hour of 11:25 o'clock A.M.

Upon adjournment, the Chairman announced that the Council would meet in Conference at the hour of 2:00 o'clock P.M., this date.


Mayor of The City of San Diego, California.

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, June 21, 1951

A Regular Meeting of the Council was held this date, and was called to order by Vice Mayor Chester E. Schneider, at the hour of 10:03 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail
Absent---Councilman Godfrey, Mayor Butler
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor Chester E. Schneider presided.

The Vice Mayor announced, at the outset of the meeting, that only five members of the Council were present. He said that in connection with some of the hearings on the agenda it might be advisable from the stand point of the property owners interested, to postpone hearings until six or all of the members were present.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portions of Pueblo Lots 1788 and 1209 - in the vicinity of Pacific Highway and the Santa Fe Railway, north of Balboa Avenue - into "M-2" Zone, which had been continued until this time, the hearing was continued, on motion of Councilman Kerrigan, seconded by Councilman Wincote, until the hour of 10:00 o'clock A.M., on July 5, 1951.

The Vice Mayor suggested that the matter of appeals in connection with zone variance which had been granted to E. A. McIntire, Douglas Swam, H. G. Archibald, owners, and Gabriel Berg, purchaser, granting permission to operate salvage yard on the railroad in the vicinity of Pacific Highway north of Balboa Avenue, be brought up at this time.

Appeals from W. F. Regenhardt and others from the decision of the Zoning Committee in granting the variance, were presented.

Appeal from Douglas Swalm, E. A. McIntire and Mrs. L. Jane Archibald from conditions imposed in connection with said variance for the Salvage Yard, was presented.

The Vice Mayor inquired if anyone wished to be heard in connection with the matter.

Morey Levenson, representing W. F. Regenhardt, spoke. He asked for a delay of one week on the hearing.

Fred Bunger spoke in behalf of Douglas Swalm and others. He said that the matter has already been around so long, that he thought it should be held no longer.

Mr. Archibald, representing one of the appellants said that the matter has been continued about 6 months, and felt that action should be taken at this time.

The Vice Mayor pointed out that the Council was willing to conduct the hearing at this time, but that in the interest of the appellants on both sides of the question it would be advantageous to continue the hearing until more members were present.

All who were interested in the matter agreed to the continuance.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said hearing was continued until the hour of 10:00 o'clock A.M., on July 5, 1951.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing had been continued on the appeal of Russell F. Kimball and Frances D. Kimball from the Zoning Committee's decision in requiring the granting of an easement for widening of La Jolla Boulevard in connection with the zone variance to permit division of Lot 8 Block 4 F. T. Scripps Addition into two parcels for 2 living units on each parcel at the northeast corner of La Jolla Boulevard and Arenas Street, the Planning Director made a verbal report. He said that there is no opposition to the granting.

A communication from the Zoning Engineer stating that the Committee had reconsidered the matter at Mr. Kimball's request and had determined that in view of the fact that several other variances had been granted on La Jolla Boulevard without requiring the dedication of lands for street widenings, on condition that a 10-foot setback from existing east line of La Jolla Boulevard and the regular City Ordinance setback on Arenas Street, was presented but not read.

RESOLUTION NO. 102747, recorded on Microfilm Roll No. 40, sustaining the appeal of Russell F. Kimball and Frances D. Kimball from the decision of the Zoning Committee in requiring under its Resolution No. 5544 their application No. 9366 for variance to the provisions of Ordinance No. 245 New Series Section 4a, to permit John O. Knight, owner, and Russell F. and Frances D. Kimball, purchasers, permission to divide Lot 8 Block 4 F. T. Scripps Addition into two parcels, each 70 ft. by 100 ft., and erect two living units on each parcel, on the northeast corner of La Jolla Blvd. and Arenas St., in Zone R-2, overruling said decision in connection with said requirement, upon the condition that a 10-foot setback from the existing line of La Jolla Boulevard and the regular City Ordinance setback on Arenas Street be maintained, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing had been continued on the appeal of Harold G. Lewis, by R. J. Klitgaard, attorney, in connection with the Zoning Committee's decision for granting one sign on the side of a building at Rosecrans and Fenelon Streets, in Zone R-4 (but showing no action on request for variance to permit a roof sign), Mr. Klitgaard spoke.

Mr. Klitgaard presented a drawing showing the proposed sign to be placed on the roof. He presented a communication, also, from Medina & Monise, Inc., Room 1 Broadway Pier, recommending granting variance for the sign as there is already one sign across the street on the Marlin Inn, and that it would not hurt the neighborhood. Asked if he was willing to go ahead with the hearing despite only 5 Council members being present, Mr. Klitgaard said that he was. Mr. Klitgaard showed a photograph of the Marlin Inn sign, granted by the Council under a zone variance. He said that a roof sign on the property under discussion is needed.

The Planning Director made a report. He said no signs are authorized in R-4 zone. He pointed out that the roof sign on the Marlin Inn had been granted by the Council over the objections of the Zoning Committee. Mr. Rick said that the building under question had not been approved as a motel, which is not allowed in R-4 zone. He said that the sign on the side of the ~~side~~ of the building is a legitimate request, and that it has been granted. The Planning Director said that in his opinion the sign on the roof is not needed, and that the building is operated, apparently, with the Marlin Inn.

Mr. Klitgaard said that the building is not owned by the Marlin Inn operators, but has only an arrangement for use of the Inn's office.

The Vice Mayor inquired if any interested property owners were present who desired to be heard. No protests, verbal or written, were entered.

A report from the Zoning Engineer, setting out the circumstances and recommendations for denial of the roof sign by the Zoning Committee, was presented but was not read.

A motion was made and seconded to sustain the appeal, at which time Councilman Kerrigan said that if 7 members were present, he would vote against the appeal.

Councilman Wincote took exception to Councilman Kerrigan's comment, and said he felt that no one should be put in the position of voting in favor of a variance if he opposed the variance, because of absence of other members. He wondered if Mr. Kerrigan wanted the matter continued, to which Mr. Kerrigan said he did not.

RESOLUTION NO. 102748, recorded on Microfilm Roll No. 40, sustaining appeal of Harold G. Lewis from the decision of the Zoning Committee in denying request for variance to permit construction of a sign on the roof of a building located on Lots 11 and 12 except the SWly 25 ft. thereof, in Block 46 Roseville, at Rosecrans and Fenelon Streets, in Zone R-4, overruling said Committee decision, in connection with Application No. 9425, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M., having arrived, the time to which the hearing had been continued on the appeal of Maritt John Rand from the Zoning Committee's decision in denying variance to make additions to existing garage for duplex, etc., at 4653 Del Monte Avenue, Mr. Rand spoke. He asked for a continuance for a period of 2 weeks.

On motion of Councilman Wincote, seconded by Councilman Swan, said continued hearing was continued until the hour of 10:00 o'clock A.M., July 5, 1951.

The hour of 10:00 o'clock A.M. having arrived, the time to which hearing had been continued on Resolution of Preliminary Determination No. 102378 for the paving and otherwise improving of 60th Street, within the limits and as particularly described in said Resolution, for consideration of the Resolution of Feasibility, it was pointed out that the matter could not be acted upon at this meeting for lack of six votes needed.

RESOLUTION NO. 102749, recorded on Microfilm Roll No. 40, continuing the hearing on the proposed improvement of 60th Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 102378 until the hour of 10:00 o'clock A.M. of Thursday, June 28, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Petition of residents on Etiwanda Street for investigation and action upon care taken of property at 2220 Etiwanda Street, owned by Wm. Wylie & Mother, 2215 Seaside Street, in connection with hedge, brush and bamboo extending into public property, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said petition was referred to the City Manager.

Claim of Loren F. Scoven, 4482 - 47th Street, in the sum of \$424.78, for damage to his automobile, etc., by a City-owned truck, was presented.

RESOLUTION NO. 102750, recorded on Microfilm Roll No. 40, referring claim of Loren F. Scoven, 4482 - 47th Street, by Charles B. Provence, Attorney, 435 Bank of America Building, to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of Allen's Exclusive Prescription Pharmacies, 239 A Street, in the sum of \$84.36, for damage to stock from defective water mains at or adjacent to 3rd & A, was presented.

RESOLUTION NO. 102751, recorded on Microfilm Roll No. 40, referring claim of Allen's Exclusive Prescription Pharmacies to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing Library Books for The City of San Diego Library and other departments, for the period of one year beginning July 1, 1951, recommending acceptance of the bid of The American News Company, The Los Angeles News Company Division, low bidder - 3 bids received - was presented.

RESOLUTION NO. 102752, recorded on Microfilm Roll No. 40, accepting bid of The American News Company, The Los Angeles News Company Division, for furnishing to the City of San Diego books for the City Library and other departments, for a period of twelve months commencing July 1, 1951, awarding contract and directing the City Manager to enter into and execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102753, recorded on Microfilm Roll No. 40, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the installation of electric service lines, including a vault, flood lights, etc., in Southcrest Park (near 40th Street and Z Street, bearing Document No. 434860, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102754, recorded on Microfilm Roll No. 40, approving plans and specifications for the furnishing of all labor, transportation, materials, tools, equipment, and other expenses necessary or incidental to the cleaning and cement mortar lining of Torrey Pines Road - 16" cast iron pipe line from Prospect Place to Ardath Road, bearing Document No. 434875, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on petition signed by property owners complaining of the poor condition of 60th Street between El Cajon Boulevard and Estelle Street, stating that the street is in the process of improvement under the 1911 Act and if normal routine is followed actual work will not be started until next spring, that in order to give temporary relief the Public Works Department has patched the ruts with oil mix, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the Planning Commission relative to the re-zoning of portions of Pueblo Lot in 1118 and vicinity, being southerly of Camino del Rio, on each side of Cabrillo Freeway, which had been continued until this meeting from the meeting of May 22, 1951 (at which time it was first ordered filed, then reconsidered and continued), was presented.

On motion of Councilman Kerrigan, seconded by Councilman Swan, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Zoning Committee, reporting back to the Council on the previous recommendation for denial of the Joseph W. Johnson appeal from the decision of the Committee to deny application for variance to the provisions of Ordinance No. 8924 Section 8a, was presented.

Said matter had been referred back to the Committee on May 3, in connection with application of Joseph W. and Helen S. Johnson for permission to convert garage into living unit, making a total of 3 living units of which 2 will be served by a 3-foot access court on Lot 41 Block 37 City Heights, at 4068 - 38th Street, in Zone R-4.

The new report stated that the Committee had reconsidered the application, and letter from Mr. Johnson offering to provide rented space on neighbors' property for off street parking for tenants who have cars, and pointing out that it has never approved such arrangement for off-street parking in that subsequent owner might ^{not} make such an arrangement. The report stated that the Committee could not deviate from its usual policy for off-street parking and again recommended denial of the appeal.

The Vice Mayor asked if any one was present who desired to be heard.

H. S. Bevens, representing his father-in-law, Mr. Johnson, spoke. He said he was willing to have the Council act at this time, and not await attendance of more members. He told of an effort on Mr. Johnson's part to supplement his income through the means proposed, and referred to it in the light of a charity action upon the City's part to permit deviation from usual requirements.

The Planning Director made a verbal report in which it was said it is difficult to deny such appeals, but he said that granting them as hardship cases is not proper.

RESOLUTION NO. 102755, recorded on Microfilm Roll No. 40, overruling and denying the appeal of Joseph W. Johnson, 4068 - 38th Street, from the decision of the Zoning Committee in denying application No. 9328 of Joseph W. and Helen S. Johnson for variance to the provisions of Ordinance No. 8924 Section 8a, for permission to convert garage into living unit making a total of 3 of which 2 would be served by a 3-foot access court, on Lot 41 Block 37 City Heights, at 4068 - 38th Street, in Zone R-4, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted. Said Resolution also sustained the Zoning Committee's decision in denying said variance.

Communication from Pacific Indemnity Company, dated June 19, 1951, signed by J. M. MacConnell, reporting that the claim of Mrs. Roy C. Adams, in an unstated amount had been settled by payment of \$11.61, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 15, 1951, signed by J. M. MacConnell, reporting that the claim of Richard Cochran and Eleanor Irene Cochran, in the sum of \$50.07, had been closed by payment of said sum, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 19, 1951, signed by J. M. MacConnell, reporting that the claim of Mrs. F. M. Fitzpatrick, in the sum of \$5.30, had been closed by payment of said sum, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 15, 1951, signed by J. M. MacConnell, reporting that claim of Walter H. Lewis, in the sum of \$8.04, had been closed by payment of said sum, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 19, 1951, signed by J. M. MacConnell, reporting that the claim of Henry R. Murray, in an unstated amount had been settled by payment of \$35.00, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 15, 1951, signed by J. M. MacConnell, reporting that claim of Thomas W. Johnson, in the sum of \$11.92, had been closed by payment of \$10.54, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 19, 1951, signed by J. M. MacConnell, reporting that claim of Rev. Patrick O'Neill, in an unstated amount had been settled by payment of \$27.54, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from Pacific Indemnity Company, dated June 19, 1951, signed by J. M. MacConnell, reporting that claim of Eugene Unger, in the sum of \$25.00, had been closed by payment of \$5.00, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

RESOLUTION NO. 102756, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to install heaters on pump motors; paint pumps and motor; install seepage drains, concrete anchor, wash water overflow extension and stile over 48-inch pipe; grading and paving, and other miscellaneous work, in connection with the Murray Reservoir Pumping Plant, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102757, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to do all the work in connection with the paving and adjustment of appurtenances such as moving meters, hydrants and backfilling in connection with the cleaning and lining of the 16-inch pipeline in Torrey Pines Road, from Prospect Place to Ardath Road, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102758, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, permits granting to Western Airlines, California Central Airlines, Southwest Airways Company,

American Airlines, Inc., and Pacific Southwest Airlines, the right to use, for the period commencing July 1, 1951, and ending June 30, 1952, certain premises, facilities, rights, licenses, services and privileges in connection with and on the Airport known as the U.S. Naval Auxiliary Air Station, Miramar, California, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102759, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager to enter into a contract of employment with Roy E. Butler of San Diego to act as Executive Officer of the San Diego Disaster Corps for a term commencing July 1, 1951 and ending on the 30th day of June, 1952, at a monthly compensation of \$495.00, in accordance with terms and conditions set out in form of agreement filed with the City Clerk as Document No. 434943, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

After adoption of said Resolution, Councilman Kerrigan wondered about the advisability of authorizing contract of employment at this time, inasmuch as it had not been determined what the future of the San Diego Disaster Corps would be. Also, he said, the contract was for one year, and that perhaps funds would not be set up in the forthcoming budget to cover the Corps' activities for such period.

The City Manager and the City Attorney pointed out to Mr. Kerrigan the cancellation clause, for any reason upon 30 days written notice.

The Vice Mayor asked Mr. Kerrigan if he wanted the Council to reconsider its action. The reply was that he did not.

RESOLUTION NO. 102760, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to enter into a contract of employment with J. H. Masters of San Diego to act as Chief Warden of the San Diego Disaster Council for a term commencing July 1, 1951 and ending on the 30th day of June, 1952, at a monthly compensation of \$440.00, in accordance with terms and conditions set out in form of agreement filed with the City Clerk as Document No. 434944, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102761, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to enter into a contract of employment with Frederick C. Whitney of San Diego to act as Director of Public Relations and Public Education of the San Diego Disaster Council for a term commencing July 1, 1951 and ending on the 30th day of June, at a monthly compensation of \$440.00, in accordance with terms and conditions set out in form of agreement filed in the office of the City Clerk as Document No. 434945, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102762, recorded on Microfilm Roll No. 40, approving change order No. 3, dated June 8, 1951, filed with the City Clerk as Document No. 434889, issued in connection with the contract between The City of San Diego and Daley Corporation for construction of Wabash Freeway, 40th Street Section, which contract is contained in Document No. 432841 on file in the office of the City Clerk, changes amounting to an increase in the contract price of \$150.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102763, recorded on Microfilm Roll No. 40, granting extension of time to V. R. Dennis Construction Co. of 19 days from and after May 17, 1951, heretofore filed (request) with the City Clerk as Document No. 434949 in which to complete his contract for construction of improvements at Midway Drive and Ollie Street, contained in Document No. 429625 on file in the office of the City Clerk, completion date to be extended to June 5, 1951, waiving provisions of specifications for said work with respect to liquidated damages until the termination of the contract period as extended, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102764, recorded on Microfilm Roll No. 40, granting request of Chas. J. Dorfman for an extension of time for a period of 60 days from and after May 31, 1951, heretofore filed with the City Clerk as Document No. 434950 in which to complete contract for construction of Ocean Beach storm drain, contract contained in Document No. 429250 on file in the office of the City Clerk, time of completion extended to July 30, 1951, waiving provisions of specifications for said work with respect to liquidated damages until the termination of the contract period as extended, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102765, recorded on Microfilm Roll No. 40, granting request of Ets-Hokin & Galvan, dated June 7, 1951, for extension of time for 20 days from and after June 8, 1951, filed with the City Clerk as Document No. 434893 to complete contract for installation of lights on Wabash Freeway, contained in Document No. 428357 on file in the office of the City Clerk, completion date to be extended to June 28, 1951, waiving provisions of specifications for said work with respect to liquidated damages until the termination of the contract period as extended, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102766, recorded on Microfilm Roll No. 40, granting permission to Salvation Army Citadel, through Thomas H. Lowery Plumbing Co., 1082 South 43rd

Street, San Diego 13, to run all soil lines and waste line in basement area within building (being constructed at 830 Eighth Avenue) at a grade of less than 1/4" per lineal foot but not less than 1/8" per lineal foot, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102767, recorded on Microfilm Roll No. 40, granting permission to San Diego Glass Company to install a 4-inch cast iron sewer line from the new building at 1800 Main Street to an existing sewer across their lots at an 0.8 per cent grade, the owner to provide proper cleanouts and maintain sewer to satisfaction of the Health Department, following approval by City Manager and Department of Public Health, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102768, recorded on Microfilm Roll No. 40, directing the City Attorney to file a petition with the Board of Supervisors of the County of San Diego requesting that all taxes of record against property in Bayside, Sellar's Addition, Electric Line Addition, Mission Beach Addition, which property is more particularly described in said Resolution, be cancelled; authorizing and directing the City Attorney to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes - all of which property has been acquired by the City of San Diego by deeds from the State of California for delinquent taxes, for public purposes - was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102769, recorded on Microfilm Roll No. 40, directing the City Attorney to file a petition with the Board of Supervisors of the County of San Diego requesting that all taxes of record against property in Bayside, Sellar's Addition, Electric Line Addition, Mission Beach Addition, which property is more particularly described in said Resolution, be cancelled - all of which had been acquired by various deeds dated and filed under the Certificate of Title numbers with the Registrar of Land Titles and in the office of the County Recorder as shown in said Resolution - all of which has been acquired by the City of San Diego from the State of California for delinquent taxes, for public purposes - was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102770, recorded on Microfilm Roll No. 40, directing the Supervisor of Properties to file a petition with the Board of Supervisors of the County of San Diego requesting that all taxes against property in Trojan Heights, Point Loma Heights, Lexington Park, , Turnbull's Subdivision, Trojan Heights, Hillcrest, Palmetto Tract, McLaren's "H" Street Addition, Rosedale, La Jolla Strand, Orange Crest, Pueblo Lot 1105, Lemon Villa, Middletown, Brooklyn Terrace, Park Addition, Pacific Beach, Mission Beach, be cancelled - all of which has been acquired by the City of San Diego from the State of California for delinquent taxes, for public purposes - was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102771, recorded on Microfilm Roll No. 40, amending Resolution No. 101738 adopted March 29, 1951, relative to Flood Channel, etc. in connection with the San Diego River-Mission Bay Improvement Project, authorizing the Mayor and City Clerk to execute a deed on behalf of The City of San Diego to the proper agents of the United States of America, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102772, recorded on Microfilm Roll No. 40, authorizing exchange of easements with the Security Trust and Savings Bank of San Diego, in connection with the Bonita Pipe Line, where said line and appurtenances cross Euclid Manor Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.
Prior to adoption of said Resolution, the City Manager made a verbal explanation to the Council, and read a Water Department report and recommendation addressed to him.
Councilman Kerrigan questioned future use of the property, wondering if it would involve any water rights outside the City of San Diego.
The City Manager showed a map of the line and property exchange, and said that it lies within property which has been annexed to the City.

RESOLUTION NO. 102773, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego an agreement with Business Extension Bureau, 453 Spreckels Building, San Diego, for an exchange of information as to new businesses, business transfers and related data, in accordance with file in the office of the City Clerk under Document No. 434962, rescinding Resolution No. 102554 adopted on June 5, 1951, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.
Councilman Swan wanted to know what was wrong with the first Resolution and the first draft of the agreement.
The City Manager answered Mr. Swan, and told him that an extra clause had been added relative to neither party making any warranty as to the completeness or accuracy of any information made available, and agreeing to save the City harmless from any liability which may arise out of the release by the City of any information to the Bureau.

RESOLUTION NO. 102774, recorded on Microfilm Roll No. 40, accepting sub-

ordination agreement, executed by La Jolla Federal Savings & Loan Association, beneficiary, and Security Trust and Savings Bank, trustee, bearing date May 23, 1951, subordinating all right, title and interest in and to portion of Lot 9 Block D Starkey's Prospect Park to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, California, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102775, recorded on Microfilm Roll No. 40, accepting Deed of Partial Reconveyance, executed by Corporation of America, trustee, bearing date May 31, 1951, remising, granting, releasing and reconveying to the person or persons legally entitled thereto all of that portion of Lot 1 Block 20 Point Loma Heights as more particularly described in said deed, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102776, recorded on Microfilm Roll No. 40, accepting Deed of Gregory Electric Company, bearing date April 16, 1951, conveying a portion of Lots 13, 14 and 15 of West Atlantic Street Addition, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilmen Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102777, recorded on Microfilm Roll No. 40, accepting Deed of Lillian H. Layton, bearing date June 8, 1951, conveying Lot 3 Block 48 Campo Del Dios Unit No. 3 and Lot 17 Block 83 Campo Del Dios Unit No. 3, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102778, recorded on Microfilm Roll No. 40, accepting Deed of Jackson V. Thrasher and Helen M. Thrasher, bearing date May 19, 1951, conveying portions of Pueblo Lots 196 and 197, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102779, recorded on Microfilm Roll No. 40, accepting Deed of Robert R. Eby, bearing date April 27, 1951, conveying portion of Lot 1 Block 20 Point Loma Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabaska Drive, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102780, recorded on Microfilm Roll No. 40, accepting Deed of Dalton R. Curry and Dorothy K. Curry, bearing date June 7, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 1 Block E Home Gardens, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102781, recorded on Microfilm Roll No. 40, accepting Deed of Kenneth Denton and Ruth Denton, bearing date June 8, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 21 and 22 Block 238 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102782, recorded on Microfilm Roll No. 40, accepting Quitclaim Deed of A. H. Frost Company, a dissolved California corporation, bearing date June 7, 1951, quitclaiming an easement and right of way for sewer purposes in portion of Pueblo Lot 1199, authorizing and directing the City Clerk to file said quitclaim deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102783, recorded on Microfilm Roll No. 40, accepting Deed of Esther O. La Beard, bearing date June 7, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 9 Block "D" Southlook, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102784, recorded on Microfilm Roll No. 40, accepting Deed of Paul J. Holbrook and Dorothy K. Holbrook, bearing date June 5, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 1, 2 and 3 Block 38 Ocean Beach, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102785, recorded on Microfilm Roll No. 40, accepting Deed of Nancy C. Davidson, bearing date May 15, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 9 Block D Starkey's Prospect Park, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

(New Series)

ORDINANCE NO. 4830/ recorded on Microfilm Roll No. 40, appropriating the sum of \$6,300.00 from the Capital Outlay Fund for the purpose of providing funds for the purchase of property to be used for the widening of Imperial Avenue easterly from Merlin Drive, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, ^{Kerrigan}Schneider, Dail. Nays---Councilmen None. Absent---Councilman Godfrey, Mayor Butler.

Said Ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: on the 19th day of June, 1951, and on the 21st day of June, 1951.

The final reading of such Ordinance was in full.

(Purchase of said land was authorized by the Council on June 19, by Resolution - Ordinance could not be adopted at that time, inasmuch as there were only 4 votes of Council present to place it upon its first reading at that time).

ORDINANCE NO. 4831 (New Series), recorded on Microfilm Roll No. 40, incorporating Lots 64 to 67 inclusive and the south 9 feet of Lot 68 D. B. Williams Subdivision, Lots 36 to 39 inclusive and Lots 71 to 75 inclusive G. A. Bush Addition, portions of Lots 37 and 38 Fleischer's Addition, and the northerly 1/2 of Lot 12 and Lots 13 to 16 inclusive Block 9 Estudillo and Caprons Addition, into "RC" Zone as defined by Ordinance No. 8924 of the Ordinances of said City and amendments thereto, repealing Ordinance No. 190 (New Series) adopted March 27, 1933, insofar as the same conflicts, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Schneider, Dail. Nays---Councilmen None. Absent---Councilman Godfrey, Mayor Butler.

Said Ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: on the 19th day of June, 1951, and on the 21st day of June, 1951.

The final reading of such Ordinance was in full.

(The area zoned under said Ordinance is on Washington Street between 7th and 9th Avenues).

ORDINANCE NO. 4832 (New Series), recorded on Microfilm Roll No. 40, regulating transportation and storage of Liquid Petroleum Gases in Fire Zone 1, providing penalty for violation, declaring the same to be an emergency measure to take effect and be in force immediately from and after its passage for the preservation of the public peace, property and safety, was on motion of Councilman Kerrigan, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays---Councilmen None. Absent---Councilman Godfrey, Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays---Councilmen None. Absent---Councilman Godfrey, Mayor Butler.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

(No hearing was conducted on said Ordinance. Ordinance No. 4466 New Series, also regulating the subject of transporting such Gases, was adopted July 11, 1950; said Ordinance was repealed by Ordinance No. 4516 New Series, adopted August 24, 1950).

Proposed Ordinance amending Section 2 of Ordinance No. 3562 (New Series) - Social Welfare Service - adopted October 28, 1947, having to do with solicitations in public for charitable, patriotic, educational, philanthropic, social service, welfare, benevolent, civic or fraternal, or other purposes, requiring registration of those engaged in solicitations for religious purposes, licensing and bonding of promoters, bonding and registering of solicitors, was presented.

RESOLUTION NO. 102786, recorded on Microfilm Roll No. 40, referring the proposed Ordinance amending Section 2 of Ordinance No. 3562 New Series to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4833 (New Series), recorded on Microfilm Roll No. 40, amending Section 10 of Ordinance No. 8924 (Zoning Ordinance) approved January 23, 1923, and repealing Section 7 of Ordinance No. 2409 (New Series), adopted April 7, 1942, - relative to use of land or buildings existing at the time the district zone ordinance became effective, discontinuance of non-conforming use, changes therein, repairs and alterations which do not enlarge or increase the size thereof provided that the aggregate value does not exceed 50% of its value, destruction of non-conforming building by fire, explosion, Act of God or act

of the public enemy -- was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--- Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Absent---Councilman Godfrey, Mayor Butler. Nays---Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4834 (New Series), recorded on Microfilm Roll No. 40, appropriating the sum of \$166,320.00 from the General Fund Reserve for Improvement Projects, and transferring the same to the Capital Outlay Fund (#245), was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays---Councilmen None. Absent---Councilman Godfrey, Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

The final reading of such Ordinance was in full.

The City Manager requested, and was granted, unanimous consent to present the following matters, all of which were not listed on the Council's agenda:

ORDINANCE NO. 4835 (New Series), recorded on Microfilm Roll No. 40, creating the positions of Maternal and Child Health Nursing Consultant, Planning Technician and Senior Planning Technician in the Classified Service of The City of San Diego, and establishing schedule of compensation therefor, for the Fiscal year 1951-1952, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays---Councilmen None. Absent---Councilman Godfrey, Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

The final reading of such Ordinance was in full.

(Said Ordinance recites that by inadvertence and mistake certain positions were omitted from Ordinance No. 4821 (New Series) adopted May 29, 1951, and that in order to carry on the work of the City and to preserve the public peace, property, health and safety of said City, the Council finds as a fact that it is necessary to immediately create said positions and establish a schedule of compensation for the employees occupying the same, and declares said Ordinance to be an emergency measure to take effect upon the date that Ordinance No. 4821 (New Series) hereinbefore referred to, becomes effective).

ORDINANCE NO. 4836 (New Series), amending Sections 3, 4 and 5 of Ordinance No. 4821 (New Series) adopted May 29, 1951, and repealing Ordinance No. 4826 (New Series) adopted June 5, 1951, - all relative to positions and standard rate numbers providing uniform compensation for like service for positions set forth therein, holidays work, allocation of employees to a class which requires qualifying examination - was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

The final reading of such Ordinance was in full.

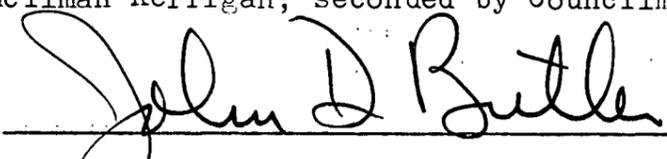
(Said Ordinance recites that by inadvertence and mistake a number of positions were omitted from said Ordinance No. 4821 (New Series), and that no provision was made therein for the payment of compensation for holiday work, and that in order to carry on the work of the City and to preserve the public peace, property, health and safety of the City, the Council finds as a fact that it is necessary to immediately amend said Ordinance to establish a schedule of compensation for the employees omitted and to provide for payment of compensation for holiday work, and declares said Ordinance to be an emergency measure to take effect upon the date that Ordinance No. 4821 (New Series) hereinbefore referred to, becomes effective).

RESOLUTION NO. 102787, recorded on Microfilm Roll No. 40, expressing their appreciation for the meritorious public service and sincere devotion to duty in recognition of the years which Mr. John Birkel has performed for and on behalf of The City of San Diego as a member of the City Planning Commission since February 20, 1940, requesting the City Manager to have prepared an appropriate scroll for presentation to Mr. Birkel together with an award of an appropriate service pin, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102788, recorded on Microfilm Roll No. 40, recognizing the years of loyal and sincere public service which Marie M. Herney has performed for The City of San Diego, as a member of the City of San Diego Civil Service Commission since September 13, 1938, expressing for themselves and on behalf of The City appreciation for meritorious public service and sincere devotion to duty, requesting the City Manager to have prepared an appropriate scroll for presentation to Miss Herney together with an award of an appropriate service pin, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

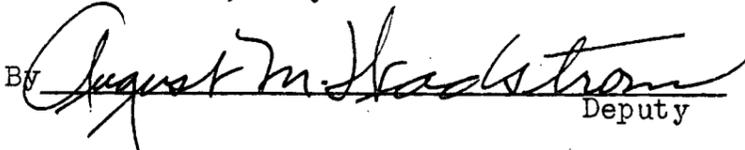
RESOLUTION NO. 102789, recorded on Microfilm Roll No. 40, authorizing and empowering the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of, The City of San Diego, a deed quitclaiming to the State of California, real property in Blocks 182 and 183 of University Heights, in order to provide better alignment of the Washington Street Freeway and to acquire a right of way to provide access to the pedestrian bridge crossing said Washington Freeway at Vermont Street, as more particularly set forth in said Resolution - in exchange for property from the State of California - authorizing and empowering the Supervisor of Properties to deliver said deed to the State of California upon the delivery to The City of San Diego of a deed conveying to The City an easement for a walkway for the Vermont Street overcrossing of the Washington Street Freeway, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Swan, at the hour of 10:47 o'clock A.M.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, June 26, 1951

A Regular Meeting of the Council was held this date, and was called to order by Mayor Butler at the hour of 10:06 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail; Mayor Butler
Absent---Councilman Godfrey
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, June 19, 1951, and of Thursday, June 21, 1951, were presented to the Council by the Clerk.
On motion of Councilman Schneider, seconded by Councilman Dail, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution of Intention No. 102015, the clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared
Said bids were as follows:

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of one thousand two hundred dollars, which bid was given Document No. 435057;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of fifteen hundred dollars, which bid was given Document No. 435076;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of twelve hundred dollars, which bid was given Document No. 435077;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of fifteen hundred dollars, which bid was given Document No. 435078.

On motion of Councilman Swan, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, Glenfield Street, and other

streets, within the limits and as particularly described in Resolution of Intention No. 102016, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of seventeen thousand dollars, which bid was given Document No. 435079;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of fourteen thousand six hundred dollars, which bid was given Document No. 435080;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of seventeen thousand dollars, which bid was given Document No. 435081;

Councilman Wincote was excused from the meeting at this time -

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of nineteen thousand and no/100 dollars, which bid was given Document No. 435082.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 102375 for the paving and otherwise improving of portion of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road, Alley in Block 2 La Mesa Colony, Alley in Block 5 La Mesa Colony, Alley in Block 8 La Mesa Colony, and Public Rights of Way, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Clifford R. Brown and Winifred B. Brown and from Hugo A. Schoenky, which protests were presented to the Council.

Councilman Wincote returned to the meeting at this time -

The City Engineer made a verbal report, in which he told the Council that there was a .8% protest.

Thereupon, the Mayor inquired if any interested property owners were present who desired to be heard.

Joseph Berger spoke in opposition to a sewer, and said that it is already installed.

The City Engineer told Mr. Berger that if he already has a sewer he will not be charged for another.

Mrs. Edith E. Warry asked about a water pipe, and why she would have to pay for one all the way up the street.

It seemed a little unclear just what Mrs. Warry's point was.

The City Engineer said that there is no water line in the job, and showed a map. He talked to Mrs. Warry informally, but the Clerk did not learn what was said.

Councilman Wincote was excused again.

RESOLUTION NO. 102790, recorded on Microfilm Roll No. 40, overruling and denying the verbal protests of Mrs. Edith E. Warry and Joseph Berger, and the written protests of Clifford R. Brown and Winifred B. Brown and of Hugo A. Schoenky, against the proposed improvement of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, other streets and alleys, within the limits and as particularly described in Resolution of Intention No. 102375, overruling and denying all other protests thereon, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Preliminary Determination No. 102453, for the paving and otherwise improving of Dodson Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

Councilman Wincote returned to the meeting at this time.

RESOLUTION NO. 102791, recorded on Microfilm Roll No. 40, determining the proposed improvement of Dodson Street, within the limits and as particularly described in Resolution No. 102453 of Preliminary Determination to be feasible and that the lands to be assessed therefor will be able to carry the burden of the proposed assessment, also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2009 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 1 Monte Mar Vista, within the limits and as particularly described in Resolution of Intention No. 99396, the Clerk reported that no written appeals had been presented.

Thereupon, the Mayor inquired if any interested affected property owners

were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented. RESOLUTION NO. 102792, recorded on Microfilm Roll No. 40, confirming and approving the Street Superintendent's Assessment No. 2009 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 1 Monte Mar Vista, within the limits and as particularly described in Resolution of Intention No. 99396, authorizing and directing him to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2010, made to cover the cost and expenses of the paving and otherwise improving of Florida Court, within the limits and as particularly described in Resolution of Intention No. 96930, the Clerk reported that no written appeals had been presented.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

RESOLUTION NO. 102793, recorded on Microfilm Roll No. 40, confirming and approving the Street Superintendent's Assessment No. 2010 made to cover the cost and expenses of the paving and otherwise improving of Florida Court, within the limits and as particularly described in Resolution of Intention No. 96930, authorizing and directing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for a period of one year from and including December 16, 1950, to and including December 15, 1951, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard.

RESOLUTION NO. 102794, recorded on Microfilm Roll No. 40, confirming and adopting as a whole the "Engineer's Report and Assessment for Montemar Lighting District No. 1", filed in the office of the City Clerk March 16, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

At this time a majority of the members of the Council executed undertakings for street lighting with San Diego Gas & Electric Company:

Logan Avenue Lighting District No. 1;
Roseville Lighting District No. 1.

A proposed ordinance amending Section 5A and Section 6, adding four new sections to be known as and numbered Sections 3B, 3C, 4B and 5B to Ordinance No. 8924 (Zoning Ordinance), repealing Sections 6 and 7 of Ordinance No. 2932 (New Series) adopted January 16, 1945, was presented, which matter had been set for hearing at this time.

The Clerk told the Council that no written protests had been received.

The Mayor inquired if any interested persons were present who desired to be heard.

Glenn A. Rick, City Planning Director, reviewed the Ordinance, section by section, and made the following suggestions:

On pages 1, 2, 3, he said dates should be changed to July 31 from the dates shown (when the ordinance was finally presented for adoption, with changes made, the dates used were August 1);

On page 8, the addition of "average setback";

On page 9, the addition of "parking lot or garage";

In connection with Plumbing Shops in C Zone - specify "retail" plumbing shop. Asked about the "CP" Zone, he said that it is for retail merchants, to take care of present businesses and expansion.

Councilman Dail was excused from the meeting at this time.

The Mayor presented letters from the Realty Board and from the San Diego Chamber of Commerce, relative to the parking feature of the ordinance, which he reviewed.

Elmer H. Hartman spoke, and said he "does not know what the matter is", but launched right into a lengthy discussion of the ordinance.

Councilman Dail returned to the meeting.

Mr. Hartman continued speaking on irrelevant subjects, expressing various complaints. He said that taxes are ridiculous, and told the Council to go slow.

Councilman Schneider said that changes in the zoning of property in the CP zone would be handled in the same manner as any other zone.

Mr. Hartman said that he owns a whole block on El Cajon Boulevard

Councilman Kerrigan said that the ordinance is for the purpose of providing permissive legislation. He said it can be used if wanted, but that property owners do not have to have CP zone on property if they don't want it. Answering Mr. Hartman, Mr. Kerrigan said that the new CP zone would apply all over the city and not just in the outlying territories as charged by Mr. Hartman.

Mr. Hartman said that adoption of the ordinance would create ill feeling. He said, irrelevently again, that he is going to terminate all business with downtown merchants.

The Mayor said that the City is working toward a solution of a difficult traffic problem, and has determined that the proposed CP zone for parking would be of tremendous assistance.

Councilman Schneider told about Mr. Hartman's property problem. He said

it is different from that of most, in that he also has property behind the El Cajon Boulevard frontage, and explained to Mr. Hartman what use he could make of the land, being familiar as a neighborhood with the situation.

Mr. Hartman continued talking, charging discrimination.

The Mayor said that Mr. Hartman's argument is out of order, and pointed out that the Council is looking after the interests of the entire City.

Mr. Hartman then went into the matter of parking meters, saying that they had been installed in many places where they were not wanted. He said that in La Jolla limited parking time is enforced without meters.

Various members of the Council defended the parking meter installation, stating that meters were installed upon the specific request of the affected adjacent merchants as an aid to limiting parking time.

Councilman Kerrigan moved to place the Ordinance on its final passage at its first reading "as amended". Before a second could be obtained, the Deputy Clerk pointed out that the Ordinance had not been amended, or any motions made therefor.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the hearing was closed.

On motion of Councilman Kerrigan, seconded by Councilman Swan, the Ordinance was referred to the City Attorney for the making of the changes proposed by the Planning Director. The City Attorney told the Council that he would try to have it back for adoption at the afternoon session.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portions of Pueblo Lots 182 and 193 into "R-2" Zone (from the existing R-1 Zone, to provide for development of land recently purchased by the School Board for an elementary school to serve the Sunset Cliffs, Azure Vista and South Ocean Beach areas when the present Azure Vista School is closed), the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4837 (New Series), recorded on Microfilm Roll No. 40, incorporating portions of P.L. 182 and P.L. 193 into "R2" Zone as defined by Ordinance No. 8924 of the Ordinances of the City of San Diego and amendments thereto, repealing Ordinance No. 32 (New Series) adopted September 6, 1932, insofar as the same conflicts, was on motion of Councilman Dail, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays---Councilmen None. Absent---Councilman Godfrey.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent-Councilman Godfrey.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating the westerly 100 feet of Block B Bird Rock Villas into "R-4" Zone (from the existing R-1 zone, to permit construction of a 36-unit apartment-hotel with a 25-foot setback from the property line on Chelsea Avenue upon all of said block), the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4838 (New Series), incorporating the westerly 100 feet of Block B Bird Rock Villas into "R-4" Zone as defined by Ordinance No. 8924 and amendments thereto, repealing Ordinance No. 13294 approved August 31, 1931 insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent-Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent-Councilman Godfrey.

The final reading of such Ordinance was in full.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance establishing a set-back line of 25 feet from the front property line on the east side of Chelsea Avenue between P.L. 1783 and Colima Street, being in Block B Bird Rock Villas, (to provide better protection and a buffer between the R-1 Zone on the west side of Chelsea Avenue and the R-4 zone - adopted by Ordinance No. 4838 N.S., shown above, as stated by the Planning Commission), the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4839 (New Series), recorded on Microfilm Roll No. 40, establishing a set-back line of 25 feet from the front property line on the east side of Chelsea Avenue between P.L. 1783 and Colima Street, being in Block B Bird Rock Villas, providing a penalty for violation thereof, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays---Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent-Councilman Godfrey.

The final reading of such Ordinance was in full.

Petition of Edward F. Cox, being an application for authorization to operate 8 Ambulances, was presented.

Said applicant is taking over the equipment and trade style of the Lincoln Ambulance Service.

On motion of Councilman Schneider, seconded by Councilman Wincote, said petition was referred to the City Manager.

Claim of Lewis H. Bray, 4652 Utah Street, in the sum of \$26.96, for damages to his automobile by a City-owned Police automobile, was presented.

RESOLUTION NO. 102795, recorded on Microfilm Roll No. 40, referring claim of Lewis H. Bray to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102796, recorded on Microfilm Roll No. 40, authorizing and empowering the Port Director to do all the work in connection with the construction of a ramp on the east side of Shelter Island south of Byron Street, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Port Director has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

Accompanying the Resolution was communication signed by the Port Director recommending such action, and estimating the cost of the work to be \$4,000.00.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the furnishing of The City's requirements of Ferric Chloride for the Sewage Treatment Plant for the period of one year beginning July 1, 1951, stating that only one bid had been received - from the Dow Chemical Company - at the same price as previously paid by The City, and recommending award, was presented.

RESOLUTION NO. 102797, recorded on Microfilm Roll No. 40, accepting bid of The Dow Chemical Company, San Francisco, for furnishing The City with its requirements for Ferric Chloride for the Sewage Treatment Plant for a period of one year beginning July 1, 1951, awarding contract and authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the furnishing of The City's requirements of Liquid Chlorine for a period of one year commencing July 1, 1951, stating that only one bid had been received - from the Dow Chemical Company - and recommending award, was presented.

RESOLUTION NO. 102798, recorded on Microfilm Roll No. 40, accepting bid of The Dow Chemical Company, San Francisco, for furnishing The City with its requirements for Liquid Chlorine for water purification for a period of one year beginning July 1, 1951, awarding contract and authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing and installation of traffic signals and safety lighting at 25th Street and Imperial Avenue, recommending award to California Electric Works the low bid of two bidders, was presented.

RESOLUTION NO. 102799, recorded on Microfilm Roll No. 40, accepting bid of California Electric Works for furnishing and installation of traffic signals and safety lighting at 25th Street and Imperial Avenue, awarding contract and authorizing and instructing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for one 12" Jointer and one 36" Band Saw, was presented.

RESOLUTION NO. 102800, recorded on Microfilm Roll No. 40, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of one 12" Jointer and one 36" Band Saw, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Sunset Ridge, subject to the posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 102801, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Stafford-Gardner Co., Inc., a corporation, for the installation and completion of the unfinished improvements and the setting of the monuments required for Sunset Ridge, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102802, recorded on Microfilm Roll No. 40, adopting Map of Sunset Ridge, a subdivision of portion of Pueblo Lots 182 and 193, accepting on behalf of the public Orma Drive, Moana Drive, John Street, portion of Hill Street, and unnamed easements shown for public purposes, declaring said streets and easements to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to

endorse upon said map, as and for the act of the Council, that said streets, portion of a street and unnamed easements are accepted on behalf of the public, directing said City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending that the Tentative Map for Record of Survey, for subdivision of Lots 18, 19, 20 and 21 of Sefton Estates, into ten lots, located on the southerly side of Narragansett Avenue, east of Redondo, being a subdivision of a parcel of land less than 5 acres in size abutting on dedicated streets and highways, in which street openings or widenings are not required and the lot design is comparable to other subdivisions in the City and complying with standards of the Subdivision Ordinance, was presented.

RESOLUTION NO. 102803, recorded on Microfilm Roll No. 40, approving the Tentative Map for subdivision of Lots 18, 19, 20 and 21 of Sefton Estates into ten lots, and making findings in accordance with recommendation of the Planning Commission, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, reporting on petitions which had been granted for paving the Alleys in Blocks 155, 159 and 160 Mission Beach, and San Juan Place, recommending that in order that the Alley in Block 160 drain, a portion of the termination of said alley with Bayside Lane be repaved, and that the job consist of grading, paving, installing water services, sewer laterals and encasement of sewer pipe as required, was presented.

RESOLUTION NO. 102804, recorded on Microfilm Roll No. 40, adopting recommendation of the City Engineer for amendment to proceedings for the paving and otherwise improving of the Alleys in Blocks 155, 159 and 160 Mission Beach, and San Juan Place, particularly affecting the Alley in Block 160 at its termination with Bayside Lane, in accordance with his said recommendation on file in the office of the City Clerk under Document No. 434843, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Street Superintendent, bearing the City Manager's stamp of approval, recommending abandonment of proceedings for closing of Montecito Way between Eagle and Dove Streets, stating that the original petitioner has advised that he wishes to go on record as being no longer interested in the closing, was presented.

RESOLUTION NO. 102805, recorded on Microfilm Roll No. 40, abandoning proceedings for the closing of portion of Montecito Way, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Better Business Bureau, dated June 21, 1951, signed by Frank B. Jennings, General Manager, relative to an article in the "Crusader", the Bureau's publication, relative to "going out of business sales", offering his apology for the article which he called bad judgment on his part; also stating that the Committee of Directors appointed by the Bureau's Board of Directors believes that the present ordinance is not as strong as the one it supplanted, was presented.

RESOLUTION NO. 102806, recorded on Microfilm Roll No. 40, referring communication from Better Business Bureau of San Diego regarding going-out-of-business sales and solicitations ordinances, to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102807, recorded on Microfilm Roll No. 40, directing notice of filing of the Street Superintendent's Assessment No. 2016, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Dwight Street, Lantana Drive, Euclid Avenue and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 98254, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102808, recorded on Microfilm Roll No. 40, directing notice of filing of the Street Superintendent's Assessment No. 2015, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Westland Avenue, Commonwealth Avenue, Pentucket Avenue and Ivy Street, within the limits and as particularly described in Resolution of Intention No. 99002, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 102809, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Oliver Street, within the limits and as particularly described in Resolution of Intention No. 102301, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102810, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1951, to and including March 31, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 102811, recorded on Microfilm Roll No. 40, for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1951, to and including March 15, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102812, recorded on Microfilm Roll No. 40, approving the diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Gresham Street and Graham Street, within the limits and as particularly described in Resolution of Intention No. 101112, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102813, recorded on Microfilm Roll No. 40, approving the diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Oliphant Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 101049, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102814, recorded on Microfilm Roll No. 40, approving the diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Sequoia Street, Crown Point Drive and Pacific Beach Drive, within the limits and as particularly described in Resolution of Intention No. 100895, directing the City Clerk at the same time of said approval to certify the fact and date thereof and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102815, recorded on Microfilm Roll No. 40, approving the diagram of the property affected or benefited by the work and improvement to be done on the paving and otherwise improving of Wilbur Avenue, within the limits and as particularly described in Resolution of Intention No. 100896, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102816, recorded on Microfilm Roll No. 40, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Hancock Street and Clayton Street, within the limits and as particularly described in Resolution of Intention No. 101329, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102817, recorded on Microfilm Roll No. 40, creating and establishing a Taxicab Stand on the south side of Broadway between points 104 and 128 feet west of the west line of First Avenue, authorizing the installation of the necessary signs and markings; abolishing the Taxicab Stand on the west side of Sixth Avenue between points 26 feet and 47 feet south of the south line of A Street; repealing that portion of Resolution No. 89540 adopted on the 18th day of May, 1948 insofar as it conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Accompanying said Resolution, was communication from San Diego Yellow Cabs, Inc., dated May 29, 1951, signed by Harold Rogers, President, requesting establishment of the Broadway zone between the newly-opened Carnival Room and the Seven Seas Locker Club; also requesting abolishing of the zone in front of the San Diego Club on 6th Avenue.

Communication from the City Manager making recommendations as requested, and as set out in said Resolution, was also presented.

RESOLUTION NO. 102818, recorded on Microfilm Roll No. 40, authorizing the Purchasing Agent to purchase traffic stop signs from the Automobile Club of Southern California, without advertising for bids, provided that the cost of said signs shall not exceed the sum of \$1500.00, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The City Manager made a verbal explanation, in which he told the Council that the signs may be purchased from said Club at a price substantially lower than from any other supplier and that it is to the City's advantage to purchase them in that manner.

RESOLUTION NO. 102819, recorded on Microfilm Roll No. 40, adopting Memorandum of Agreement for Expenditure of Gas Tax Allocation for Major City Streets, set forth in Document No. 434999 on file in the office of the City Clerk, authorizing and directing the City Manager to sign the same on behalf of the City, which agreement is to be binding upon the City upon its execution by authorized officials of the State, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Mayor Butler made a brief explanation of the matter in answer to a question from Councilman Swan.

RESOLUTION NO. 102820, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager, for and on behalf of The City of San Diego, to execute an Amendment to Lease with San Diego Community Theatre (The Old Globe Theatre, Balboa Park), amending sections of the basic lease bearing Document No. 385080, in accordance with form of Amendment on file in the office of the City Clerk as Document No. 435097, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102821, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager, for and on behalf of the City of San Diego, to execute a contract of employment with Ben F. Dixon of San Diego to act as Archivist of the Junipero Serra Museum, San Diego Historical Society, for a term commencing July 1, 1951 and ending on September 30, 1951, at a monthly compensation of \$327.00, all in accordance with terms and conditions set out in form of agreement heretofore filed with the City Clerk as Document No. 435098, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102822, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager, for and on behalf of the City of San Diego, to execute a permit granting to United Air Lines, Inc., the right to use for the period commencing on July 1, 1951, and ending on June 30, 1952, certain premises, facilities, rights, licenses, services and privileges in connection with and on the Airport at Miramar, California, known as the U. S. Naval Auxiliary Air Station, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102823, recorded on Microfilm Roll No. 40, approving change order No. 1, dated June 15, 1951, heretofore filed with the City Clerk as Document No. 435004, and which was issued in connection with the contract between The City and Charles J. Dorfman for the construction of the Ocean Beach Storm Drain, which contract is contained in Document No. 429250 on file in the office of the City Clerk, changes amounting to an increase in contract price of approximately \$1,661.75, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102824, recorded on Microfilm Roll No. 40, approving bill of San Diego City and County Convention Bureau, bearing date June 19, 1951, in the sum of \$610.77 for expenses incurred, and allowing said bill, as approved by the Advertising Control Committee, authorizing a requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1950-1951 for said sum, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 4840 (New Series), recorded on Microfilm Roll No. 40, appropriating the sum of \$1,500.00 from the Traffic Safety Fund for the purpose of providing funds for the purchase of traffic signs, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

The final reading of such Ordinance was in full.

Proposed Ordinance establishing a setback line of 10 feet from the front property line on the southwest side of Narragansett Avenue, and the southeast side of Redondo Street, being on Lots 18 to 21 inclusive in Sefton Estates, and providing a penalty for its violation, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., of July 10, 1951.

The City Manager requested, and was granted, unanimous consent to present the following matters, not listed on the Council's agenda - which matters he explained to the Council:

RESOLUTION NO. 102825, recorded on Microfilm Roll No. 40, authorizing Mayor John D. Butler to go to San Francisco in connection with various city matters, June 28 and 29, 1951, authorizing the incurring of the necessary expenses in connection therewith, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

ORDINANCE NO. 4841 (New Series), recorded on Microfilm Roll No. 40, appropriating the sum of \$12,000.00 from the Capital Outlay Fund for the purpose of providing funds for the furnishing and installation of traffic signals and safety lighting at 25th Street and Imperial Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote,

Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey
The final reading of such Ordinance was in full.

ORDINANCE NO. 4842 (New Series), recorded on Microfilm Roll No. 40, appropriating the sum of \$100,000.00 from the Unappropriated Cash Surplus of the Water Department Fund, and transferring the same to the Construction and Equipment Account, Outlay, said Water Department Fund, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey:

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey
The final reading of such Ordinance was in full.

A proposed Resolution authorizing advertising by the Supervisor of Properties for a period of at least 5 days the sale at public auction of portion of Pueblo Lot 1297 - containing 20.103 acres, more or less - which had been authorized at the election of April 19, 1949, ratifying Ordinance No. 3985 (New Series), at a minimum amount of \$1500.00 per acre, was presented.

Contained in the proposed Resolution were various conditions to be placed on the land by future subdivider as to use of property, size of residences, and use of property - in addition to reserving the right to reject any and all bids.

Councilmen Wincote and Schneider questioned the price set in the Resolution, expressing the opinion that the minimum figure was too low.

The City Manager said that the City will probably get more for the property than the minimum set.

Councilman Wincote referred to property owned by Mr. Rose in the area, for which he contended Mr. Rose is getting \$5,000.00 per acre.

The City Manager said that the property proposed to be offered is unsubdivided land.

Councilman Dail referred to it is "raw land", and said that the improvement costs will have to be added by the purchaser.

The City Manager told the Council that it had ordered him to place the land on the market.

Councilman Kerrigan said that the purchaser will have to make the improvement conform to the Planning Commission's layout of a proposed subdivision.

The Council was told by the Manager that the land consisted of about 20 acres.

Councilman Wincote was confident that \$5,000.00 can be realized for each of the 1/3 acre lots when improved, which would be \$15,000.00 per acre as against the \$1,500.00 minimum at which it was proposed to offer the sale.

The City Manager thought that the City would get more than \$1,500.00 per acre. He stressed the point that any bid could be turned down by the Council, but that it would not be good faith to refuse bids in the neighborhood of the minimum established. He said that \$2,000.00 per acre would be O.K. with him.

The land was appraised, the City Manager said, by professional appraisal and by a real estate man's opinion. He said that it had actually been \$1300.00, and that he had arbitrarily raised it to \$1500.00. The Manager read to the Council the restrictions which would be placed upon the land.

Councilman Swan re-iterated the previously-made point that the figure set would be only \$500.00 for each 1/3-acre lot.

Councilman Schneider moved to adopt the Resolution as submitted, which motion was seconded by Councilman Kerrigan.

After further discussion, the motion and second were withdrawn.

The City Manager said that the Council need not act upon the matter at this time, and that he would bring it in at a later date - probably on Thursday.

A motion was made to continue the matter until Thursday of this week, but it was pointed out by the Clerk that it was not on the agenda, and would need no formal action to postpone action. It would be before the Council again when the Manager filed it for listing on the agenda.

No action was taken.

John Bate, Port Director, extended a verbal invitation to the Mayor and members of the Council to lunch with members of the Harbor Commission - on a Thursday. Purpose of the luncheon-meeting is to be presentation to the Council by the Commission of a study for Capital improvement plans.

The invitation was accepted for "a week from this Thursday" - being July 5.

(The Mayor's secretary and the Council's secretary were notified, on the telephone, of the engagement - on 6/27/51 - by Deputy City Clerk A.M.W.)

At the hour of 11:17 o'clock A.M., the Council took a recess on motion of Councilman Schneider, seconded by Councilman Kerrigan, until the hour of 2:00 o'clock P.M. this date - being the time set for hearing on the proposed Annual Appropriation Ordinance.

Upon reconvening, at the hour of 2:05 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler
Absent---Councilman Godfrey
Clerk----Fred W. Sick

Mayor Butler announced that the hearing on the proposed Annual Appropriation Ordinance, setting up funds for the fiscal year 1951-52, would be considered at this time. He asked if any one present desired to offer testimony.

John C. Leppet, of the San Diego Taxpayers' Association, said a presentation would be made by the Association at the second hearing which is set for 2:00 P.M., on next Thursday, June 28.

Others present, but who made no comment, were:
Chester Dohrman, former Councilman;
Tom Bomar, of the San Diego-California Club;
LeRoy E. Goodbody, former member of the Council;
Henry Landt, member of the City Planning Commission.

The City Manager told the Council about the "latest picture" on revenues and carry-over. Revenues, he said, will be \$950,000. for Capital Outlay purposes. He was not sure of that, however, inasmuch no one knows what the assessed valuation will be. He told the Council that the information will be available in the month of August, and that allocations will be made later. He pointed out that no amount has been set up for civil defense. He stressed the point that the Council should decide the matter, because if \$950,000.00 is set up in Capital Outlay it will be "locked up".

The Mayor spoke about Federal moneys allocated to date for civil defence - \$20,000,000.00 - which will go to the States, to be spoken for by July 1. He said that for a full civil defense program \$5,000,000.00 is estimated for the City, by the Civil Defense Director - 1/4 of which would be financed by the City.

Councilman Wincote thought that \$60,000.00 to \$100,000.00 might be set up, which could go into Bond Interest and Redemption Fund if not used for civil defense.

Councilman Kerrigan wondered what the basis for the assessment valuation is to be.

The City Manager said figures showing increase had come from the Assessor, on a confidential basis. He said that the City had to do some scurrying last year, on account of not knowing the assessment figure. He said it had been thought it would be \$15,000,000.00, but that it was only \$9,000,000.00, and that the budget had to be changed.

The Budget Officer said that the City cannot tell what the figure will be, but that the budget had been based upon the best possible information obtainable, on several factors.

The City Manager said that the assessing is done on an area basis.

The Manager expressed the opinion that if there is to be an extensive program (civil defense), it should be tied into revenues.

Councilman Kerrigan mentioned that about \$48,000.00 had been set aside, and wondered if it should not be allocated for "disaster" instead of Civil Defense.

Councilman Dail thought that the City should not go any \$100,000.00; but perhaps \$50,000.00.

The City Manager said that it would be folly to continue the civil defense program on the present level. He said that there is a irreducible program of \$50,000.00-\$60,000.00 - or more.

Councilman said that the \$68,000.00 program (the budget submitted by Roy Butler) is worth nothing. He said that it is necessary to get ready, if the program has to come. He stressed the need for a definite means of raising the necessary funds.

Councilman Schneider maintained that the civil defense program should be discontinued, on the present proposed basis, or go overboard completely for it.

Councilman Wincote thought the City should be willing to have the fund ready, from another source, perhaps sales tax. He said he felt that the taxpayers would be pleased if they knew money was set up, and that it would revert to Bond Interest and Redemption Fund to reduce taxes, if not used for civil defense.

Councilman Swan pointed out that much of the proposed appropriation was for educating the people to "the danger we're in, and remedy".

Councilman Wincote said that the increased sales tax would be the only for defense, and said again that it should be returned to the Bond Interest and Redemption Fund if not used.

The Mayor felt he should know what is to be learned by him when he goes to San Francisco for that purpose this week, and by Roy Butler of the Civil Defense Corps in Washington.

The City Manager said that civil defense is a special, not a normal type, of activity. He said that the City does not have a true civil defense program - only a starter.

RESOLUTION NO. 102826, recorded on Microfilm Roll No. 40, determining to set aside \$70,000.00 in a contingency reserve fund until such time as it can be determined what will be raised by special tax, to be returned if not used for civil defense; directing the City Manager and Budget Officer to take appropriate action in connection with the proposed budget, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The City Manager said, at this point, that it would be a waste of funds if not enough money is put into the budget for a real civil defense program. That would be just paying out for salaries of employees to do nothing. He said that the program to be set up and followed is one for the Council to decide.

Councilman Schneider urged continuance of the present group in the civil defense, despite its limited scope.

The Mayor read a letter, or portions of it, regarding Federal appropriation for Civil Defense, particularly expressing the President's views on the subject, and his plea for setting up of funds by Congress.

The hearing was closed at this time, for today - to be resumed at the hour of 2:00 o'clock P.M., on Thursday, June 28, 1951.

The City Attorney presented the Ordinance which had been sent to his office for revision at this morning's session, in connection with amendments to Zoning Ordinance No. 8924. It follows:

ORDINANCE NO. 4843 (New Series), recorded on Microfilm Roll No. 40, amending Section 5A and Section 6, and adding four new sections to be known as and numbered Sections

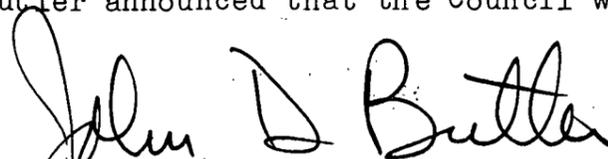
3B, 3C, 4B and 5B to Ordinance No. 8924 (Zoning Ordinance), approved January 23, 1923, and repealing Sections 6 and 7 of Ordinance No. 2932 (New Series) adopted January 16, 1945, was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays---Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

The final reading of such Ordinance was in full.

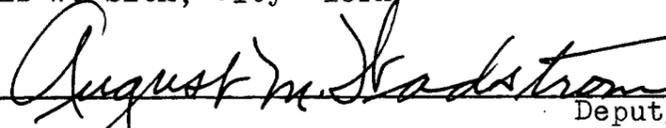
There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Kerrigan, at the hour of 3:04 o'clock P.M.

Upon adjournment, Mayor Butler announced that the Council would meet in Conference in 5 minutes.



 Mayor of The City of San Diego, California

ATTEST:
 FRED W. SICK, City Clerk

By 
 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
 Thursday, June 28, 1951

A Regular Meeting of the Council was held this date, and was called to order by Vice Mayor Chester E. Schneider at the hour of 10:05 o'clock A.M.

Present---Councilmen Wincote, Schneider, Kerrigan, Dail
 Absent----Councilmen Swan, Godfrey, Mayor Butler.
 Clerk-----Clark M. Foote, Jr.

In the absence of the Mayor, Vice Mayor Chester E. Schneider presided.

The hour of 10:00 o'clock A.M. having ^{arrived} the time to which the hearing on the proposed improvement of 60th Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 102378 had been continued for adoption of the Resolution of Feasibility, the Vice Mayor announced that it would be necessary to continue the matter again, inasmuch as the 6 votes needed to adopt such a Resolution were not present.

RESOLUTION NO. 102827, recorded on Microfilm Roll No. 40, continuing the hearing on the proposed improvement of 60th Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 102378, until the hour of 10:00 o'clock A.M., of Thursday, July 5, 1951, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Petition for amendment to petition heretofore filed, for the annexation of various lots in Las Alturas Villa Sites, bearing Document No. 431725, by the addition of Lots 92 and 93 thereto, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said petition was referred to the City Manager.

Petition of Audrey V. Lewis and Harold Lewis requesting amendment to Resolution adopted June 21, permitting construction of a sign on the roof of apartment house at the corner of Rosecrans and Fenelon Streets, which Resolution overruled the Zoning Committee's

Resolution of denial, and requesting that permission be granted for construction of a roof sign larger than that allowed by said Resolution (due to a mix-up causing ordering the larger one), was presented.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said petition was referred to the City Manager.

Claim of Ruth B. Erickson, 2932 Juniper Street, in the sum of \$9.00, for re-alignment of front wheels thrown out of alignment when car struck deep rut in the road on Federal Boulevard, was presented.

RESOLUTION NO. 102828, recorded on Microfilm Roll No. 40, referring claim of Ruth B. Erickson to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Claim of Jack H. Hubbell and Dorothy J. Hubbell, 3109-1/2 Marlborough, in the sum of \$847.53, for damage to house and furniture, etc., from sewage which had backed up as a result of a plugged sewer, was presented.

RESOLUTION NO. 102829, recorded on Microfilm Roll No. 40, referring claim of Jack H. Hubbell and Dorothy J. Hubbell to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing requirements of Asphaltic Street Repair and Patching Material for a period of one year commencing July 1, 1951, recommending acceptance of the low bid of Daley Corporation (although approximately 10% higher than price currently paid by the City), was presented.

RESOLUTION NO. 102830, recorded on Microfilm Roll No. 40, accepting bid of Daley Corporation for the furnishing The City with its requirements of Asphaltic Street Repair and Patching Material for a period of one year commencing July 1, 1951, awarding contract and authorizing and instructing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing Premix and Transit-Mix Cement Concrete for a period of one year beginning July 1, 1951, recommending acceptance of the sole bid of Pre-Mixed Concrete Company, Inc., of San Diego (although approximately 9% higher than prices in effect on the existing contract), was presented.

RESOLUTION NO. 102831, recorded on Microfilm Roll No. 40, accepting bid of Pre-Mixed Concrete Company, Inc., San Diego, for furnishing The City with its requirements of Premix and Transitmix Cement Concrete for a period of one year beginning July 1, 1951, awarding contract and authorizing and instructing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for rental of 5 cu. yd. capacity Dump Trucks for a period of one year beginning July 1, 1951, recommending acceptance of the low bid of Daley Corporation (although approximately 6% higher than price currently being paid) was presented.

RESOLUTION NO. 102832, recorded on Microfilm Roll No. 40, accepting bid of Daley Corporation for furnishing the City with its requirements of 5 cu. yd. capacity Dump Trucks as required for the hauling of asphalt, for a period of one year beginning July 1, 1951, for the rental thereof, fully maintained and operated, awarding contract and authorizing and directing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the binding of Library books, magazines, music and newspapers for a period of one year commencing July 1, 1951, recommending award to Becker Book Bindery, which in point of service is termed the lowest responsible bidder (Long Beach Library Binding Company, of Long Beach, was slightly lower - but the City Librarian states that the Becker Bindery service has been more satisfactory in that books are gone from the Library for shorter periods of time - also that Long Beach Bindery has at times been unable to handle the volume required by the City Library, and a portion of the work was given to the Becker Bindery) was presented.

RESOLUTION NO. 102833, recorded on Microfilm Roll No. 40, accepting bid of Becker Book Bindery, San Diego, for furnishing The City with its requirements of binding Library books, magazines, music and newspapers for a period of one year commencing July 1, 1951, awarding contract and authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102834, recorded on Microfilm Roll No. 40, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the landscaping of the areas east and west of the center block parking area at Kellogg Park, in La Jolla, under Document No. 435125, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102835, recorded on Microfilm Roll No. 40, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the improvement of Montezuma Road between 63rd Street and El Cajon Boulevard, under Document No. 435127, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102836, recorded on Microfilm Roll No. 40, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the construction of safety lighting system on Ventura Boulevard, under Document No. 435129, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for sale of scrap iron and scrap brass for the Water Department, authorized by the Council under Resolution No. 102437, was presented.

Said report stated that 9,060 lbs. brass had been sold to Southern California Junk Company, the high bidder, for \$2,004.98; 48,330 lbs. scrap iron had been sold to Reliable Pipe and Supply Company for \$1,057.22, and that funds had been deposited with the City Treasurer to the proper accounts, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from the City Manager reporting on communication from Mrs. M. S. Funchess which had urged widening of Boundary Street south of University Avenue, stating that a survey of the traffic indicates that the widening is not justified, but that parking had been prohibited as she suggested, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager reporting on communication from the City Manager-reporting-on-communication-from-James A. Robbins, member of the Board of Supervisors of San Diego County, offering suggestions for a water conservation program stimulation by competitive methods, was presented.

Said report stated that the suggestion has been carefully analyzed, but that it does not appear feasible without complete revision of the meter reading and billing procedure.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the City Manager recommending installation of 5 overhead street lights, was presented.

RESOLUTION NO. 102837, recorded on Microfilm Roll No. 40, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- Northerly side of Main Street, west of Vesta Street;
- Southerly side of Main Street, east of Vesta Street;
- Ninth Avenue, north of University Avenue;
- Panorama Drive (E.), north of Cliff Street; and
- 42nd Street, south of Ocean View Boulevard;

was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of Final Map of Smith Terrace, subject to filing of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 102838, recorded on Microfilm Roll No. 40, authorizing and directing the City Manager, for and on behalf of The City of San Diego, to execute a contract with Luie B. Butterfield and Edna L. Butterfield, for installation and completion of unfinished improvements required for Smith Terrace, authorizing and directing the City Engineer to present an ordinance establishing official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102839, recorded on Microfilm Roll No. 40, adopting Map of Smith Terrace, being subdivision of portion of Lot 12 La Mesa Colony, accepting on behalf of the public Art Street, Connie Drive and unnamed easements shown thereon for public purposes, declaring said streets and easements to be public streets and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets and easements are accepted on behalf of the public as stated, directing the City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending granting request of R. L. Moore, Project Manager of Mid-City Heights, Inc., requesting amendment of Resolution No. 98425 approving the Tentative Map with certain improvements, for change to 4" a.c. pavement upon native subgrade, was presented.

RESOLUTION NO. 102840, recorded on Microfilm Roll No. 40, amending Resolution No. 98425 adopted June 27, 1950, insofar as it relates to Section 5 in connection with

approval of the Tentative Map of Clairemont Heights Unit No. 1, more particularly set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, reporting on proceedings for the establishment of a setback line along Ventura Place and Ventura Boulevard, in Mission Beach, instigated by the Commission, recommending a 15-foot setback in Block 96 along Ventura Place and a compromise setback of 5 feet along Ventura Boulevard in Block 97 from Mission Boulevard to the easterly limits of the block, and reference to the City Attorney for drafting of an Ordinance prior to setting the matter for public hearing by the Council, was presented.

William A. Milligan and an unidentified woman appeared, to be heard.

The Vice Mayor pointed out that no hearing was to be held, that only a recommendation for preparation upon which a hearing would be set, was before the Council. He said that the City Attorney had advised reference to his office for drafting of an Ordinance and setting of a hearing.

The unidentified woman said that it was the desire of some of the property owners to kill the matter before referring it to the Attorney. She was told that it takes 5 members of the Council to overrule the Planning Commission, that there were only 4 members present at this time, and that if the Council were to vote now her cause would automatically be defeated. She was told, also, that both sides of the question should be heard.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance, upon which a hearing was set for the hour of 10:00 o'clock A.M. on Thursday, July 19, 1951.

Communication from the Pacific Indemnity Company, dated June 22, 1951, signed by J. M. MacConnell, reporting on claim of Beatrice A. Masten in the sum of \$5,000.00, for injuries alleged to have been sustained while walking in an alley adjacent to her home in La Jolla, stating that after completing an investigation no legal liability on behalf of The City of San Diego could be found, that there was sufficient contributory negligence on the part of the claimant so as to preclude her from sustaining any action against the City should she file suit, recommending denial, was presented.

RESOLUTION NO. 102841, recorded on Microfilm Roll No. 40, denying claim of Mrs. Beatrice Maston, 230 Bon Air Street, La Jolla, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Pacific Indemnity Company, dated June 22, 1951, signed by J. M. MacConnell, reporting on claim of Aubrey Sears and Marion Sears, in the sum of \$155.65, stating that the case has been closed by payment of said sum on June 21, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, the communication was ordered filed together with the claim upon which reported.

RESOLUTION NO. 102842, recorded on Microfilm Roll No. 40, accepting recommendation of the City Manager, authorizing and directing him to enter into contract with R. P. Shea Company, without advertising for bids, wherein said company will agree to do all of the work in connection with construction of a fill on the north side of the Morena Boulevard bridge, including furnishing of material, watering, rolling and compacting of said fill, in accordance with the plans and specifications, at and for a price of not to exceed 40 cents per square yard, the initial compaction of 5000 square yards of fill area at a price of 10 cents per square yard, cost of the contract work shall be charged to Project 53 of the Gas Tax Agreement heretofore entered into with the State of California, funds for which will be available July 1, 1951, provided that the Division of Highways of the State of California approved said charge, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Prior to adoption of said Resolution, a detailed verbal explanation of the proposal was made to the Council by the Assistant City Manager.

RESOLUTION NO. 102843, recorded on Microfilm Roll No. 40, authorizing and empowering the Mayor and the City Clerk to execute on behalf of the City of San Diego, grant deeds conveying to the State of California certain portions of Torrey Pines Beach and Mission Beach, more particularly described in and according to the terms of forms of deeds heretofore filed with the City Clerk as Documents No. 434846, 434847, 434848; authorizing and empowering the City Manager to execute a lease agreement with the State of California, wherein the State will lease to the City lands conveyed in the above-mentioned deeds and certain additional beach lands to be acquired by the State for a term of 50 years, which lease shall be according to terms and conditions of the form of lease filed with the City Clerk as Document No. 434852; authorizing and directing the City Clerk to send to the State of California, Division of Beaches and Parks, Department of Natural Resources, 257 South Spring Street, Los Angeles 12, California, 5 certified copies each of the said executed deeds, the original, duplicate original and 5 copies of the lease executed by the City Manager, and 5 certified copies of said Resolution No. 102843; authorizing and directing the City Clerk upon but not before receipt from the State of duplicate original of said lease, executed by the State, to deliver up to the State of California the originals of said deeds; cancelling grant deeds from the City to the State on said property, executed August 16, 1950; rescinding Resolution No. 99072 passed and adopted on August 15, 1950, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager recommending the prohibition of parking on portions of Canyon Street, at the request of the Division of Highways, stating that all 5 occupants of homes on the northerly side of Canyon Street affected have been notified of the proposed parking prohibition and have expressed no opposition, on the northerly side between Ullman and Willow Streets, was presented.

RESOLUTION NO. 102844, recorded on Microfilm Roll No. 40, prohibiting the parking of automobiles at all times on the northerly side of Canon Street, between Ullman and Willow Streets; authorizing and directing installation of the necessary signs and markings on said street; declaring that the provisions of said Resolution shall become effective upon approval in writing by the State Department of Public Works in accordance with Section 589.5 of the Vehicle Code of the State of California; declaring the same to be inoperative 6 months after receipt by the City of written notice of withdrawal of said approval by the State Department of Public Works, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102845, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to do all the work in connection with the abandonment of 1080 feet of two-inch pipe and the installation of 1080 feet of six-inch water main and one six-inch two-way fire hydrant, in Creston Drive between Selma Place and Roswell Street, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102846, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to do all the work in connection with abandonment of 800 feet of two-inch W.I. pipe and installation of 1000 feet of six-inch water main and two six-inch two-way fire hydrants in Roswell Street from Hanover Street to 56th Street, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102847, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to do all the work in connection with the abandonment of 500 feet of two-inch W.I. pipe and the installation of 750 feet of six-inch water main and one six-inch two-way fire hydrant in Selma Place from Roswell Street south to terminus, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102848, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to enter into a contract with Philip W. Helsley, dba San Diego Testing Laboratory, for a sub-surface foundation investigation of the site for the proposed library building on E Street, between 8th and 9th Streets, for prices set forth in said Resolution, the cost of which shall not exceed \$1,250.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102849, recorded on Microfilm Roll No. 40, approving change order No. 1, dated June 13, 1951; heretofore filed with the City Clerk as Document No. 435147, issued in connection with contract between The City and Walter H. Barber for the construction of the 42nd Street and University Avenue drain, which contract is contained in Document No. 431580 on file with the City Clerk, changes amounting to an increase in contract price of \$160.00, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102850, recorded on Microfilm Roll No. 40, approving change order No. 2, dated June 13, 1951, heretofore filed with the City Clerk as Document No. 435149, issued in connection with contract between The City and Walter H. Barber for the construction of the 43rd Street and University Avenue drain, which contract is contained in Document No. 431580 on file with the City Clerk, changes amounting to an increase in the contract price of \$80.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102851, recorded on Microfilm Roll No. 40, approving change order No. 1, dated June 7, 1951, heretofore filed with the City Clerk as Document No. 435151, issued in connection with contract between Ets-Hokin and Galvan for the construction of lighting on Wabash Freeway, which contract is contained in Document No. 428357 on file with the City Clerk, changes amounting to an increase in contract price of \$220.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102852, recorded on Microfilm Roll No. 40, finding that the employment of men in excess of 8 hours in one day in connection with work done under con-

tract between the City and Charles H. Johnston, for construction of storm drain and other improvements in Block 195 City Heights, which employment and nature of emergency necessitating the same is set forth in verified statement of Charles H. Johnston filed with the City Clerk as Document No. 434849 to be of such a nature that it did not and does not constitute a violation of Section 196 of the Charter, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102853, recorded on Microfilm Roll No. 40, approving request of Larson Bros., dated June 10, 1951, for extension of time of 30 days, to and including July 10, 1951, heretofore filed with the City Clerk as Document No. 435154 in which to complete contract for installation of acoustical material in Conference Building, Balboa Park, said contract contained in Document No. 432526 on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending granting petition to install sewer main in 49th Street between Franklin Avenue and Ocean View Boulevard, by private contract according to plans and specifications filed in the office of the City Clerk June 25, 1951 under Document No. 435032, all work including preparation of plans and specifications and inspection at no cost to the City, was presented.

RESOLUTION NO. 102854, recorded on Microfilm Roll No. 40, granting permission to N. S. Jasper and Florence F. Jasper to install a sewer main by private contract in 49th Street between Franklin Avenue and Ocean View Boulevard, in accordance with conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager recommending granting excess-width driveway to Dorman's, Inc., at 12th & Island Avenues, to provide ingress and egress for large truck and trailer units, was presented.

RESOLUTION NO. 102855, recorded on Microfilm Roll No. 40, granting permission to Dorman's, Inc., 901 B Street, San Diego 1, to widen the first driveway east of Twelfth Avenue, on the south side of Island Avenue, to extend between points 6 and 55 feet east of the east line of Twelfth Avenue as measured at the top of the full-height curb adjacent to Lot A Block 106 Horton's Addition, subject to existing driveway on the south side of Island Avenue between points 77 and 100 feet east of the east line of Twelfth Avenue being removed and curb and sidewalk properly restored, in accordance with all rules, regulations and ordinances of The City, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102856, recorded on Microfilm Roll No. 40, granting permission to Jeduda H. Constantine and Annette M. Constantine, 2868 Hawthorn Street, San Diego, to install a 4-inch c.i. sewer line between the property line and sidewalk, 1.0 feet outside of the property line and run in an easterly direction parallel to the southerly line of Lot 13 Block 58 Seaman & Choate's Addition, to point of intersection with public sewer, to serve property at 2868 Hawthorn Street, subject to approval by the City Manager and the Department of Public Health, and on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102857, recorded on Microfilm Roll No. 40, granting permission to Kenneth Denton, 4465 Mission Boulevard, to install a 4-inch c.i. sewer line between the curb and sidewalk, 10 feet outside the property line and run in a southerly direction, parallel to the easterly line of Lot 21 Block 238 Pacific Beach, to point of intersection with public sewer, to serve property at 1868 and 1874 Grand Avenue, and 4408 Lamont Street, subject to approval by the City Manager and Department of Public Health, and on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102858, recorded on Microfilm Roll No. 40, finding that portions of Lots 26 and 25 Block 228, a subdivision of Pueblo Lot 1157 Manasse & Schiller's Addition, and the northeasterly one-half of the closed alley adjoining the same (more particularly described in said Resolution, is desired for use by the Board of Education by purchase, authorizing sale thereof to said District without advertising for bids, such District being a public agency, sale to be made at and for the price of \$50.00 which price is deemed to be fair and equitable and in the public interest; authorizing and empowering the Mayor and City Clerk to execute for and on behalf of The City a quitclaim deed quitclaiming to said District said property; authorizing and directing the Supervisor of Properties to deliver said deed to the San Diego Unified School District upon receipt of purchase price of the property, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102859, recorded on Microfilm Roll No. 40, accepting subordination agreement executed by Morris Steinbaum and Albert Steinbaum, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date June 7, 1951, subordinating all right, title and interest in and to a portion of Lot 21 Rancho Mission of San Diego, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102860, recorded on Microfilm Roll No. 40, accepting deed of George M. Kalliris and Mary C. Kalliris, bearing date June 6, 1951, conveying portions of Lots 7, 8, 9 Block "H" Montclair, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Avenue, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102861, recorded on Microfilm Roll No. 40, accepting deed of George M. Kalliris and Mary Kalliris, bearing date June 6, 1951, conveying portion of Lot 16 Block "A" Montclair, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabash Avenue, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102862, recorded on Microfilm Roll No. 40, accepting deed of Albert Steinbaum, Roberta Steinbaum, Morris Steinbaum, Frieda Steinbaum, Harry Steinbaum, Ellen Steinbaum, Jerome Steinbaum, Bernadine Steinbaum, bearing date May 25, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 21 Rancho Mission of San Diego, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102863, recorded on Microfilm Roll No. 40, accepting deed of Partial Reconveyance, executed by Corporation of America, trustee, bearing date May 31, 1951, remising, granting, releasing and reconveying to the person or persons legally entitled thereto all of that portion of Lot 1 Block 20 Point Loma Heights, particularly described in said deed, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Councilman Swan entered the meeting at this time.

ORDINANCE NO. 4844 (New Series), recorded on Microfilm Roll No. 40, appropriating the sum of \$875.00 from the Unappropriated Balance Fund, for the purpose of providing for the installation of a memorial flagpole at Kellogg Park, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

The final reading of such Ordinance was in full.

Prior to adoption of said Ordinance, the City Manager gave the Council a detailed explanation. He said that the flagpole is to be in memory of Frederick William Kellogg, late husband of Florence Scripps Kellogg, from whom the City purchased and from whom the City received a gift of property for establishment of said park. The flagpole is being erected at the request of Mrs. Kellogg on park land which is at the present time unimproved, flag to be flown only on certain holidays until such time as there is further development and personnel stationed there.

Proposed Ordinance regulating erection, construction, enlargement, alteration, and repair of Fences, Walls or other Enclosures, providing for issuance of permits and the collection of fees therefor, providing penalties for violation, and repealing all ordinances and all parts of ordinances in conflict therewith, was presented.

RESOLUTION NO. 102864, recorded on Microfilm No. 40, referring the proposed Ordinance regulating Fences, Walls or other enclosures, to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The City Manager made a brief explanation, stating that the proposed Ordinance was to replace the former Ordinance which had been repealed at the time the Uniform Building Code was adopted.

Proposed Ordinance amending Section 1 of Ordinance No. 8132 (Sewer Regulations) approved September 28, 1920, and repealing Ordinance No. 3840 (New Series), adopted August 17, 1948, having to do with fees, was presented.

RESOLUTION NO. 102865, recorded on Microfilm Roll No. 40, referring the proposed Ordinance amending Section 1 of Ordinance No. 8132 to Council Conference, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 4845 (New Series), recorded on Microfilm Roll No. 40, establishing the grade of the Alley in Block 13 Point Loma Heights, between the northeasterly line of Macaulay Street and the southwesterly line of Oliphant Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan,

said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

ORDINANCE NO. 4846 (New Series), recorded on Microfilm Roll No. 40, establishing the grade of Montezuma Road, between a line drawn at right angles southerly from a point on the northerly line of Montezuma Road and distant 212.01 feet easterly from the intersection of the northerly line of Montezuma Road with the southeasterly line of Catoctin Drive, and the termination of Montezuma Road in Alice Street and El Cajon Boulevard, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

Councilman Kerrigan requested permission for Otto Hahn, representing County and Municipal Employees Local 127 to be heard, which request was granted.

Mr. Hahn spoke regarding recently-adopted Ordinance on salary amendments, referring particularly to Section 5 on classification changes. He said that if he interpreted the ordinance correctly, promotions go to the minimum in the next higher classification.

The City Manager said that Mr. Hahn was not correct. He made an explanation, in which he said that in most instances the change was made from one step to the same step in the next higher class. In some instances, he said, the jump is made into one step up (above the present step) in the next higher class. Also he spoke about workers in one class higher who had not qualified being put into same step in next class. He said that in every instance the result is an increase. He pointed out that there is an equitable handling in certain classes, and that the fairest way has been adopted.

Mr. Hahn declared that some employees have been working for years out of classification, at money out of their pockets. He said that the bad part is that employees have to work through the steps. He said that it takes longer than under the previous system, to get the increases. He said that the Council might as well throw out the Kroegger report if truck drivers are put back to the classification of laborers (as the City Manager asked Mr. Hahn if he would want). Mr. Hahn said that the City should be fair to old employees who have been working out of classification.

The City Manager said that Mr. Hahn has not grasped the point regarding people working out of class, pointing out correction of inequities on "interim basis". The salary, he said again, is one over and up. Once the employee qualifies, he said, steps will be adjusted up to where they should be. Many circumstances, the Manager told Mr. Hahn, even where examinations are required. He made further statements to clarify certain points in the discussion, which are not recorded, because they amounted to a great deal of repetition and showed no new points.

Councilman Wincote said that the Civil Service might not agree to take the action as outlined by the Manager.

The City Manager said that an agreement has been made by the Civil Service Commission which he said should satisfy Mr. Hahn and others.

Mr. Hahn said that in some cases the step increases are not actually as they appear to be. He said that the employees' group he represents had acknowledged improvements, and said that the Mayor, Council, Manager and Civil Service have been thanked in a communication, which had been presented at a recent meeting of the Council. He said he was doing what he believes to be his job - pointing out inequities where they exist.

Councilman Wincote defended the change in step increases, saying that private industry would not give 6 months' automatic increases. He said he approves the 6-6-1-1 system (step increases on each of the first two 6 months' periods and on the two succeeding one year periods).

The Vice Mayor said he felt that nothing was to be gained by a continued discussion of the matter with the Council. He asked Mr. Hahn to discuss individual problems and generalities with the City Manager and the Civil Service Department. He pointed out that the Council could do nothing at this time.

Mr. Hahn replied that he is willing to meet with anyone, to straighten out the unfair points. He said that it is his duty to bring inequities and grievances to official sources. Continuing, Mr. Hahn spoke of inequities among Park Department employees. He told of differences where individuals worked on different sides of the boulevard. He then thanked the Council, and said that he will be at call to assist in handling any cases.

The City Manager summarized the situation by saying that the whole program is involved and complex. He said that employees have had many advantages. He declared that the subject, as presented by Mr. Hahn, is a quibble, and that is the attitude he is not interested in cooperating further.

The Vice Mayor declared an end to the discussion. There was no action taken.

The next item was acted upon earlier, while Councilman Swan was still absent, but numbered at this time:

RESOLUTION NO. 102866, recorded on Microfilm Roll No. 40, authorizing and directing the Supervisor of Properties to advertise for a period of at least 5 days in the official newspaper, the sale at public auction of approximately 20.103 acres more or less of portion of Pueblo Lot 1297, more particularly set forth in said Resolution, which had been authorized by ratification of Ordinance No. 3985 (New Series) adopted by the Council February 23, 1949, by the electors on April 19, 1949; setting the valuation at \$2000 per acre and declaring that the minimum amount which the Council will consider is \$2000 per acre; setting forth various conditions and restrictions upon which the

property would be sold; providing for subdivision of the property, setting out sizes of residences and property sizes, providing for architectural control by a committee composed of representatives of the owners in the tract; reserving the right to reject any and all bids at the public auction, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The same proposed Resolution was brought before the Council on June 26, 1951 by unanimous consent - not listed on the agenda - at which time objection was found to the \$1500.00 minimum proposed by the Manager under an appraisal.

The City Manager told the Council that the appraisal (of \$1300.00, raised by the Manager to \$1500.00) had been made "before Korea", during a slump. He said that if the Council felt \$2000.00 should be the minimum, he was agreeable.

It was moved and seconded to increase the minimum to \$2000.00 per acre, which motion carried, and the motion to adopt the Resolution included that figure.

All of the following items - none of which had appeared on the Council's agenda - were presented by the City Manager upon unanimous consent therefor granted, at this time; each of which items was explained to the Council by the Manager before action taken:

RESOLUTION NO. 102867, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to execute, for and on behalf of The City a contract with Bob Hartson, dba Air City Ambulance Service, for provision of ambulance service in Ambulance Area C of The City of San Diego from July 1, 1951 to June 30, 1952, for the sum of \$111.11 per month, under terms and conditions set forth in said contract, a copy of which is filed in the office of the City Clerk as Document No. 435225, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102868, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego a contract with Lincoln Ambulance Service, for provision of ambulance service in Ambulance Area B of The City of San Diego from July 1, 1951 to June 30, 1952, for the sum of \$111.11 per month, under terms and conditions set forth in said contract, a copy of which is filed in the office of the City Clerk as Document No. 435241, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102869, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to execute, for and on behalf of The City a contract with B.H. Michaels dba Michaels Ambulance Service, for provision of ambulance service in Ambulance Area A of The City of San Diego from July 1, 1951 to June 30, 1952, for the sum of \$111.11 per month, under terms and conditions set forth in said contract, a copy of which is filed in the office of the City Clerk as Document No. 435242, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Prior to adoption of Resolutions Nos. 102867, 102868, 102869, the City Manager told the Council that the ambulance service contract had been with one company, which in turn had farmed out the work to others. That point, he said, had been responsible for the few complaints which had been received about delays in reaching the scenes of accidents. Under the new system, calls will go to the company servicing the area in which the service is needed.

ORDINANCE NO. 4847 (New Series), recorded on Microfilm Roll No. 40, appropriating the sum of \$750.00 from the Capital Outlay Fund, for the purpose of providing additional funds for the improvement of Chatsworth Boulevard, between Catalina Boulevard and Coronado Avenue, to pay final costs of construction based on actual quantities of materials used in the improvement, which actual quantities exceeded the original estimated quantities covered in the contract, was on motion of Councilman Kerrigan, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---- Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Absent--Councilman Godfrey, Mayor Butler.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail. Nays--Councilman Nonet. Absent--Councilman Godfrey, Mayor Butler. The final reading of such Ordinance was in full.

RESOLUTION NO. 102870, recorded on Microfilm Roll No. 40, transferring the sum of \$250,000 from moneys appropriated for the Water Department, and advanced to the 1951 Water Bond Fund, and the sum of \$600,000 or so much thereof as may be needed from time to time, from the General Fund and advanced to either the 1951 Water Bond Fund or the 1951 Sewer Bond Fund; funds to be used to finance projects contemplated by said 1951 Water Bond and 1951 Sewer Bond Issues, pursuant to the provisions of Section 93 of the Charter; providing that the said sums so advanced shall be returned to the said Water Department funds and to said General Fund upon the sale of the respective bond issues, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

At this time the Vice Mayor, without motion, declared a recess of the Council meeting at the hour of 11:05 o'clock A.M., until the hour of 2:00 o'clock A.M., this date.

Upon reconvening, at the hour of 2:00 o'clock P.M., the roll call showed the following:
Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail
Absent---Councilman Godfrey, Mayor Butler
Clerk----Clark M. Foote, Jr.

The hour of 2:00 o'clock P.M., having arrived, the time set for the second of two hearings on the Annual Appropriation Ordinance, the Vice Mayor invited anyone present who desired to be heard, to make presentations at this time.

A communication from San Diego Symphony Orchestra Association, signed by Donald A. Stewart, attorney at law, and dated June 21, 1951, transmitting its budget for the coming season and a statement for the 1950 summer season, appeared on the Council's agenda, which communication requested an opportunity to be heard.

The City Manager made a statement in the morning session, not awaiting the hearing time set, in which he said that he had talked with Mr. Stewart that appropriations for such purposes could be considered at a later date, and would not need to be acted upon at this time. He said that Mr. Stewart had agreed to withdraw the request. No action was taken upon the letter, other than to order it filed on motion of Councilman Kerrigan, seconded by Councilman Wincote.

John F. Borchers, Manager & Asst. Secretary of San Diego Taxpayers' Association appeared before the Council at this time.

Mr. Borchers said that he was representing Mr. Anewalt, the president, who was unable to be at the hearing.

A communication from said Association, 526 Spreckels Building, San Diego 1, dated June 28, 1951, signed by H. Philip Anewalt, President, was presented by Mr. Borchers, who read excerpts.

The communication stated that study had been materially aided by cooperation extended by the City Manager and Budget Officer, and noted that a substantial proportion of the departmental budgets reflect little or no increases while a number actually show a decrease. It commended the conservative approach to the City's spending for the coming year in view of rapid increase in prices and temptation always present to spend a greater rate when more revenues are available. It was observed that the 1951-52 expenditure plan for the City provides for maintaining City services at present levels of operation and in general does not schedule new activities or expanded facilities, and urged application of the policy strictly.

The letter said that the Association believes that the City should not adopt at this time any new revenue sources nor should it raise rates of existing sources. It said that San Diego citizens are already paying among the highest taxes in this State and in the nation. Recommendations were made in connection with pension funds and recommendation ~~(was made)~~ for study on the possible savings by going under the Federal Social Security Act. It was asked that the City take the lead in working with the League of California Cities, County of San Diego, employee associations, et al in a study designed to investigate covering municipal employees under the national legislation. Consolidation of City and County Health Departments, City and County Civil Service Departments, City's financial departments into a Department of Finance to eliminate duplications and overlapping functions, also came in for recommended study.

Note was taken of step increases in the City and County granted largely automatically, whereas it was thought that for maximum operating efficiency and economy increases should be made to be dependent upon meritorious performance of duties.

In connection with expanded activities, and made note of the City's "hold the line" policy evident throughout the Preliminary Budget, which it was felt should be applied rigidly this year. It asked for careful examination of the following exceptions: new floodlighting of park areas, additional landscaping (particularly at the Veterans Memorial Building), expansion in the street tree program, continuation of a new aquatic recreational program which has been previously supervised by the lifeguards, etc.

Comment was made in the matter of Cultural Institutions which request new and more substantial contributions, expressing the belief that a policy with reference to contributions should result in a basis for a specific policy, and that both City and County governments work toward a joint solution.

The communication concluded by stating that the City has pioneered in many of the modern techniques of management and budgeting, including governmental cost accounting, performance budgeting, work load statistics and modern machine methods. The Council and management were complimented for their foresight in those matters.

No action was taken upon the communication.

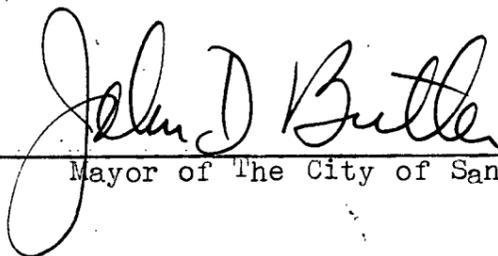
The City Manager reviewed points set out in the communication under "Expanded Activities", and said that study has been given to the matter, and that further consideration will be given throughout the year. The recommended consolidation of City and County departments is being studied also, the City Manager stated.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the hearing was closed, inasmuch as there was no one else who appeared to offer testimony on the proposed budget and appropriation ordinance.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Dail, at the hour of 2:20 o'clock P.M.

FRED W. SICK, City Clerk

By August M. Hadstrom Deputy.



Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, July 3, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:06 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail
Absent---Councilman Godfrey
Clerk----Clark M. Foote, Jr.

The Minutes of the Regular Meetings of Tuesday, June 26, 1951 and of Thursday, June 28, 1951, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

At this time a majority of the members of the Council executed undertaking for furnishing of electric current in El Cajon Boulevard Lighting District No. 1, with San Diego Gas & Electric Company.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Garnet Street Lighting District No. 1, for a period of one year from and including January 30, 1951, to and including January 29, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council. On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$27.00, written by San Diego Trust and Savings Bank, which bid was given Document No. 435417.

Thereupon, on motion of Councilman Dail, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Sunset Cliffs Lighting District No. 1, for a period of one year from and including January 15, 1951 to and including January 14, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council. On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$70.50, written by San Diego Trust and Savings Bank, which bid was given Document No. 435418.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 102021, the Clerk reported that 2 bids had been received, which bids were presented to the Council. On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of eleven thousand dollars, which bid was given Document No. 435419;

The bid of Daley Corporation, accompanied by bond written by the Glens Falls Indemnity Company in the sum of twelve thousand dollars, which bid was given Document No. 435420.

Thereupon, on motion of Councilman Dail, seconded by Councilman Schneider, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 102451, for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests had were presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan,

the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1951 to and including April 30, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102871, recorded on Microfilm Roll No. 40, confirming and adopting as a whole the "Engineer's Report and Assessment for Kensington Manor Lighting District No. 1", filed in the office of the City Clerk May 25, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2013, made to cover the cost and expenses of paving and otherwise improving of the Alley in Block 18 Pt. Loma Heights, within the limits and as particularly described in Resolution of Intention No. 100220, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 102872, recorded on Microfilm Roll No. 40, confirming and approving the Street Superintendent's Assessment No. 1013, made to cover the cost and expenses of paving and otherwise improving of the Alley in Block 18 Pt. Loma Heights, within the limits and as particularly described in Resolution of Intention No. 100220, authorizing and directing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and to record the same in his office, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2011, made to cover the cost and expenses of paving and otherwise improving of the Alleys in Blocks 52 and 71 University Heights, within the limits and as particularly described in Resolution of Intention No. 98910, the Clerk reported that one appeal had been received from Mr. and Mrs. N. Stewart, which appeal was presented.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no additional written appeals were presented.

RESOLUTION NO. 102873, recorded on Microfilm Roll No. 40, overruling and denying the appeal of Mr. and Mrs. N. Stewart from the Street Superintendent's Assessment No. 2011 made to cover the costs and expenses of the work of paving and otherwise improving the Alleys in Blocks 52 and 71 University Heights, overruling and denying all other appeals therefrom, within the limits and as particularly described in Resolution of Intention No. 98910, confirming and approving said Assessment, authorizing and directing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and to record the same in his office, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2012, made to cover the cost and expenses of paving and otherwise improving of Dwight Street, within the limits and as particularly described in Resolution of Intention No. 98626, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no appeals were presented.

RESOLUTION NO. 102874, recorded on Microfilm Roll No. 40, confirming and approving the Street Superintendent's Assessment No. 2011 made to cover the costs and expenses of the paving and otherwise improving of Dwight Street, within the limits and as particularly described in Resolution of Intention No. 98626, authorizing and directing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and to record the same in his office, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance approving and adopting the proposed amendment to the Rules of the Civil Service Commission, which added to said Rules a new rule to be numbered "Rule I-A", the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected persons were present who desired to be heard.

Otto Hahn, representing County and Municipal Employees Local 127, asked to be heard. Mr. Hahn sought an interpretation of the changes, particularly regarding the "same status in class".

Louis Karp, Deputy City Attorney, who had drawn the Ordinance, and J. F. DuPaul, City Attorney, said that the "status" referred to is the Civil Service status. He said that some of points referred to by Mr. Hahn are covered in the salary ordinance (which had been thoroughly gone over at a recent hearing).

Mr. Hahn asked, next, about the promotional examinations.

The City Attorney replied that reference was made in the Ordinance to improper classification. He said that it is up to the Civil Service Department to determine the type of examination to be held, whether as demonstration on the job, written, or what ever it chooses.

ORDINANCE NO. 4848 (New Series), recorded on Microfilm Roll No. 40, approving and adopting the proposed amendment of the Rules of The Civil Service Commission of The City of San Diego, which added thereto a new rule, to be numbered as "Rule I-A" -(upon which a hearing has been held this date)- was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Wincote, Mayor Butler. Nays--- Councilmen None. Absent---Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays---Councilmen None. Absent--Councilman Godfrey.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

Petition of Ladies' Auxiliary, San Diego Post No. 185, Jewish War Veterans of the United States, for permission to conduct the annual sale of poppies on August 14, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said petition was referred to the City Manager.

Claim of Mrs. Lura M. Wolff, 1130 - 13th Street, in the estimated sum of \$94.00 to \$10.00, for damages to her car by City-owned equipment, was presented.

RESOLUTION NO. 102875, recorded on Microfilm Roll No. 40, referring claim of Mrs. Lura M. Wolff to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Harbor Department, signed by the Port Director, submitting for approval by the City Council an amendment to the General Petroleum Corporation lease at the Foot of Tenth Street, and a lease with Abraham Sklar at 1036 W. Broadway, was presented.

Carl Reupsch, Asst. to the Port Director, explained the matter to the Council. He said that the General Petroleum Corporation amendment reorients the premises with slight modification, provides for a pipeline right-of-way to the Tenth Street Pier.

The Abraham Sklar lease is for premises in the Harbor Building for repair and sale of clothing, etc., and that at the time occupancy of the second floor can be given the premises are to be included in the lease for use as a locker club.

RESOLUTION NO. 102876, recorded on Microfilm Roll No. 40, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 2, between The City of San Diego and General Petroleum Corporation of California, as contained in Document No. 435424 on file in the office of the City Clerk, original lease bearing Document No. 295969 and amendment No. 1 being documented as No. 334266 on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102877, recorded on Microfilm Roll No. 40, ratifying, confirming and approving tidelands lease with Abraham Sklar, a copy of which is on file in the office of the City Clerk as Document No. 435425, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing The City's requirements of Fuel and Diesel Oil for a period of one year beginning July 1, 1951, stating that the low bid of Pep's Kerosene Service of San Diego at prices which have increased less than 5% over prices submitted a year ago, recommending acceptance of said low bid, was presented.

RESOLUTION NO. 102878, recorded on Microfilm Roll No. 40, accepting bid of Pep's Kerosene Service, San Diego, for the furnishing of The City's requirements of Fuel and Diesel Oil for a period of one year beginning July 1, 1951, at prices outlined in said bid, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from So. Calif. Pipe Trades Dist. Council No. 16, United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of The United States and Canada, 1250 Wilshire Blvd., Suite 605, Los Angeles 17, Calif., dated June 19, signed by Walter A. Bertelsen, Pres., and R. J. Picard, Sec'y-Treas., enclosing copy of agreement that has been ratified by both parties to the Southernia Pipe Trades Agreement, constituting official notification of changes, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated June 25, 1951, reporting on claim of Mrs. Anna M. Trieb, 3639 Alexia Place, San Diego, stating that after having completed investigation, no cause for the accident through negligence on the part of the City or any of its employees could be found, and recommending denial, was presented.

RESOLUTION NO. 102879, recorded on Microfilm Roll No. 40, denying claim

of Mrs. Anna M. Trieb, in the sum of \$150.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Pacific Indemnity Company, dated June 27, 1951, signed by J. M. MacConnell, stating that the claim of Dorothy Fielding Bauer and Louis C. Bauer and John Brant, their Atty., in the sum of \$1,000.00, for personal injuries, has been closed by payment of \$600.00 on June 22, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated June 27, 1951, signed by J. M. MacConnell, reporting claim of Geo. F. & Betty Newton, in an unspecified sum, for damage to their car, reporting that the case has been closed by payment of \$108.28 on June 25, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said communication was ordered filed.

RESOLUTION NO. 102880, recorded on Microfilm Roll No. 40, directing notice of filing of the Street Superintendent's Assessment No. 2017, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Evergreen Street, within the limits and as particularly described in Resolution of Intention No. 100059, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 102881, recorded on Microfilm Roll No. 40, accepting bid of Griffith Company and awarding contract for the paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution of Intention No. 102015, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

A communication from the City Engineer, reporting on said bids, stated that the low bid was 20.4% below the estimate.

RESOLUTION OF AWARD NO. 102882, recorded on Microfilm Roll No. 40, accepting bid of V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Co., and awarding contract for the paving and otherwise improving of Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, Glenfield Street, Healthier Street, Manzanita Place, and other streets, and Alleys, within the limits and as particularly described in Resolution of Intention No. 102016, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The low bid was 24.9% below the City Engineer's estimate.

RESOLUTION NO. 102883, recorded on Microfilm Roll No. 40, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Jewell Street, approving Plat No. 2269 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said street, directing the City Clerk upon the passage of the resolution of intention to file said plat in the office of the City Engineer of said City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The low bid was 2.9% below the City Engineer's estimate.

RESOLUTION ORDERING WORK NO. 102884, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road, Alley in Block 2 La Mesa Colony, Alley in Block 5 La Mesa Colony, Alley in Block 8 La Mesa Colony, Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 102375, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 102885, recorded on Microfilm Roll No. 40, for the closing of portion of Playa Del Norte Street, as more particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102886, recorded on Microfilm Roll No. 40, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1951 to and including March 31, 1952, in accordance with Engineer's Report and Assessment filed May 11, 1951, in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102887, recorded on Microfilm Roll No. 40, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1951, to and including March 15, 1952, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 102888, recorded on Microfilm Roll No. 40, for the closing of the Alley in Block 7 Lexington Park, determining that it is not deemed necessary that any land be taken therefor, setting out the exterior boundaries of the district of lands to be affected by and to be assessed to pay the damages, costs and expenses of said closing, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102889, recorded on Microfilm Roll No. 40, for the paving and otherwise improving of Jewell Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102890, recorded on Microfilm Roll No. 40, ascertaining and declaring the wage scale for the paving and otherwise improving of Dodson Street, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the City Manager recommending that Wilcox Street be established as a through street between the westerly lane of Catalina Boulevard and the westerly lane of Tarento Street, being the main entrance to Balboa University from Catalina Boulevard through a large new housing development, the scene of numerous near-accidents and apparently several unreported accidents, was presented.

RESOLUTION NO. 102891, recorded on Microfilm Roll No. 40, establishing Wilcox Street between the westerly line of Catalina Boulevard and the westerly line of Tarento Street as a "Through Highway", authorizing and directing installation of the necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102892, recorded on Microfilm Roll No. 40, authorizing and empowering the Purchasing Agent to sell to Einer Brothers, Incorporated, General Engineering Contractors, 1800 cubic yards more or less of decomposed granite at a price of ten cents per cubic yard, which granite shall be dug and hauled by said Einer Brothers from the site of the City-owned real property at Riverview, in San Diego County, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102893, recorded on Microfilm Roll No. 40, authorizing and empowering the City Manager to enter into an agreement with County of San Diego for use of City radio equipment for a term of one year, beginning July 1, 1951 and ending June 30, 1952, on terms and under conditions set out in form of agreement filed with the City Clerk and designated as Document No. 435436, rescinding Resolution No. 102652, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102894, recorded on Microfilm Roll No. 40, approving change order No. 48, dated June 20, 1951, heretofore filed with the City Clerk as Document No. 435292, issued in connection with contract between The City of San Diego and Daley Corporation for construction of Wabash Freeway, Section "A", which contract is contained in Document No. 414553 on file in the office of the City Clerk, changes therein set forth amounting to increase in contract price of approximately \$1,500.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102895, recorded on Microfilm Roll No. 40, approving change order No. 50, dated June 22, 1951, heretofore filed with the City Clerk as Document No. 435294, issued in connection with contract between the City of San Diego and Daley Corporation for construction of Wabash Freeway, Section "A", which contract is contained in Document No. 414553 on file in the office of the City Clerk, changes therein set forth amounting to increase in contract price of approximately \$650.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102896, recorded on Microfilm Roll No. 40, granting permission to the United States Navy to hold service football games during the 1951 season in Balboa Stadium whenever said games do not conflict with previously-arranged programs, to which no admission is charged to the general public and to which the City will be put to no expense in cleaning and caring for the Stadium, on the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending granting excess-width driveway permit to Trepte Construction Company, Inc., in connection with warehouse being constructed for Young's Market Company, on the northerly side of Main Street east of Evans Street, was presented.

RESOLUTION NO. 102897, recorded on Microfilm Roll No. 40, granting permission to Young's Market Company to install a 110-foot driveway, as measured at the top of the full-height curb, on the northerly side of Main Street, between points 30 and 140 feet

east of the east line of Evans Street, adjacent to Lots 1 through 6 Block 97 San Diego Land & Town Company's Addition, on condition that an existing driveway on the easterly side of Evans Street be removed and the curb and sidewalk properly restored, all in accordance with rules, regulations and ordinances of The City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager recommending granting excess-width driveway on the north side of Cedar Street westerly of Bancroft Street, to serve four-car garage being constructed.

RESOLUTION NO. 102898, recorded on Microfilm Roll No. 40, granting permission to Lincoln Homes Incorporated, 6575 El Cajon Boulevard, San Diego 5, to install a 45-foot driveway, as measured at the top of the full-height curb, on the north side of Cedar Street approximately between points 50 and 95 feet west of the west line of Bancroft Street, adjacent to Lot 24 Block 4 San Diego Property Union, in accordance with all rules, regulations and ordinances of The City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102899, recorded on Microfilm Roll No. 40, approving and allowing bill of San Diego Chamber of Commerce, bearing date June 27, 1951, in the sum of \$493.57, as approved by the Advertising Control Committee, authorizing Requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1950-1951 for said sum, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The City Manager requested, and was granted, unanimous consent to present the next communications, not listed on the Council's agenda, in connection with the Ordinance fixing the annual fiscal budget for 1951-52:

Communication from the Harbor Commission, requesting increase in the Budget from \$30,000.00 to \$45,000.00, to provide for installation of 231 parking meters on the G Street Pier and 17 additional meters in the area of the Fifth Street Landing, was presented. The City Manager said that the amount had been included in the Budget, as requested.

Communication from the City Manager, providing increases in the 1951-52 Budget over amounts proposed in the preliminary budget submitted May 1, 1951, together with explanations for the increase, covering: Mayor, \$100.; City Council, \$1,760.; Civil Service, \$395.; City-County Adm. Bldg., \$14,980.; Police Dept., \$1,500.; Inspection Dept., \$500.; Health Dept., \$2,225.; Library Relocation Expense, \$128.; Public Works Administration, \$240.; City-County Camp Commission, \$716.; Insurance, \$1,500.; Cultural Institutions, \$998.; Civil Defense, \$70,000.; Capital Outlay Fund, \$580,000.; Departmental Salary Account, \$93,200.; Unappropriated Balance, was presented.

The City Manager said that the amounts had been included in the Budget, as requested.

ORDINANCE NO. 4849 (New Series), recorded on Microfilm Roll No. 40, fixing, adopting and approving an Annual Fiscal Budget for the fiscal year 1951-1952, approving the amounts therein estimated for the needs of The City of San Diego and the various departments thereof, and appropriating out of the Treasury the necessary moneys to carry on the City and the operation of the various departments for said Fiscal Year, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays---Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays---Councilmen None. Absent--Councilman Godfrey.

The final reading of such Ordinance was in full.

A proposed Ordinance, incorporating portions of P.L. 1112 and P.L. 1118 into "R-1A" and "RC" Zones, repealing Ordinance No. 1947 (New Series) insofar as it conflicts, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said Ordinance was set down for public hearing, at the hour of 10:00 o'clock A.M., on Tuesday, July 17, 1951.

The City Manager requested, and was granted, unanimous consent to present the next matter which was not listed on the Council's agenda, and which was withdrawn from Council Conference to which it had been referred:

ORDINANCE NO. 4850 (New Series), recorded on Microfilm Roll No. 40, amending Section 1 of Ordinance No. 8132 (Sewer Regulations), approved September 28, 1920, and repealing Ordinance No. 3840 (New Series), adopted August 17, 1948, establishing fees and charges for connection with public sewer, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

Councilman Kerrigan requested, and was granted, unanimous consent to present the next matter which was not listed on the Council's agenda, and which was withdrawn from Council Conference to which it had been referred:

ORDINANCE NO. 4851 (New Series), recorded on Microfilm Roll No. 40, regulating the erection, construction, enlargement, alteration and repair of fences, walls or other enclosures; providing for issuance of permits and collection of fees therefor; providing penalties for the violation thereof; repealing all Ordinances and all parts of Ordinances in conflict therewith, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Kerrigan, at the hour of 10:29 o'clock A.M.

John D. Butler

Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadstrom*

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, July 5, 1951

A Regular Meeting of the Council was held this date, and was called to order by Mayor Butler at the hour of 10:00 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler
Absent---Councilman Godfrey
Clerk----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing had been continued on Resolution of Preliminary Determination for the paving and otherwise improving of 60th Street, within the limits and as particularly described in said Resolution, had been continued, for the Resolution of Feasibility (there had not been sufficient votes present at previous hearings to adopt it), such a proposed Resolution was presented.

RESOLUTION NO. 102900, recorded on Microfilm Roll No. 40, determining that the proposed improvement of 60th Street, within the limits and as particularly described in Resolution No. 102378 of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and

that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which the proposed Ordinance incorporating portions of Pueblo Lots 1788 and 1209 into M-2 Zone, repealing Ordinance No. 100 (New Series) and Ordinance No. 3061 (New Series) insofar as it conflicts - easterly of Pacific Highway, adjoining the Santa Fe tracks, and northerly of Balboa Avenue - said Ordinance was ordered filed, on motion of Councilman Schneider, seconded by Councilman Kerrigan.

The hour of 10:00 o'clock A.M. having arrived, the time to which the appeal from the decision of the Zoning Committee in granting to E. A. McIntire, Douglas Swalm, H. G. Archibald, owners, and Gabriel Berg, purchaser, variance to the provisions of Ordinance No. 3061 (New Series), to permit operation of a salvage yard on the railroad in the vicinity of Pacific Highway and Balboa and the appeal of Douglas Swalm, E. A. McIntire and Mrs. L. Jane Archibald from the conditions imposed in zone variance to permit said salvage yard, had been continued, the Mayor asked representatives for the first group of appellants to be heard.

Morey Levenson, attorney, spoke, saying that he represented Mr. Regenhardt in the matter. He told the Council that others on the appeal, and various protestants on the variance were present, and he presumed that they would wish to be heard individually.

The Mayor asked Glenn A. Rick, the City Planning Director, to make a verbal report at this time, which he did.

Mr. Rick reviewed the original zone change application (which proposed Ordinance making the zone change was filed, as noted above), which had been followed by application for zone variance, which had been granted upon certain conditions. He pointed out that both sides of the issue, the applicants and nearby property owners, oppose the action. Mr. Rick said that the Highway Department has entered the picture, and told of its interest in a new alignment for Pacific Highway. He said that the variance which had been granted was upon several conditions, which conditions he outlined briefly. He said that the Highway Division's Engineer had sent Mr. Luckenbach to this hearing.

The Mayor asked Mr. Luckenbach to come forward and be heard at this time.

Mr. Luckenbach (R. B.), responded, by showing to the Council a map of proposed 101 Highway changes.

Mr. Rick showed the location of the proposed salvage yard on the same map, and its relation to the proposed re-aligned highway.

Fred S. Bunger spoke. He said that Mr. Wallace (the Division Engineer for the State Highway Division) had told him that no funds have been appropriated for the highway, and said that the salvage yard proposal should not be held up on account of some highway work which is uncertain.

The Mayor stopped Mr. Bunger, and said that he would be given an opportunity to be heard, after Mr. Luckenbach had made his presentation.

Mr. Luckenbach proceeded, and said that there is a real necessity for the relocation of the highway, in relation to its present crowded condition in the vicinity of the Mission Bay Park development. He said that funds are available for rights of way. Mr. Luckenbach told the Council that property will be acquired, as quickly as possible, and as soon as plans are completed. The portion of highway under discussion is a part of the "section all the way through from West Washington, Mr. Luckenbach said. He pointed out that there are many details involved, and that tentative approval has been received from Sacramento.

Mr. Levenson, in behalf of Mr. Regenhardt, owner of property immediately to the south, spoke to the Council. He said that Mr. Regenhardt had already spent \$60,000.00 in the development of his property, and that he opposed the Berg development. Mr. Levenson told the Council that 4 owners who had originally approved the variance, have now signed in protest. He said that the proposed use of the property would be detrimental to the entire area, mentioning: a health problem; said that the power of the Zoning Committee is limited, and said that there is no hardship to overcome; that Mr. Berg does not own the property, which is under option to purchase. He said that the property in question can be used for M-1 purposes. He said that reasons under which zone changes can be granted cannot be found to be applicable to the property. Mr. Levenson said that the location is impracticable, being on the City's northerly entrance. He pointed out that the City is spending millions of dollars at Mission Bay on the recreational development, and felt that it should not be jeopardized by an undesirable salvage yard. He said that property owners are protesting, even with the conditions attached.

Fred S. Bunger, broker, speaking for himself and for Mr. Swan, was heard. He said that it is planned to use 10 acres of the 20-acre tract. He said he had not misrepresented the matter to anyone when signatures of approval were obtained. He said that the Zoning Committee's action on restrictions in connection with highway right of way and with railway easement without recompense is confiscatory. He said that the Highway Commission had entered the picture after the zoning hearing had been closed, and felt that consideration of that phase was out of order.

The Mayor told Mr. Bunger that the conditions laid down by the Zoning Committee in connection with the variance, represents a compromise, to help all interested, on both sides of the picture.

Gabriel Berg, who proposed to operate said salvage yard - the purchaser - reviewed the several points he has made during the many previous hearings. He spoke regarding need for junk and its part in the economy of the basic industries of the United States regarding steel mills, etc. He said that military installations and aircraft plants in this area produce tremendous amounts of metal scrap - which are reclaimed and re-used.

The Mayor stopped Mr. Berg at this point, saying that the Council was well aware of the points he was making, which he had made over and over. He told of Governor Warren's recent statement regarding steel needs, and for the need of all to cooperate in such matters. He spoke about the conditions imposed in the zone variance, and said that they did not constitute discrimination (as had been charged by Mr. Berg).

Mr. Berg proceeded, and said that the request for zone change and later for zone variance had been filed before the Highway Division entered the picture. He read the

conditions incorporated into the variance, especially about the highway location. He said that originally a 10-foot easement was the only condition regarding the highway (to keep back on account of any possible objectionable operation). He said that the Highway plans could be adjusted, but that all such power is taken away on account of the conditions imposed. Mr. Berg said that the condition about no recompense for improvements if taken for highway purpose is unfair, and that it would be taking away property without due process of law. Bargaining power with the Highway Department was taken away, he said. He maintained that he should have the opportunity to bargain with the State Highway Department. He said that there is no health problem, as charged by Mr. Levenson, and said that rodents would not be present since they do not feed on metal. Also, he said that presence of the salvage yard would not depreciate the value of other properties. Also, he said, he understands the need for an attractive appearance to the City's approach, and agreement has been made to improve the property. Los Angeles, he pointed out, does not have strict requirements for fences around salvage yards. He said that he had agreed to the 8-foot fence as required by the Zoning Committee. Mr. Berg said, also, that the City is throwing away some \$150,000.00 per year in rubbish. He then specifically objected to conditions set forth in paragraphs 2, 3, 6, 7 of the conditions in the variance. He also protested indefinite limitation on the time for utilization of the variance, and said that the Highway plans are

The Planning Director, asked about the property again, said that it contains 26 acres, approximately 10 acres of which would be used for a salvage yard. He said that the 7 conditions attached to the variance do not take away any of Mr. Berg's future bargaining rights. He said that use of the property, as proposed, would devalue the surrounding property, and would add to the cost to the City and to the State for condemnation of buildings for future highway use, which should not be added to the cost of the highway and which he described as a needless waste of public funds. He pointed out that the requirement for a right of way along the Santa Fe tracks is not unusual, and said that it is a common practice throughout the State. He said that he had asked for a specific landscaping plan (as in the matter of a radio station plan for landscaping, which had not been furnished, leading to a dispute between owners and nearby property owners as well as members of the Council), but that Mr. Berg had not furnished such a plan. He said that the requirement in connection with excavation is a requirement in the law for excavation on private property, and said that the owner might take advantage of a "loophole" if it were not included. Mr. Rick said that he had personally recommended against granting the variance, but that the Zoning Committee had granted it, but in doing so had attempted to protect all concerned.

Councilman Schneider said that it is unhappy situation for both sides.

Councilman Schneider moved to sustain the appeal of W. F. Regenhardt and others from the decision of the Zoning Committee in granting the variance to Douglas Swalm and others for permission to operate a salvage yard, which motion was seconded by Councilman Dail.

Councilman Schneider pointed out to the Council that he had been advised by the City Attorney that sustaining of the Regenhardt appeal would automatically kill the zone variance, and that Mr. Berg and others would have nothing left from which they could appeal.

The City Attorney agreed with Mr. Schneider's statement.

Mayor Butler declared the hearing closed at this time.

Before the vote could be called upon the motion, Mr. Bunger told the Council that the Planning Commission could produce no M-2 zone property in San Diego on the railroad, and that any such property is available only in Chula Vista and in National City.

Mr. Rick countered by saying that the Council had asked for a survey of manufacturing property, and said that one is being made and that it will be before the Council quite soon. There are several angles to property use he said, other than its being M-2, such as accessibility, public utilities, railway spurs, etc., all of which are needed for such a report.

Despite the hearing having been closed, Mr. Berg spoke again. He said that there is no M-2 zone property in San Diego adjacent to a railway track. He said that the Planning Commission's action has been "negative".

Councilman Wincote, who appeared to have been attempting to swing the zone variance hearing into favorable position for Mr. Berg, said that the Planning Commission had leaned over backward in its efforts to help Mr. Berg and the property owners from whom he proposed to purchase the property.

Mr. Levenson spoke again. He said that although aircraft plants are essential the Council would not permit their being placed in a residential zone, neither should the salvage yard be located where petitioners proposed. He said that salvaging of metal would not be the only operation in an M-2 zone, if rezoned for such purpose. He reiterated that the entire area involved is bitterly opposed to the proposed use.

R. W. Kerns, owner of Motel San Diego across from the proposed yard, spoke. He said that that a million and a quarter dollars is invested in motels in the area. He said that the yard would be detrimental from several points of view, and that the zone change would establish a bad precedent. He said that there was a telegram on file with the City Clerk (it was in the hearing file) from Pacific Beach business men who do not want the salvage yard. (There were many other protests in writing, which were not presented at this time.)

The roll was called on the motion at this time.

RESOLUTION NO. 102901, recorded on Microfilm Roll No. 40, sustaining the appeal of W. F. Regenhardt, and others, from the decision of the Zoning Committee in granting by its Resolution No. 5590, application No. 9326 of E. A. McIntire, Douglas Swalm, H. G. Archibald, owners, and Gabriel Berg, purchaser, variance to the provisions of Ordinance No. 3061 (New Series) Section 7 on the easterly 500 feet of the southerly 850 feet of Pueblo Lot 1788 and portion of Lot 29 Eureka Lemon Tract, for permission to construct and operate a salvage yard on a maximum of ten acres adjacent to the Railroad, on the various conditions set forth therein, overruling and denying said Committee's decision, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

(The matter having been disposed of by overruling the Committee's decision in granting the variance, no separate hearing was held on the appeal of Swalm, McIntire, Archibald, and Berg, there was no variance left upon which to appeal the conditions).

inasmuch as

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing on the appeal of Maritt John Rand from the Zoning Committee's decision in denying variance for construction of addition to existing garage with duplex above, garages and wash-room below, 4653 Del Monte Avenue, in Zone R-2, had been continued, the Clerk announced that a petition had been received from Mr. Rand requesting withdrawal of his appeal.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said petition, the appeal, protests, and other documents pertaining thereto, were ordered filed.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for Palm Fiber and Gutter Broom Wire, was presented.

RESOLUTION NO. 102902, recorded on Microfilm Roll No. 40, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of Palm Fiber and Gutter Broom Wire, in accordance with specifications on file in the office of the City Clerk bearing Document No. 435427, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102903, recorded on Microfilm Roll No. 40, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the construction of sewer replacement from Estrella Park northeasterly along Lexington Avenue to Thorn Street, thence easterly to Chamoune Avenue and connections, in accordance with Document No. 435422, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on communication from Southcrest Civic Club requesting that parking be prohibited on both sides of Newton Avenue east of South 43rd Street and for installation of street light at the corner of Gamma and 42nd Streets, submitting copy of his reply stating that the parking has been prohibited and proceedings instituted to install the light, and recommending filing, was presented.

On motion of Councilman Swan, seconded by Councilman Wincote, the City Manager's communication and the matter upon which it reported, were ordered filed.

Communication from the Superintendent of Streets, bearing the Assistant City Manager's signature of approval, recommending granting petition of Union Title Insurance and Trust Company for closing portion of road shown in Road Survey No. 904 (in conjunction with agreement for widening and acquisition of additional rights of way approved by the Council in Resolution No. 101494, was presented.

RESOLUTION NO. 102904, recorded on Microfilm Roll No. 40, granting petition for closing of public street shown on Road Survey 904, excepting portion within the State Park lines, directing the City Engineer to furnish a description of lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Pacific Indemnity Company, dated June 29, 1951, signed by J. M. MacConnell, reporting on claim of Mrs. Warren L. Hogland, in an estimated sum of \$89.60, reporting that Mr. Charles A. Hellingson driver of a car involved, is not a City employee and that the car being driven was not City equipment, stating that the claim was no doubt filed against the City entirely in error, recommending denial, was presented.

RESOLUTION NO. 102905, recorded on Microfilm Roll No. 40, denying claim of Mrs. Warren L. Hoakland, 2030 Garfield Road, P.O. Box 785, San Diego 10, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the State Department of Public Health reporting State Public Health Assistance Funds available to local Health Departments: allotment for City of San Diego \$80,847; for San Diego County Health Department \$53,939.00, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, California, submitting statement for membership dues for the year July 1, 1951 through June 30, 1952 in the sum of \$200.00, also announcing annual convention to be held September 14 and 15 in Santa Barbara, was presented.

RESOLUTION NO. 102906, recorded on Microfilm Roll No. 40, referring communication from Shoreline Planning Association of California, Incorporated, relative to membership dues in said Association, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102907, recorded on Microfilm Roll No. 40, determining and declaring that the public interest, convenience and necessity of The City of San Diego require the construction, operation and maintenance of a Municipal Airport, approach light lanes incidental thereto and other Municipal Airport Facilities and appurtenances upon, through, over, along and across lands in the Highlands, more particularly set forth in said Resolution, according to Map thereof No. 284 filed in the office of the County Recorder

March 16, 1887, and that the public interest, convenience and necessity demand the acquisition of said lands, declaring intention to acquire said lands under Eminent Domain Proceedings, and directing the City Attorney to commence action in the Superior Court of the State of California in and for the County of San Diego for the purpose of condemning said lands, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

(Although the Resolution does not state the Airport for which said land is needed, inquiry from the City Attorney's Office brought the information that it is for Montgomery Field).

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of McKellar Subdivision, was presented.

RESOLUTION NO. 102908, recorded on Microfilm Roll No. 40, adopting Map of McKellar's Subdivision, a subdivision of portion of Block 28 Bird Rock Addition and of portions of Colima Street and Linda Rosa Avenue closed and portion of Alley lying southerly of and contiguous to said Block closed, accepting on behalf of the public portion of La Jolla Mesa Drive and unnamed easements shown for public purposes, portion of a street and unnamed easements which are declared to be public street and easements and dedicated to the public use, authorizing and directing the City Clerk to endorse upon said that as and for the act of the Council that said portion of street and easements are accepted on behalf of the public, directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102909, recorded on Microfilm Roll No. 40, accepting deed of William C. Berry and Esther L. Berry, conveying portions of Lots 9 and 11 Block 34 Lexington Park, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102910, recorded on Microfilm Roll No. 40, accepting deed of Jay J. VanVechten and Edith Margaret VanVechten, bearing date June 15, 1951, conveying Lot 11 Block H Montclair Addition, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102911, recorded on Microfilm Roll No. 40, accepting grant of easement of the State of California Director of Finance, conveying easement and right of way for street purposes in portion of Lot 21 Partition of Rancho Mission of San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same College Avenue, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102912, recorded on Microfilm Roll No. 40, accepting deed of William C. Berry, Esther L. Berry and Therese Berry, conveying portions of Lots 10 and 11 Block 34 Lexington Park, setting aside and dedicating the same to the public use as and for a public street, and naming the same Poplar Street, authorizing and directing The City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102913, recorded on Microfilm Roll No. 40, accepting deed of William C. Berry and Esther L. Berry, bearing date August 30, 1947, conveying an easement and right of way for sewer purposes in portion of Lot 9 Block 34 Lexington Park, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102914, recorded on Microfilm Roll No. 40, accepting deed of Ralph R. Freelove, Nellie M. Freelove and Kate J. Birbeck, bearing date June 18, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 42 Los Territos, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

At this time Councilman Wincote went into the matter of M-2 land all the way up Rose Canyon, referring to it as the entrance to the City, in connection with the zone variance for M-2 having been turned down earlier in this meeting, and asked the Council to cause the matter to be studied by the Planning Commission.

The Planning Director said that the Commission, if so directed by the Council, would make such a study and report back thereon.

Councilman Wincote moved to direct the City Attorney to prepare and present a Resolution requesting the City Planning Commission to hold a hearing on the manufacturing-zoned property in Rose Canyon, which motion was seconded by Councilman Schneider.

Before the roll could be called, the following amendment was offered by

Councilman Kerrigan, seconded by Councilman Schneider, that such study should include all other property at entrances to the City regarding manufacturing uses.

The roll was called on the motion to amend, which carried. Then the roll was called upon the original motion, as amended, resulting in:

RESOLUTION NO. 102915, recorded on Microfilm Roll No. 40, requesting the City Attorney to prepare and present a Resolution requesting the City Planning Commission to hold hearings on property at the entrances to the City of San Diego, zoned for manufacturing uses; for the purpose of making studies and recommendations thereon to the City Council; was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The following items were listed on the Council's agenda as having been referred by the City Clerk to the City Manager, directly, to facilitate handling:

Petition of John H. Murphy for permission to grade and oil portion of Evergreen Street, between Newell and Poe Streets;

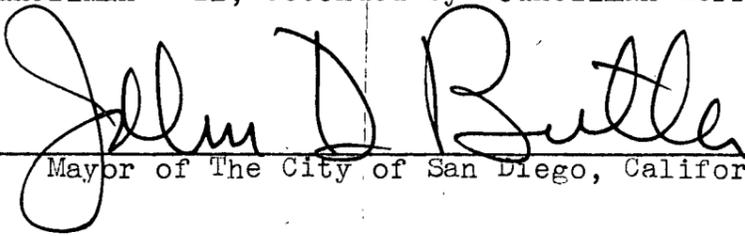
Petition of residents for the naming of the Alley in Block 483 of Subdivision of the East Half of Pueblo Lot 1122 "Falcon Place";

Petition of H. L. Sanders for vacating an easement on Lot 1234 of Talmadge Park Estates;

Communication from The International City Managers' Association inviting representation of the City Manager at the 37th Annual Conference to be held at Poland Spring, Maine, September 9-13, 1951;

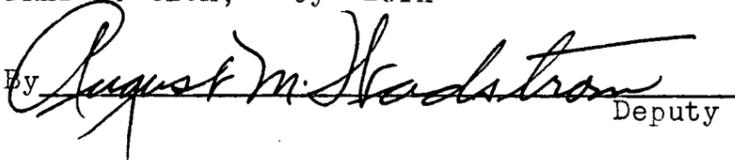
Postal card from R. W. Reed relative to several subjects, among them: Bridges, Bomb Shelters, Sewage Disposal, Taxes on vacant lots, etc.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Kerrigan, at the hour of 11:20 o'clock A.M.



 Mayor of The City of San Diego, California

ATTEST:
 FRED W. SICK, City Clerk

By 

 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
Tuesday, July 10, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:02 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Butler
Absent---Councilman Godfrey
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, July 3, 1951, and of Thursday, July 5, 1951, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Mayor.

At this time the Mayor presented service award emblems to the following long-time City employees:

Pasquale Bruno, skilled laborer for the Park and Recreation Department, at Mount Hope Cemetery, first employed by the City in 1915 - 30 years service;
W. Allen Perry, Park Superintendent, spoke briefly;

Grace Sloan, Senior Clerk in the Water Department Division of Accounting, began working in 1925 - 25 years service;
G. E. Arnold, Water Department Director, spoke of Mrs. Sloan's work.

Councilman Godfrey entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District No. 1, for a period of one year from and including February 15, 1951, to and including February 14, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$58.50 written by San Diego Trust & Savings Bank, which bid was given Document No. 435590.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1951, to and including March 4, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$64.80 written by San Diego Trust & Savings Bank, which bid was given Document No. 435591.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District No. 1, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$40.50 written by San Diego Trust & Savings Bank, which bid was given Document No. 435592.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for cleaning and cement mortar lining of the Torrey Pines Road 16" cast iron pipe line, from Prospect Place to Ardath Road, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of Pipe Linings, Inc., P.O. Box 3428 Terminal Annex, Los Angeles 54, California, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of three thousand dollars, which bid was given Document No. 435593.

On motion of Councilman Swan, seconded by Councilman Wincote, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1951, to and including April 30, 1952, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102916, recorded on Microfilm Roll No. 41, confirming and adopting as a whole the "Engineer's Report and Assessment for Hermosa Lighting District No. 1", filed in the office of the City Clerk June 1, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102637 of Preliminary Determination for the paving and otherwise improving of Alley in Block 2 Subdivision of Lots 7 to 17 inclusive, Block N Teralta, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102917, recorded on Microfilm Roll No. 41, determining that the proposed improvement of the Alley in Block 2 Subdivision of Lots 7 to 17 inclusive, Block N Teralta, within the limits and as particularly described in Resolution No. 102637, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Brant Street and Washington Street, within the limits and as particularly described in Resolution No. 102638 of Preliminary Determination, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102918, recorded on Microfilm Roll No. 41, determining that the proposed improvement of Brant Street and Washington Street, within the limits and as particularly described in Resolution No. 102638, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102639 of Preliminary Determination for the improvement of La Jolla Hermosa Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Arthur Kebeck told of property changes. He said that 17 persons, a little over 71% were in favor of the improvement; 6 persons were opposed, not to improvement, but to the assessment. He showed pictures of the street and the improved properties thereon. Six of the owners, he said, do not have access to their properties from the street on account of a wall constructed on City property. He told of several owners having asked permission to cut through to the street, which permission had been denied, so they had to face their residences and improvements on the next street. They would be unable, he said, to use the street for ingress and egress. He said that those property owners oppose "paying for something they will get nothing for". As a result of changing the facing of the properties, landscaping, patios, and the wall prevent use of the street.

The City Attorney spoke about several alternate actions that could be taken by the Council, in answer to a question from Councilman Kerrigan as to what the Council could do. He said that the wall in question, on City property, could be taken out by the City; a portion of the street could be closed, which would then become private property; that a formula could be established for the assessment on the unusable property different from that on the usable property. The City Attorney pointed out that this hearing was on whether to go under the "Debt Limitation Act" or under the City Ordinance. He suggested the overruling of the protest, adoption of the Resolution of Feasibility, and reference to his office in the matter of the assessment distribution. He pointed out that the City

is confronted with a new situation in connection with the wall, and that such a wall in the street would not be permitted now.

Councilman Kerrigan moved to continue the hearing for one week, and to request the City Manager to make a report in the matter, which motion was seconded by Councilman Schneider.

Before the roll could be called, the City Engineer reported that petition for the improvement had been signed by 100% of the property owners on the east side of the street, and by 5 owners on the west signed.

A man who referred to himself as Colonel, but whose name the Clerk was unable to understand, spoke in favor of the improvement. He suggested continuance of proceedings for the improvement, and that the assessment procedure be determined later. He said, further, that property owners had not asked for 5" cement concrete (as specified by the Engineer).

Councilman Schneider asked the Colonel if property owners would be satisfied with a "lesser type" of pavement.

The City Manager spoke up in connection with Mr. Schneider's question, and said that the City does not favor use of "lesser type" or sub-standard paving, pointing out that it would become a matter of expensive City maintenance. He said that relief would be not through cheapening of the pavement, but on a formula for the assessment spread.

The property owner who had been speaking, said that he would not oppose a greater assessment for the improvement, but would not bear the entire cost for those on the other side of the street. He said that he could not, of course, speak for other owners, and was expressing only his own view.

The previously-mentioned motion and second were withdrawn at this time.

Councilman Kerrigan moved to overrule the protest, but the discussion continued.

The City Attorney recommended the overruling of the protest, and adoption of the Resolution of Feasibility, as well as reference of the matter to his office and to the City Manager for further recommendation.

The City Engineer said that the wall serves no useful purpose, and suggested that it might well be removed, and that the improvement and assessment then proceed in the usual manner. Or, he said, the wall might be left as is, and gates cut through. He contended that juggling the City's assessment procedure would create City-wide trouble.

Mr. Kebeck spoke again, and said that the wall is several blocks long, not just at the point where the improvement is proposed to be made. He said that it had originally been on private property, that the line has been moved back and forth. There would be no advantage, he said, in tearing down the wall.

The Mayor said that the City is trying to work out a fair formula.

Mr. Kebeck spoke about the wall, again, and said that tearing it down would add a new expense to property owners.

Councilman Godfrey moved to continue the hearing for one week, and that the matter be referred to the City Manager and to the City Attorney for a report at that time on an assessment formula to be used, which motion was seconded by Councilman Wincote.

Before the roll was called, Councilman Swan objected to calling the roll without hearing further evidence.

Stan McCarrey spoke in opposition to tearing down the wall in question, stating that it would change the property grade.

Another unidentified man said that one of the reasons for his buying the property was on account of the wall which surrounds his several fruit trees. He said that he is a new property owner.

Mr. Kebeck suggested an area assessment, by district benefit, and favored a "30% - 70%" basis.

The Mayor declared the hearing closed, for this meeting.

The roll was called on the previously mentioned motion, resulting in RESOLUTION NO. 102919, recorded on Microfilm Roll No. 41, continuing the hearing on the proposed improvement on portion of La Jolla Hermosa Avenue, within the limits and as particularly described in Resolution No. 102639 of Preliminary Determination until the hour of 10:00 o'clock Tuesday, July 17, 1951, and reference to the City Manager and City Attorney for study and report at that time on the matter of establishing a formula to be used for assessment thereon, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilman Schneider. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102640 of Preliminary Determination for the paving and otherwise improving of Niagara Avenue and Catalina Boulevard, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102920, recorded on Microfilm Roll No. 41, ascertaining that the proposed improvement of Niagara Avenue and Catalina Boulevard, within the limits and as particularly described in Resolution No. 102640 of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102641 of Preliminary Determination for the paving and otherwise improving of Thorn Street and 45th Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 102921, recorded on Microfilm Roll No. 41, determining that the proposed improvement of Thorn Street and 45th Street, within the limits and as particularly described in Resolution No. 102641 of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 102544, for the paving and otherwise improving of the Alleys in Block 1 Ocean View, and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received from Margaret H. Brown and Winifred Brown, which protest was presented to the Council.

Councilman Godfrey was excused from the meeting at this time.

The City Engineer made a verbal report, in which he said that there is less than 4% property represented on the protest.

Mrs. Brown made a verbal protest. She said that other improvements are to be made soon in the neighborhood, for which her property will be assessed.

The Engineer said that the assessment against Mrs. Brown's property for her alley improvement would be about \$200.00.

Mrs. Brown referred to others who do not want the improvement made, but who for reasons of working were unable to appear.

The Mayor pointed out to Mrs. Brown that no other protests had been received in writing, or verbally.

RESOLUTION NO. 102922, recorded on Microfilm Roll No. 41, overruling and denying the protest of Margaret H. Brown and Winifred Brown, against the proposed improvement of the Alleys in Block 1 Ocean View and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly described in Resolution of Intention No. 102544, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

On motion of Councilman Schneider, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 102545, for the paving and otherwise improving of 59th Street and Kenwood Street, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received from C. A. Boone, Mrs. Virgil L. Epperly, and others, which protest was presented to the Council.

The City Engineer reported a protest of 18%.

Councilman Godfrey returned to the meeting at this time.

Councilman Schneider was excused from the meeting at this time.

The Mayor inquired if any interested affected property owners were present who desired to be heard.

C. A. Brown protested verbally, and asked for a continuance in order to get definite information. He said he had been unable to secure any definite information as to probable costs.

The Mayor asked Mr. Brown if he had made inquiries from the City Engineer.

Mr. Brown said that he had not.

The Mayor said the information could be obtained readily for him at this time, but Mr. Brown asked again for consideration to a postponement to permit him to "consult" with his neighbors.

Councilman Schneider returned to the meeting at this time.

RESOLUTION NO. 102923, recorded on Microfilm Roll No. 41, continuing the hearing on the proposed improvement of 59th Street and Kenwood Street, within the limits and as particularly described in Resolution of Intention No. 102545, until the hour of 10:00 o'clock A.M. of Tuesday, July 17, 1951, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 102546 for the paving and otherwise improving of Jarvis Street and Scott Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one was present to speak, and no written protests were presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 102547 for the paving and otherwise improving of Wightman Street, 38th Street and 41st Street, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Mary Z. Adams, Charles Shaw and Jo Belle Shaw, Nancy A. Brown, which protests were presented to the Council.

The City Engineer made a verbal report, stating the nature of the protests.

The Mayor inquired if any interested affected property owners were present who desired to be heard.

The following persons appear, and spoke in protest:

Nancy A. Brown protested in connection with Wightman Street assessment. She said that it would do her property no good on Central Avenue.

The Mayor pointed out to Mrs. Brown that there would be an indirect benefit, although there would be no improvement in front of her property.

Mrs. John Conrad Lehner spoke in favor of the improvement. However, she said that pipes need to be installed before the paving is laid down. She described the several pieces of property she owned and the rental units she has.

The City Engineer replied that the pipes are to be relined, according to information he had received from the Water Department.

Mrs. Lehner was emphatic in saying that she wants new pipes. She said that she will file an injunction on the proceedings if new pipes are not put in. She then conferred with an attorney friend, and asked him to represent her. The attorney declined, and advised her withdraw the protest. Mrs. Lehner said she had no further comment to make, and sat down.

Mrs. Bates told about temporary pipe for storm drain across Wightman Street. She said she does not want the paving torn up to install permanent pipe.

The Mayor asked Mrs. Bates to consult privately with the City Engineer, which she did. She and the Engineer went over the plans, without the Council entering into the discussion. After talking with the Engineer, Mrs. Bates made no further comment.

RESOLUTION NO. 102924, recorded on Microfilm Roll No. 41, overruling and denying the protests of Mary Z. Adams, Charles Shaw and Jo Belle Shaw, Nancy A. Brown against the proposed paving and otherwise improving of Wightman Street, 38th Street and 41st Street, within the limits and as particularly described in Resolution of Intention No. 102547, overruling and denying all other protests thereon, also referring to the City Manager the matter of water pipes in the work and storm drain across Wightman Street, referred to verbally by Mrs. John Conrad Lehner and Mrs. Bates for report (for report) to the Council on what is proposed to be done in the contract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance establishing a set-back line of 10 feet from the front property line on the southwest side of Narragansett Avenue and on the southeast side of Redondo Street, on Lots 18 to 21 Sefton Estates, the Clerk reported that no written protests had been received.

The Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4852 (New Series), recorded on Microfilm Roll No. 41, establishing a set-back line of 10 feet from the front property line of the southwest side of Narragansett Avenue, and on the southeast side of Redondo Street, being on Lots 18 to 21 inclusive, Sefton Estates, providing a penalty for violation, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

Communication from R. L. Haniman, 315 Mira Monte, La Jolla, reporting that the Planning Commission had turned down his application for double faced post sign located on the SW corner of Midway and La Jolla Blvd, on his own property in C Zone, which was to be erected in accordance with all City regulations covering signs, was presented. Said communication stated that there are a great many similar signs located in the vicinity and throughout La Jolla, and a partial list thereof together with their locations, was presented. Consideration was asked for granting inasmuch as the writer could see no legal grounds for rejection, and asked that his wife be permitted to represent him at this meeting inasmuch as he had been recalled to temporary active duty.

Mrs. R. L. Haniman appeared before the Council, and spoke along the lines outlined in the communication. She requested a double faced directional sign to an apartment hotel being built by her husband. She said that it is the Planning Commission's policy to grant signs in the La Jolla area only to nationally advertised oil companies, and felt that the denial of the sign in question should not have been based on a whim only. She told the Council that her husband has invested \$150,000.00 in the hotel - and that he is not a "rich man". She said that the Commission is discriminating against them. She showed a map of La Jolla where signs are installed.

The Mayor asked Harry Haelsig, Assistant Planning Director, to report - which he did. Mr. Haelsig told the Council that the denial had been based on a policy established after a hearing held May 24, 1950. He said that business men, sign companies and property owners from La Jolla, but mainly in the Bird Rock area, were represented at the hearing, and that they had favored the regulation adopted by the Commission. He quoted from said hearing minutes. He said that the Haniman sign would be on the owner's property, adjoining

property which Mr. Haniman leases to an oil company. Mr. Haelsig said that a majority of the signs referred to by Mrs. Haniman and in the communication, were erected before the present policy was established.

Mrs. Haniman showed a drawing, in color, of the proposed directional sign.

J. F. DuPaul, City Attorney, said that he thought the Commission had no legal right to deny the sign requested.

Mr. Haelsig, when asked about the matter, said that no public hearing had been held at the time consideration was given to the sign application.

Councilman Schneider moved to grant the request for the sign, which motion was seconded by Councilman Wincote.

Before the vote was taken on the question, Mr. Haelsig said that a roof sign application had been made, in lieu of "this" sign. He said that the oil company signs referred to are uniform and used all over the country.

The Mayor said that the line for denial is very thin, and expressed the belief that no court in the country would uphold the denial.

Mr. Haelsig asked the Council to review the sign hearing held by the Planning Commission on May 24, 1950. No action was taken on the request.

RESOLUTION NO. 102925, recorded on Microfilm Roll No. 41, granting request of R. L. Haniman, 315 Mira Monte, La Jolla, contained in communication dated July 3, 1951, addressed to the City Council, for permission to erect a double-faced post sign on the southwest corner of Midway and LaJolla Boulevard, on his own property in C Zone, providing for direction to new apartment hotel being constructed by Mr. Haniman, which request had previously been denied by the City Planning Commission, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Claim of Cecelia M. Wakiji, 3830 Earlham Street, San Diego, in the estimated sums of \$19.66 and \$18.16, for damage done to her automobile by a City garbage truck, was presented.

RESOLUTION NO. 102926, recorded on Microfilm Roll No. 41, referring claim of Cecelia M. Wakiji to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing magazine and newspaper subscriptions for a period of one year beginning September 1, 1951, recommending award to National Publications Company of Los Angeles, the sole bidder meeting City's specifications and legal requirements, was presented.

RESOLUTION NO. 102927, recorded on Microfilm Roll No. 41, accepting bid of National Publications Company for the furnishing to the Public Library magazine and newspaper subscriptions for the period of one year commencing September 1, 1951, awarding contract and directing the City Clerk to return all bid checks submitted, with the exception of checks submitted by the low and the second low bidder, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102928, recorded on Microfilm Roll No. 41, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the removal and erection of chain link wire fence in the nonscheduled flight area, Lindbergh Field, under Document No. 435509, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on communication from Southcrest Civic Club requesting 3-way stop at intersection of 43rd Street with National Avenue, submitting copy of his reply stating that study has indicated that the existing-way stop is adequate as long as present conditions prevail (there have been only 6 accidents at the intersection in 4 years, and only 1 injury), and recommending filing, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, the City Manager's communication and the matter to which it refers, were ordered filed.

Communication from the Planning Commission reporting on petition for rezoning Lots 1 to 5 inclusive, Block 2 Broderick and West Addition, located at the southwest corner of 34th and Pickwick Streets and immediately adjacent and slightly below grade of Federal Boulevard, in the new Wabash Boulevard development, was presented. Said Commission had recommended denial, but the matter which had been before the Council on June 19 had been continued until this date to permit 7 members of the Council to inspect the property before action taken.

Councilman Kerrigan moved to sustain the Planning Commission's recommendation, which motion was not seconded.

William Stark, attorney for Lloyd T. Penick, petitioner, spoke regarding the Commission's action resulting in recommendation for denial of the requested zone change. He said that the City is growing, and that M-1 zone needs to spread. Mr. Stark contended that the M-1 zone would help the community, and damage nobody. He showed a drawing of the proposed storage building for storage of implements and construction material. Mr. Stark said that a small lot is now operated on L Street, without protest. He referred to "Grove'S" lot on Market Street. Request was made by Mr. Stark for granting of the appeal. Answering questions about surrounding developments, Mr. Stark replied that there are residents across the street, and added that a majority of the surrounding property owners had signed in favor of the requested zone change.

Councilman Dail said that the general use of the property is changing, and agreed with Mr. Stark that the M-1 zone would not be detrimental to the community.

Councilman Kerrigan said that a zone change would permit any M-1 use by anyone, if the property should be disposed of by Mr. Penick and not used for his proposed purpose. He felt that a zone variance would be better, since it would permit conditions to be attached.

Mr. Stark said that Mr. Penick is not going to sell, but that he will keep the property and use it for the purpose intended.

The Mayor agreed that a variance, instead of zone change, would permit control of the use.

Harry Haelsig, Assistant Planning Director, contended that there is a legal barrier in connection with a zone change, pointing out that it would be a jump from R-4 to M-1, passing over C Zone which would be between R-4 and M-1. He said that it was not possible to grant a variance on a 2-jump basis.

Jean F. DuPaul, City Attorney, suggested that the matter be referred to his office for an opinion in writing, for a variance.

Some members of the Council attempted to get an off-hand opinion from the Attorney, but he declined to give one at this time, stating that it should be made only after study and then he preferred to do so in writing.

Councilman Kerrigan moved that the matter be continued for one week, and that it be referred to the City Attorney for an opinion on the possibility of granting a zone variance, in writing.

Mr. Haelsig said that the original request for zone change had been to a C Zone, with a variance to be granted later for a contractor's yard.

Mr. Stark said that the change from the C to M-1 request had been made to eliminate further applications and hearings.

Councilman Godfrey seconded Councilman's motion, at this time, resulting in RESOLUTION NO. 102929, recorded on Microfilm Roll No. 41, referring to the City Attorney for an opinion in writing, the matter of the requested change in zoning from the existing R-4 to M-1 of Lots 1 to 5 inclusive Block 2 Broderick and West Addition, located at the southwest corner of 34th and Pickwick Streets and immediately adjacent and slightly below grade of Federal Boulevard, in the new Wabash Boulevard development, as to whether or not a zone variance may be granted from R-4 to M-1, to be presented to the Council in one week from the date of this Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Mayor Butler left the meeting at this time, whereupon Vice Mayor Chester E. Schneider assumed the duties of chairman - at 11:50 o'clock A.M.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Cliffside Tract, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 102930, recorded on Microfilm Roll No. 41, authorizing the City Manager to execute, for and on behalf of The City of San Diego, a contract with William P. Kessling and Ehrma F. Kessling, and A. J. Free and Nellie Free, for installation and completion of unfinished improvements for Cliffside, authorizing and directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102931, recorded on Microfilm Roll No. 41, adopting Map of Cliffside, being a subdivision of portion of Lot 7 of Pueblo Lot 1782, formerly known as Lots 1 to 16 inclusive in Block 16 and all of Blocks 17 and 18 in Bird Rock Addition, together with portions of an Alley and Streets closed, accepting on behalf of the public Calumet Avenue, Chelsea Avenue, portions of Sea Rose Place and unnamed easements shown thereon for public purposes, dedicating the same to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets, portions of a street, and unnamed easements are accepted on behalf of the public, directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102932, recorded on Microfilm Roll No. 41, directing notice of filing of the Street Superintendent's Assessment No. 2018, made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 16 Sunset Cliffs, within the limits and as particularly described in Resolution of Intention No. 100382, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION OF AWARD NO. 102933, recorded on Microfilm Roll No. 41, accepting bid of Daley Corporation, and awarding contract, for the paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 102126, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

A written report from the City Engineer stated that the low bid was 3.5% below the estimate.

RESOLUTION OF AWARD NO. 102934, recorded on Microfilm Roll No. 41, accepting bid of San Diego Gas & Electric Company, and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in Garnet Street Lighting District No. 1, for a period of one year from and including January 30, 1951, to and including January 29, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION OF AWARD NO. 102935, recorded on Microfilm Roll No. 41, accepting bid of San Diego Gas & Electric Company, and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in Sunset Cliffs Lighting District No. 1, for a period of one year from and including January 15, 1951, to and including January 14, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102936, recorded on Microfilm Roll No. 41, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of San Juan Place, the Alleys in Blocks 155, 159, 160 Mission Beach, and Bayside Lane, within the limits set forth in said Resolution, authorizing and directing the City Clerk upon passage of Resolution of Intention to file Plat No. 2262 showing the exterior boundaries of the district to be included in the assessment for work and improvement upon said streets and alleys in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102937, recorded on Microfilm Roll No. 41, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Gamma Street, 42nd Street, and Beta Street, within the limits set forth in said Resolution, authorizing and directing the City Clerk upon passage of Resolution of Intention to file Plat No. 2243 showing the exterior boundaries of the district to be included in the assessment for work and improvement upon said streets in the office of the City Engineer, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 102938, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, within the limits and as particularly described in Resolution of Intention No. 102451, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102939, recorded on Microfilm Roll No. 41, for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1951, to and including April 30, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 102940, recorded on Microfilm Roll No. 41, for the furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for a period of one year from and including December 16, 1950 to and including December 15, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102941, recorded on Microfilm Roll No. 41, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102942, recorded on Microfilm Roll No. 41, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1950, to and including November 4, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 102943, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Dodson Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102944, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 102945, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of portions of San Juan Place, the Alleys in Blocks 155, 159 and 160 Mission Beach, and Bayside Lane, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102946, recorded on Microfilm Roll No. 41, ascertaining and declaring the wage scale for the paving and otherwise improving of portion of 60th Street, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102947, recorded on Microfilm Roll No. 41, rescinding Resolution No. 102468, for the improvement of streets in Bay Park Village, Morena Tract and South Orchard Tract; directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the paving and otherwise improving of Denver Street, Erie Street, and Frankfort Street, each between In-gulf Street and Jellett Street, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 102948, recorded on Microfilm Roll No. 41, rescinding Resolution No. 101121, abandoning all proceedings thereunder, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

(Said Resolution makes no mention of the improvements covered by said Resolution No. 101121 - which were for sewers in a portion of Marilou Park - sewers now having been installed under private contract).

RESOLUTION NO. 102949, recorded on Microfilm Roll No. 41, granting permission to A. F. Sonka to construct sewer mains in Seminole Drive and Filipino Street, by private contract, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 435174, on conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

A communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending the granting, the work which is to include preparation of plans and specifications, and the inspection to be done at no cost to the City of San Diego.

Communication from the City Manager stating that due to a typographical error, a portion of La Jolla Shores Drive was recently established as a through-street, whereas Calle de la Plata was intended, recommending that Calle de la Plata between the northerly line of Torrey Pines Road and the southerly line of Avenida de la Playa be established as a through street, and that Resolution No. 102649 adopted June 12, 1951, be repealed, was presented.

RESOLUTION NO. 102950, recorded on Microfilm Roll No. 41, establishing Calle de la Plata, between the northerly line of Torrey Pines Road and the southerly line of Avenida de la Playa as a "Through Highway", authorizing and directing installation of the necessary signs and markings on said street, repealing Resolution No. 102649 adopted June 12, 1951, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102951, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all the work in connection with the abandonment of 700 feet of two-inch W.I. water main and the installation of 750 feet of eight-inch and 50 feet of six-inch water main in Manzanita Drive, from Dahlia Street to Heather Street, by appropriate City forces, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 102952, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of 450 feet of two-inch W.I. Pipe, and the installation of 1000 feet of six-inch water main and one six-inch, two-way fire hydrant in Oliver Street from Gresham Street, by appropriate City forces, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

Proposed Resolution authorizing the Supervisor of Properties to sell at public auction a portion of Lot 19 Block 16 Point Loma Heights, located on Wabaska Drive at the corner of Capistrano, at a minimum price of \$750.00, was presented.

Said Resolution was as a result of petition filed by Lee E. Mattei, 3714 Lotus Drive, in which he offered to bid \$500.00.

The City Manager asked the Council not to act upon the proposed Resolution at this time, but to refer it back to him.

On motion of Councilman Wincote, seconded by Councilman Schneider, said matter was referred back to the City Manager.

RESOLUTION NO. 102953, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to enter into a contract with Dr. Carl Wilson of the City of Los Angeles, retaining and employing him in the capacity of a consulting technologist on

water purification, beginning July 1, 1951, and ending June 30, 1952, at a monthly compensation of \$100.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102954, recorded on Microfilm Roll No. 41, authorizing the City Manager to enter into an amendment to the agreement between The City of San Diego and the Robert W. Hunt Company, dated May 8, 1951 and filed with the City Clerk as Document No. 433026, which amendment shall provide that for inspection services performed at Alhambra and Long Beach (materials for use in the Sunset Cliffs Boulevard Bridge), payment shall be made at the rate of \$5.00 per net ton of cast steel bridge shoes and pins accepted by the City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

(The original price for inspection was \$1.30 per net ton lower, having to do with inspection at another place than at Alhambra and Long Beach, California).

RESOLUTION NO. 102955, recorded on Microfilm Roll No. 41, authorizing the City Manager to execute for and on behalf of The City an agreement with Victor W. Brown, for employment as agricultural consultant to the City for a term of one year at a compensation of \$200.00 per month, was on motion of Councilman Kernigan, seconded by Councilman Wincote, adopted.

No copy of contract accompanied the Resolution, and no explanation of the Consultant's proposed duties, was made.

RESOLUTION NO. 102956, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to execute an agreement employing Kenneth A. Gardner as City Planning Consultant for the term of one year, beginning July 1, 1951 and ending June 30, 1952, for the sum of \$300.00 per month, and providing for extension of the term for like periods by Council Resolution, upon terms and under the conditions set forth in said agreement, a copy of which is filed in the Office of the City Clerk as Document No. 435628, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102957, recorded on Microfilm Roll No. 41, authorizing and directing the City Manager to enter into a lease agreement of Balboa Stadium to San Diego Unified School District for the school year 1951-52, in accordance with the terms of the present lease, execute May 23, 1947, filed in the office of the City Clerk under Document No. 374238, provided, however, that the fee referred to in said agreement for evening use of said Stadium shall be the sum of \$50.00 in lieu of \$21.50, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102958, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to enter into agreement with Department of Public Works of the State of California whereby The City agrees in connection with construction of improvement known as De Anza Cove connection with Pacific Highway, to furnish those rights of way therefor which are outside the boundaries of both the Mission Bay State Park and the State Highway right of way, and in addition thereto to expend \$13,866.00 or so much thereof as may be necessary, to pay one-half the cost of that portion of the improvement which lies outside the boundaries of the Mission Bay State Park but within the State Highway right of way, and all the costs of that portion of the improvement which lies outside the boundaries of both Mission Bay State Park and the State Highway right of way, all in accordance with terms and conditions contained in form of agreement filed with the City Clerk bearing Document No. 435637, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102959, recorded on Microfilm Roll No. 41, approving change order No. 47, dated June 27, 1951, heretofore filed with the City Clerk as Document No. 435556, issued in connection with contract between The City and Daley Corporation for construction of Wabash Freeway, Section A, and which contract is contained in Document No. 414553 on file in the office of the City Clerk, changes amounting to an increase in contract price of \$100.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102960, recorded on Microfilm Roll No. 41, approving change order No. 6, dated June 26, 1951, heretofore filed with the City Clerk as Document No. 435558, issued in connection with contract between The City and H. W. Grizzle for construction of Fire Station No. 5 at Ninth and University Avenues, which contract is contained in Document No. 428790 on file in the office of the City Clerk, changes amounting to increase in contract price of \$10.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102961, recorded on Microfilm Roll No. 41, approving change order No. 7, dated June 28, 1951, heretofore filed with the City Clerk as Document No. 435560, issued in connection with contract between The City and H. W. Grizzle for construction of Fire Station No. 5 at Ninth and University Avenues, which contract is contained in Document No. 428790 on file in the office of the City Clerk, changes amounting to increase in price of \$30.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102962, recorded on Microfilm Roll No. 41, granting permission to Emily E. Shepherd, 3053 Franklin Avenue, San Diego, to install a 4" cast iron sewer line between the property line and the sidewalk, to be placed 1 foot outside the property line and run in an easterly direction, parallel to the northerly line of Lots 7, 8, 9, and 10 Block 328 Choate's Addition, to point of intersection with public sewer, to serve property at 3057 Franklin Avenue, subject to approval by the City Manager and Department of Public Health, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102963, recorded on Microfilm Roll No. 41, granting permission to Sherman-Gray, Inc., by Shelton W. Cass, plumbing contractor representing owner, to install a soil line across Lot 11 Logan Vista No. 1, with a fall of less than 1/4" per foot inasmuch as depth of sewer in alley will not permit compliance with Ordinance, for benefit of property designated as 3978 Logan Avenue, subject to approval by the City Manager and Department of Public Health, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4853 (New Series), recorded on Microfilm Roll No. 41, amending Section 2 of Ordinance No. 3562 (New Series) - the Public Solicitations Ordinance adopted October 28, 1947 - relative to the issuance of permits and setting forth details thereof, was on motion of Councilman Wincote, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Schneider, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Kerrigan, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent---Mayor Butler

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The City Manager requested, and was granted, unanimous consent, to present the following matters, not listed on the Council's agenda. As each item was presented to the Council for consideration, the City Manager made a verbal explanation:

RESOLUTION NO. 102964, recorded on Microfilm Roll No. 41, authorizing and ratifying Harbor Commission action in adopting Resolution No. 768 (N.S.) authorizing the Port Director to enter into agreement with Edward Doyle to perform specialized under-water inspection along the Embarcadero Apron Wharf, said Agreement having been entered into on June 29, 1951, between the Harbor Commission and said Edward Doyle, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

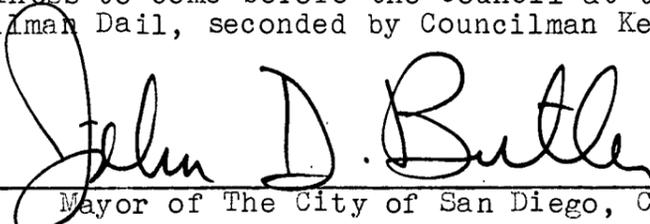
RESOLUTION NO. 102965, recorded on Microfilm Roll No. 41, authorizing the City Attorney to execute a release of the City's claim in the sum of \$254.69 against Mrs. Ruth D. Miller, arising out of a collision between a motor vehicle owned by the said Mrs. Ruth D. Miller and an ornamental light standard owned by The City of San Diego, provided that the said release be effective only upon payment to The City of San Diego of the sum of \$127.35, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Said Resolution recites that there is a dispute of the facts of the cause of the collision, the insurance carrier and Mrs. Miller having offered to pay the City said sum in settlement thereof, and that the City Attorney after investigation has recommended that the offer of settlement be accepted by the Council.

RESOLUTION NO. 102966, recorded on Microfilm Roll No. 41, authorizing Lynn J. Peper and Robert B. McConnell, field representatives in the office of the City Treasurer, to represent The City in the Small Claims Division of the Municipal Court of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Said Resolution recites that The City from time to time is required to prosecute and defend actions in the Small Claims Division of the Municipal Court, and that the City Attorney is unable to represent the City in said Court because the rules of the Court prohibit the appearance of an attorney at law.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Kerrigan, at the hour of 12:02 o'clock Noon.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, July 12,
1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.

Absent----Councilmen None.
Clerk-----Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for doing all of the advertising of The City of San Diego for 2 years, the Clerk reported that 2 bids had been received, which bids were presented to the Council.

Said bids were as follows:

The bid of Union-Tribune Publishing Co., for the San Diego Union, which bid was given Document No. 435766;

The bid of The Daily Transcript, which bid was given Document No. 435767.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

Amended petition for annexation to The City of San Diego of portion of Lot 70 of Rancho Mission of San Diego, was presented.

George Forbes, representing Mrs. Waring, spoke. He explained that the petition is for a reduction of the area provided for in the original petition. He said that it had been impossible to get the original petition out of the Planning Commission. He said that action is needed in the near future, regarding development of the property.

The Manager said that a conference had been set between the Council and the Planning Commission upon several matters of policy on future annexations, and told Mr. Forbes that some determination should be made soon.

Councilman Kerrigan wanted to take action at this time to grant, but other members of the Council and the Manager said that it would be well to wait until a policy had been worked out following the conference.

On motion of Councilman Kerrigan, seconded by Councilman Swan, the petition was referred to the City Manager with the request that the matter be expedited.

Claim of Mrs. A. K. Erkenbark, 256 - 18th Street, in the sum of \$35.00, for personal injury on opening on sidewalk, was presented.

RESOLUTION NO. 102967, recorded on Microfilm Roll No. 41, referring claim of Mrs. A. K. Erkenbark to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of Mrs. O. Glenn Gardner, 4411 Saratoga Avenue, San Diego 7, in the sum of \$25.00, for injury sustained by her son on a pipe under water at Santa Clara Point, Mission Beach, in the bathing area, was presented.

RESOLUTION NO. 102968, recorded on Microfilm Roll No. 41, referring claim of Mrs. O. Glenn Gardner to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of Nannie A. Geren, 3741 Madison Avenue, San Diego 16, in the sum of \$1600.00, for personal injury sustained on sidewalk in front of 2852 University Avenue, was presented.

RESOLUTION NO. 102969, recorded on Microfilm Roll No. referring claim of Nannie A. Geren to Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Claim of Arthur A. Phillips, 5524 Waverly Avenue, La Jolla, in the sum of \$50,000.00, for personal injury sustained in fall into open drain, ditch, culvert or trench which runs more or less parallel to and easterly of the easterly side of the paved or surfaced portion of Girard Avenue or Street, in La Jolla, near the southwesterly corner of the La Jolla Elementary School, to both legs and feet, including great "physical pain, mental suffering, grief, worry, humiliation, fright, nervousness, hysteria, shock, anxiety, embarrassment, disfigurement, susceptibility to subsequent disease or injury and impairment of future earning capacity, and will incur future medical, surgical, hospital, and nursing expense", was presented.

RESOLUTION NO. 102970, recorded on Microfilm Roll No. 41, referring claim of Arthur A. Phillips to the Pacific Indemnity Company, was on motion of Councilman

Kerrigan, seconded by Councilman Swan, adopted.

Claim of James A. Phillips and Ruth M. Phillips, the father and mother of Arthur A. Phillips, a minor, 5524 Waverly Avenue, La Jolla, by reason of injuries suffered and sustained by Arthur A. Phillips (claim shown on previous page), was presented.

RESOLUTION NO. 102971, recorded on Microfilm Roll No. 41, referring claim of James A. Phillips and Ruth M. Phillips to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, reporting on petition for rezoning in Ocean Spray Addition and First Addition to Ocean Spray Tract at Loring and Mission Boulevard, from R-2 to R-4, was presented.

The Planning Director explained the matter to the Council, saying that the Council can adopt the recommendation, or that it can be referred to the City Attorney for an ordinance upon which a hearing would be set. He contended that R-4 zone would congest the area, and felt that the owners who had built in accordance with R-2 should be protected, also that they would be hurt by the change.

William Hamilton, attorney, representing 4 property owners, asked to be heard. He said that a hearing should be held in the matter, rather than adopting the Commission's recommendation to deny at this time. He made a request for a hearing.

The City Attorney said that the matter may be referred to his office for preparation of the ordinance upon which a hearing would be set later.

Councilman Godfrey moved to continue the matter 2 weeks, to permit all interested parties to be heard, which motion was not seconded.

Mr. Hamilton showed a plat to the Council of the interested property owners in the area, for and against the re-zoning.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the matter was continued until the meeting of Thursday, July 26, 1951, to permit Mr. Hamilton the opportunity of presenting evidence in behalf of his clients.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 6 sections of the Subdivision Ordinance No. 1025 (N.S.) in connection with the Tentative Map of Bay Park Vista Unit No. 3, was presented.

RESOLUTION NO. 102972, recorded on Microfilm Roll No. 41, suspending Sections 3G1 and 2, 3I2, 5C, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Bay Park Vista Unit No. 3, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Bay Park Vista Unit No. 3, subject to 9 conditions, was presented.

RESOLUTION NO. 102973, recorded on Microfilm Roll No. 41, approving Tentative Map of Bay Park Vista Unit No. 3, a subdivision of the area immediately adjoining and easterly of Units 1 and 2 of Bay Park Vista, consisting of 114 lots, subject to conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension of 6 sections of the Subdivision Ordinance No. 1025 (N.S.) in connection with the Tentative Map of Churchward Heights, was presented.

RESOLUTION NO. 102974, recorded on Microfilm Roll No. 41, suspending Sections 3C, 3I2, 3J2, 5C, 4A8 and 6 of the Subdivision Ordinance in connection with the Tentative Map of Churchward Heights, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Churchward Heights, subject to 9 conditions, was presented.

RESOLUTION NO. 102975, recorded on Microfilm Roll No. 41, approving Tentative Map of Churchward Heights, a subdivision of a portion of Lot 15 Rancho Mission, lying immediately north of the northeasterly portion of Valencia Park, consisting of 72 lots, subject to conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending amendment to Resolution No. 102202 in connection with suspension of portion of the Subdivision for Ridge View Unit No. 1, was presented.

RESOLUTION NO. 102976, recorded on Microfilm Roll No. 41, suspending Sections 3I1, 3J2, 4A8 and 6, 5C of the Subdivision Ordinance in connection with the Tentative Map of Ridge View Unit No. 1, (Sec. 5C added to the previous suspensions made under Resolution No. 102202 adopted May 8, 1951), was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending reapproval of the Tentative Map heretofore approved by Resolution No. 102203, of Ridge View Unit No. 1, subject to 10 conditions, was presented.

RESOLUTION NO. 102977, recorded on Microfilm Roll No. 41, repealing Resolution No. 102203 adopted May 8, 1951, approving revised Tentative Map of Ridge View Unit No. 1, subject to conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending suspension 5 sections of the Subdivision Ordinance in connection with the Tentative Map of Vista Park, was presented.

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

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Tentative Map of Vista Park, a subdivision of Pueblo Lot 1214 located one-half mile north of the northerly limits of Chesterton and approximately one-fourth of a mile westerly of Linda Vista Road and the northeasterly limits of the City of San Diego, consisting of 700 lots, was presented.

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

Pacific Coast Building Officials Conference, 124 West Fourth Street, Los Angeles 13, dated July 5, 1951, announcing the 29th annual meeting to be held at Salt Lake City, Utah, September 18th to 21st, 1951, inviting the City's building official to be present, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said communication was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated July 6, 1951, reporting on claim of Jose D. Bautista, for replacement of dog killed by a City truck, and for reimbursement of \$5.00 spent for services of Ward's Dog and Cat Hospital, was presented. Said communication stated that the claim case had been closed without payment.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated July 6, 1951, reporting on claim of Jack & Dorothy Hubbell in the sum of \$847.53, stating that it had been settled by payment of \$418.41 on July 3, 1951, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said matter was ordered filed.

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated July 5, 1951, reporting that claim of Henry Marion Oliver, in the sum of \$10,000.00, for injury while crossing Pacific Coast Highway at the intersection with Broadway, had been closed without payment, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from San Diego County Building & Construction Trades Council, 3909 Centre Street, San Diego 3, dated July 6, 1951, advising that changes have been made in collective bargaining agreements covering wages paid to the crafts and classifications listed therein, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, said communication was ordered filed.

Communication from San Diego Tavern Owners Association, 307-8 Spreckels Bldg., San Diego 1, dated July 6, 1951, signed by D. Danforth, secretary of committee, referring to newspaper articles relative to lack of lighting in bars and other places of public assembly, thanking the Mayor, City Manager, City Council, Fire Chief and Police Chief for calling its attention to the matter and looking forward to being informed as to specific complaints, "the remedial possibilities and the outline of a cooperative program which we will be happy to undertake", was presented.

Councilman Godfrey moved to refer the matter to the City Manager. There was no second.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said communication was ordered filed.

Communication from Division of Highways, District XI, Department of Public Works, 1365 Harbor Street, San Diego 1, dated July 6, signed by E. E. Wallace, District Engineer, relative to points of access to the Cabrillo Freeway, in Pueblo Lot 1202, in connection with proposed hospital site, offering to review conditions and try to work out a solution with City's representatives, suggesting that if the City desires to make the entrance opposite Station 197+60 a dedicated public highway, that application should be submitted by the Council to the State Highway Commission, was presented.

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

RESOLUTION NO. 102978, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to make application to the Water Resources Board for reallocation to the City of the sum of \$447,524, authorizing and empowering him to submit claims to said Board for reimbursement of expenditures made by the City in connection with construction of the Morena Boulevard Bridge across the San Diego River Floodway, as authorized in Chapter 1514 Statutes of 1945 and acts amendatory thereof and supplemental thereto, funds having been appropriated to the State Flood Control Fund of 1946 under Chapter 142 enacted at the 1st Extra Session of the 56th Legislature of the State of California and subsequent actions, and allocated to the Water Resources Board for reallocation to The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102979, recorded on Microfilm Roll No. 41, directing the Planning Commission, pursuant to Resolution No. 102915 adopted on July 5, 1951, to make studies of properties at the entrances to The City of San Diego, zoned for manufacturing uses, and to hold hearings thereon, and to then make recommendations to the City Council, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102980, recorded on Microfilm Roll No. 41, authorizing the City Attorney to execute a release of the claim of The City of San Diego against John Thomas Hinton, Jr. for damages past, present and future in the sum of \$209.24 arising or proximately resulting from collision on or about August 6, 1948, on Midway Drive between an automobile driven by Mr. Hinton and an automobile owned by The City of San Diego, provided that the release shall be effective only upon payment by Mr. Hinton or his insurance carrier of the sum of \$150.00 to The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution states that claims arose out of negligent driving of said Hinton by collision caused thereby, that he denies said collision and damage resulted from his negligence, that in view of the disputed facts the Farmers Insurance Group, insurance carrier for Hinton has offered to pay The City \$150.00 in full settlement of the City's claim, and that the City Attorney has recommended acceptance of settlement offer.

RESOLUTION NO. 102981, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to execute a release of the City's claim in the sum of \$56.68 for water services rendered to the Tom Martin Produce Company upon payment by the San Diego Wholesale Credit Men's Association, as assignee for the benefit of creditors of said Company, of a sum of not less than 30% of the City's claim, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Said Resolution states that the firm of Thomas J. Martin and Mike Thomas d/b/a Tom Martin Produce Company at 541 J Street is indebted to The City in the sum of \$56.68 for water services rendered, that said firm is insolvent and has made an assignment for benefit of creditors to said Association, and that said Association has offered to pay the 30% of the amount of indebtedness in full settlement which the City Manager has recommended be accepted.

RESOLUTION NO. 102982, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to execute a contract or agreement, copy of which is filed in the office of the City Clerk (with the County of San Diego) as Document No. 435773, providing for the furnishing by the County of San Diego of medical or surgical treatment and/or hospital care, including out-patient care, to prisoners confined in the City Jail of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that from time to time prisoners confined in the City Jail are in need of surgical treatment and/or hospital care, that the City does not have facilities for such treatment and care, that the City is desirous of having such prisoners hospitalized or treated at the San Diego County Hospital and the County is willing to provide such care or treatment.

RESOLUTION NO. 102983, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to execute an agreement with the County of San Diego, whereby for the sum of \$27.00 per service unit per month, the City agrees to perform normal maintenance covering County Traffic signals at designated intersections, collision maintenance to be paid for on invoices rendered by the County, in accordance with terms and conditions set out in Document No. 435774 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102984, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to enter into agreement with the San Diego Unified School District, whereby the City agrees to sell and the District agrees to buy a portion of Pueblo Lot 1203, more particularly described in form of agreement heretofore filed with the City Clerk and bearing Document No. 435852, for the sum of \$20,000.00, and whereby the City agrees to construct roadways, dividing islands, curbs, sidewalks, water mains and sewer mains adjacent thereto, for its share of which the District agrees to pay the sum of \$35,000.00 all in accordance with said form of agreement, authorizing and empowering the Mayor and City Clerk to execute a grant deed to said District on the above-described property, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102985, recorded on Microfilm Roll No. 41, authorizing the City Manager to execute agreement with L. A. DeWeese, providing for installation of water mains and appurtenances in Richmond Hills Subdivision in accordance with map filed on February 23, 1951, and the payment of \$255.00 to the subdivider, L. A. DeWeese, upon execution and delivery of necessary deeds to the water system in said subdivision, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102986, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to enter into a contract with Robert W. Hunt Company for specialized and professional services in connection with inspection of fabrication of steel for Morena Boulevard Bridge, for which services the City will pay at the rate of \$1.30 per net ton, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102987, recorded on Microfilm Roll No. 41, setting a public hearing by the Council on July 26, 1951, at which time evidence will be considered to assist the Council in determining whether or not the house situated at 5154 Long Branch Street is a public nuisance, the Fire Marshal having advised that the house constitutes an extreme fire hazard to the lives and property of the residents of the heavily populated neighborhood and that it is and has been for a long time a resorting place of tramps, vagrants and juvenile delinquents, directing the City Clerk to send copies of said Resolution to Mrs. Coralie M. Reed, 3101 Manitou Avenue, Los Angeles 31, California, the owner of the house situated at 5154 Long Branch Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 102988, recorded on Microfilm Roll No. 41, amending Resolution No. 102748 adopted June 21, 1951, sustaining appeal of Harold G. Lewis (Care R. J. Klitgaard, 407 Southern Title Building), from Zoning Committee resolution affecting sign on roof of building located on Lots 11 and 12 (exc. SWly 25 ft thereof) Block 46 Roseville, at Rosecrans and Fenelon Streets, to permit sign to be increased in size from 2-1/2 feet high and 12 feet long, to 26 inches in height ~~and 16 inches in height~~ and 16 feet long, was on Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 102989, recorded on Microfilm Roll No. 41, granting permission to Ocean Beach Business Men's Association to conduct its second annual Carnival and Bazaar on City-owned parking lot at foot of Newport Avenue, Ocean Beach, July 13, 14, 15, 1951 without payment of license fee, as provided by the License Ordinance, provided that permission granted shall be subject to approval of the Fire and Building Inspection Departments, waiving Ordinance provision requiring \$500.00 deposit for cleanup, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102990, recorded on Microfilm Roll No. 41, granting permission to Severin Construction Co., W. H. DeCamp, Vice President, 3504 El Cajon Boulevard, San Diego, to install a four-inch cast iron sewer line between the property line and the sidewalk, to be placed 1 foot outside the property line and run in a westerly direction parallel to the northerly line of Lot 12 Block 29 San Diego Property Union Subdivision, to point of intersection with public sewer, to serve property at 3321 Ash Street, subject to approval of the Public Health Department and of the City Manager, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 102991, recorded on Microfilm Roll No. 41, authorizing Miss Clara E. Breed, City Librarian, to go to San Francisco for the purpose of attending the second meeting of the Governor's Committee to make recommendations for State Librarian, to be held on Thursday, July 19, 1951, and to Palo Alto for the purpose of discussing library building plans with Donald Bean of the Stanford University Press, and to visit San Francisco Public Library's two new branches, and the University of San Francisco library, and also to visit the Richmond and Oakland Public Library buildings, and possibly to the University of California at Los Angeles and the University of California at Berkeley to secure information about furniture contracts, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 102992, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by The First National Trust and Savings Bank of San Diego, beneficiary and trustee, bearing date June 8, 1951, subordinating its right, title and interest in and to a portion of Lot 5 in Partition of Pueblo Lot 1209, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, California, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102993, recorded on Microfilm Roll No. 41, accepting deed of Sylvester Andrew Williams and Jewel Jackson Williams, bearing date June 14, 1951, conveying a portion of Lot 1 Block 1 Broderick and West Addition, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102994, recorded on Microfilm Roll No. 41, accepting deed of Ella Jones, bearing date June 13, 1951, conveying a portion of Lot 39 Block 2 Broderick and West Addition, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102995, recorded on Microfilm Roll No. 41, accepting deed of John R. Koontz and Gloria Koontz, bearing date June 7, 1951, conveying an easement and right of way for street purposes in portion of Lot 5 Partition of Pueblo Lot 1209, setting aside and dedicating the same to the public use as and for a public street, and naming the same Brandywine Street, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102996, recorded on Microfilm Roll No. 41, accepting deed of Langley Corporation, bearing date June 14, 1951, conveying an easement and right of way for street purposes in a portion of the southerly half of Lot 41 Horton's Purchase in Ex Mission Lands of San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Euclid Avenue, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102997, recorded on Microfilm Roll No. 41, accepting deed of Glenn F. Moon and Ruth Moon, bearing date June 26, 1951, conveying portions of Lots 8 and 9 of Orange Crest, designating the same and setting aside said parcel as and for a public street, and naming the same 54th Street, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102998, recorded on Microfilm Roll No. 41, accepting deed of Reg G. Stalmer and Alma J. Stalmer, bearing date June 1, 1951, conveying an easement and right of way for street purposes in portion of Lot 4 in Subdivision of the East Half of Pueblo Lot 1215, setting aside and dedicating the same to the public use, as and for a public street, and naming the same Linda Vista Road, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 102999, recorded on Microfilm Roll No. 41, accepting deed of Robert A. West and Clara L. West, bearing date June 8, 1951, conveying an easement and right of way for street purposes in portion of Lots 18, 19, 20, 21 Sefton Estates, setting aside and dedicating the same to the public use as and for a public street, and naming the same Narragansett Avenue, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103000, recorded on Microfilm Roll No. 41, accepting deed of Western Mutual Corporation, bearing date June 18, 1951, conveying an easement and right of way for street purposes in portion of Quarter Section 81 in Rancho de la Nacion, setting aside and dedicating the same to the public use as and for a public street, and naming the same Potomac Street, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103001, recorded on Microfilm Roll No. 41, accepting deed of Glenroy E. Maclachlan and Jean B. Maclachlan, bearing date June 14, 1951, conveying an easement and right of way for street purposes in portion of Lot 20 La Mesa Colony, setting aside and dedicating the same to the public use as and for a public street, and naming the same Seminole Drive, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103002, recorded on Microfilm Roll No. 41, accepting deed of Letitia Christie, as executrix of the Last Will and Testament of Jerome C. Christie, bearing date June 15, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 24 Southern Title Guaranty Company's Subdivision of Pueblo Lot 1801 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103003, recorded on Microfilm Roll No. 41, accepting deed of William J. Evers and Eileen G. Evers, bearing date July 5, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 44 Block 2 Sun Harbor Tract No. 1, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103004, recorded on Microfilm Roll No. 41, accepting deed of Louis Fellen, bearing date June 11, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 26 Block 1 Buena Vista Tract, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103005, recorded on Microfilm Roll No. 41, accepting deed of Max C. Fitzenmeyer and Joy V. Fitzenmeyer, bearing date June 14, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 30 Block 64 E. W. Morse's Subdivision, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103006, recorded on Microfilm Roll No. 41, accepting deed of Ruth Jett Sturgess, bearing date May 25, 1951, conveying an easement and right of way for sewer purposes in portions of Lots 15, 16 and 17 Block 128 City Heights, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4854 (New Series), recorded on Microfilm Roll No. 41, establishing the grade of the Alley in Block 66 City Heights, between the southerly line of Wightman Street and a line produced at right angles westerly from a point on the easterly line of said alley and distant 520.00 feet southerly along the easterly line of said Alley from the southerly line of Wightman Street, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

ORDINANCE NO. 4855 (New Series), recorded on Microfilm Roll No. 41, establishing the grade of the Alleys in Block 30 Normal Heights: the East and West Alley, between the west line of 33rd Street and the east line of Bancroft Street; the North and South Alley, between the north line of the East and West Alley in said Block, and the south line of Collier Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

ORDINANCE NO. 4856 (New Series), recorded on Microfilm Roll No. 4, establishing the grade of 51st Street, between the northerly line of Polk Avenue and the northerly line of University Avenue, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

At this time, Mayor Butler recognized Mr. C. O. Heffner, president of the Old San Diego Chamber of Commerce, who spoke about the need for improvement of the "back streets in Old Town". He said he had mailed letters to the City, and had anticipated the

letter appearing on the Council agenda for this meeting, and some action taken thereon at this time. (The letter referred to by Mr. Heffner had not been received by the City Clerk, so had not been listed on the agenda).

E. W. Blom, Assistant City Manager, made a verbal report in the matter. He said that the question is being discussed with the Council, in Conference, regarding capital improvements. He told the Council that it is a large project, which will need considerable study before final recommendation can be made and action taken.

The City Manager said that a storm drain has to be installed before any of the other proposed improvements can be made.

No action was taken.

There being no further business to come before the Council at this time, the meeting was adjourned at the hour of 10:33 o'clock A.M., on motion of Councilman Schneider, seconded by Councilman Dail.

The Mayor announced that after a 10-minute recess, the Council would meet in conference.

The following matters had been listed on the agenda, for Council information, with the notation that they had been referred direct to the City Manager to expedite handling:

Petition of Residents objecting to noisy, unsanitary conditions in the 2200 Block of Bacon Street;

Petition of Residents for changing of the name of West Muirlands Drive to Muirlands Drive;

Petition of Linda Vista Democratic Club, the Senior Women's Club and the Junior Women's Club, all of Linda Vista, for installation of two additional street lights;

Petition of Property Owners for the closing of Stone Street, for its entire length;

Communication from E. L. Baumgardner making suggestions relative to water conservation;

Communication from Mrs. T. N. Calvert, objecting to cars parked day and night in front of 2220 Adams Avenue, oil in the street, etc.;

Communication from Myron D. Collins relative to a symphony orchestra organization in San Diego;

Communication from Dan P. Harmer relative to needed improvements at the park near 38th and Dwight Streets.

John D. Butler

Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *A. M. Hadstrom* Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, July 17, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:12 o'clock A.M.

Present--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen Wincote
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, July 10, 1951, and of Thursday, July 12, 1951, were presented to the Council by the Clerk. On motion of Councilman Godfrey, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the paving and otherwise improving of Oliver Avenue, within the limits and as particularly described in Resolution of Intention No. 102301, the Clerk reported that 5 bids had been received, which bids were presented to the Council. On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Cox Bros. Construction Co., Box 36 Stanton, California (Orange County), accompanied by bond written by Great American Indemnity Company in the sum of \$2,500.00, which bid was given Document No. 436054;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of two thousand two hundred dollars, which bid was given Document No. 436055;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of three thousand dollars, which bid was given Document No. 436056;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of two thousand dollars, which bid was given Document No. 436057;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of two thousand five hundred dollars, which bid was given Document No. 436058.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the improvement of Montezuma Road, between 63rd Street and El Cajon Blvd. (not a 1911 Public Improvement Act proceeding), the Clerk reported that 7 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Company, Cabrillo Freeway and Friars Road, accompanied by bond written by Pacific Indemnity Company in the sum of 10% of amount bid - on Schedule A - which bid was given Document No. 436059;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., P.O. Box "F" Hillcrest Sta., San Diego, Calif., accompanied by bond written by Continental Casualty Company in the sum of 10% of the aggregate sum of the bid - on Schedule A - which bid was given Document No. 436060;

The bid of Daley Corporation, Mission Valley and Ward Road, accompanied by bond written by Glens Falls Indemnity Company in the sum of fifteen thousand dollars, - on Schedule A - which bid was given Document No. 436061;

The bid of California Electric Works, 424 Eighth Avenue, San Diego, California, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of ten percent of the amount bid, - on Schedule B - which bid was given Document No. 436062;

The bid of Ets-Hokin & Galvan, Ft. of Sampson St., P.O. Box 1630, San Diego, Calif., accompanied by bond written by United States Guarantee Company in the sum of ten percent of the accompanying bid - on Schedule A - which bid was given Document No. 436063;

The bid of Griffith Company, 1060 South Broadway, Los Angeles 15, Calif., accompanied by bond written by National Surety Corporation in the sum of thirteen thousand dollars, - on Schedule A - which bid was given Document No. 436064;

The bid of Cox Bros. Construction Co., Stanton, California (Orange County) P.O. Box 36, accompanied by bond written by Great American Indemnity Company in the sum of twelve thousand dollars - on Schedule A - which bid was given Document No. 436065.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

At this time a majority of the members of the Council executed undertakings for the furnishing of electric current, with San Diego Gas & Electric Company, in Seventh Avenue Lighting District No. 1 and in Eighth Avenue Lighting District No. 1.

Councilman Dail was excused from the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing had been continued, for the paving of La Jolla Hermosa Avenue, within the limits and as particularly described in Resolution No. 102639 of Preliminary Determination, from the meeting of July 10, 1951 (at which time the hearing was "closed"), for a report from the City Manager and City Attorney on a formula to be used on the assessment, the City Engineer read his letter of July 12, 1951, addressed to the City Manager.

The Mayor asked Mr. Kebeck, who had spoken at the previous hearing, if he wished to be heard again, although he mentioned that the hearing had been "closed".

Mr. Kebeck said that there had been no neighborhood meeting, so far as the property owners favoring his point of view was concerned.

Councilman Dail returned to the meeting at this time.

Colonel Emory spoke. He said that property owners on his side of the street had a meeting last night, and declared that they oppose the 40% west, 60% east formula. He proposed that the assessment basis be changed so as to be solely on frontage, rather than on an area basis, which he said had been favored by all who were present at said meeting.

The Mayor pointed out that the property owners are not in a position to determine how they wish to have the assessment levied, but that the Council will have to make the final decision.

Mrs. Lawson spoke in favor of frontage basis, only.

Councilman Godfrey asked about what assessments would be on a 45%, 55% basis.

The City Engineer's reply was approximately \$648.00 east side, \$576.00 west side.

The City Manager, asked for a recommendation, reported on the general practice of spreading assessments, as in alleys, which would be about 60% - 40%.

Councilman Godfrey referred to "not the whole of one side of the street being affected, but only the 6 property owners who have no access to the street, on account of the wall".

Unidentified individuals, whose names the Mayor did not ask, spoke and expressed their views. Their remarks were not recorded, inasmuch as the Clerk did not know who the speakers were.

Councilman Godfrey moved that the 55%, 45% formula be used.

Deputy City Attorney Louis Karp said that Mr. Godfrey's motion was out of order. He said that the assessment will be made by the Street Superintendent after the work is completed, and that it will be his determination as how the costs are to be spread. He said that the Council can indicate its views at this time only, but cannot determine the point being discussed, now.

Councilman Godfrey moved to adopt the Resolution of Feasibility, which motion was seconded by Councilman Kerrigan.

Before the roll was called, the City Attorney and the Mayor informed those present who were interested in the improvement, that further protests may be made at the proper time.

Verbal protests were referred to by the Clerk, who thought they should be overruled. Mr. Karp said there was nothing to overrule, referring to the comments made by various speakers, which dealt only with method of spreading the future assessment.

RESOLUTION NO. 103007, recorded on Microfilm Roll No. 41, determining the proposed paving and otherwise improving of La Jolla Hermosa Avenue, within the limits and as particularly described in Resolution No. 102639 of Preliminary Determination, to be feasible and that the lands to be assessed therefor will be able to carry the burden of proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

At this time Mayor Butler introduced a large group of students, composing the Point Loma High School Civics Class, whose teacher is George Banks.

The Mayor thanked the students for attending the meeting, and invited them to arise, which they did.

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing for the paving of 59th Street and Kenwood Street, within the limits and as particularly described in Resolution of Intention No. 102545, had been continued from the meeting of July 10, 1951, the Mayor asked C. A. Brown, attorney, who had asked for a week's continuance at the previous hearing, if he wished to be further.

Mr. Brown said that his previous protest and those of others whom he presumed to represent, were withdrawn.

When a motion was made to refer the matter to the City Attorney for the next step, the Clerk called the Council's attention to the written protest on file upon which action was needed.

RESOLUTION NO. 103008, recorded on Microfilm Roll No. 41, overruling and denying the protest of property owners filed in the office of the City Clerk against the proposed improvement of 59th Street and Kenwood Street, within the limits and as particularly described in Resolution of Intention No. 102545, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed paving and otherwise improving of Beardsley Street and 22nd Street, within the limits and as particularly described in Resolution No. 102728 of Preliminary Determination, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 103009, recorded on Microfilm Roll No. 41, determining that the proposed improvement of Beardsley Street and 22nd Street, within the limits and as particularly described in Resolution No. 102728 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

William Starke, who had appeared before the Council last week in connection with the Planning Commission's recommendation for denial of the request to rezone Lots 1 - 5 Block 2 Broderick and West Addition, asked about the matter.

The Mayor said that Louis Karp, Deputy City Attorney, had reported to him that the opinion asked for on a possible zone variance was not available.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the matter was continued one week.

Mr. Karp said that an opinion had been written, but that the Attorney's office felt the need for expanding upon it, and would not be ready at this time to report fully.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed paving and otherwise improving of Coronado Avenue, Del Mar Avenue and Orchard Avenue, within the limits and as particularly described in Resolution No. 102729 of Preliminary Determination, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to offer verbal protests, and no written protests were presented.

Mrs. Imhoff, who resides at Coronado and Del Mar Avenues, spoke for the paving.

RESOLUTION NO. 103010, recorded on Microfilm Roll No. 41, determining that the proposed improvement of Coronado Avenue, Del Mar Avenue and Orchard Avenue, within the limits and as particularly described in Resolution No. 102729 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed paving and otherwise improving of 33rd Street and Public Rights of Way, within the limits and as particularly described in Resolution No. 102730 of Preliminary Determination, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 103011, recorded on Microfilm Roll No. 41, determining that the proposed improvement of 33rd Street and Public Rights of Way, within the limits and as particularly described in Resolution No. 102730 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed paving and otherwise improving of Riley Street, within the limits and as particularly described in Resolution of Intention No. 102629, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2014, made to cover the cost and expenses of the paving and otherwise improving of Quimby Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 100061, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 103012, recorded on Microfilm Roll No. 41, confirming and approving the Street Superintendent's Assessment No. 2014, made to cover the cost and expenses of the paving and otherwise improving of Quimby Street and Chatsworth Boulevard, within the limits and as particularly described in Resolution of Intention No. 100061, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portions of Pueblo Lots 1112 and 1118 - in the vicinity of Cabrillo Freeway and Camino del Rio - into "R-1A" and "RC" Zones, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4857 (New Series), recorded on Microfilm Roll No. 41, incorporating portions of P.L. 1112 and P.L. 1118 into "R-1A" and "RC" Zones as defined by Ordinance No. 8924 and amendments thereto; repealing Ordinance No. 1947 (New Series) adopted October 1, 1940, insofar as the same conflicts, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

The final reading of such Ordinance was in full.

Petition of Sam M. Stutz, 4713 Van Dyke Avenue, being application for Class "A" Dine and Dance License for the Hurricane Cafe, 436 University Avenue, was presented together with recommendations for granting from the interested City departments.

RESOLUTION NO. 103013, recorded on Microfilm Roll No. 41, granting application of Sam M. Stutz for a Class "A" license to conduct a public dance at the Hurricane Cafe, 436 University Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Claim of The Rev. W. F. DeBeck, 5617 Bellevue Street, La Jolla, in the sum of \$150.00, for damage to his automobile by a projecting fire hydrant cap, was presented.

RESOLUTION NO. 103014, recorded on Microfilm Roll No. 41, referring claim of Rev. W. F. DeBeck to Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Dorothy (Mrs. W. H.) DeWolf, 3033 Freeman Street, in the sum of \$6.00, for damage done to her automobile by a City trash truck, was presented.

RESOLUTION NO. 103015, recorded on Microfilm Roll No. 41, referring claim of Dorothy DeWolf to the Pacific Indemnity Company was, on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Mrs. Elizabeth McCann, 3735 Arnold Avenue, in an unspecified sum, for damage done to residences at 3735 and 3741 Arnold Avenue, from backed-up sewer, was presented.

RESOLUTION NO. 103016, recorded on Microfilm Roll No. 41, referring claim of Mrs. Elizabeth McCann to the Pacific Indemnity Company, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Claim of Ralph M. Vasquez, 2768 Boston Avenue, in the sum of \$256.27, for damage to her residence at that address, from backed-up sewer, was presented.

RESOLUTION NO. 103017, recorded on Microfilm Roll No. 41, referring claim of Mrs. Ralph M. Vasquez to the Pacific Indemnity Company was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Harbor Department, signed by the Acting Port Director, submitting two leases and one personal service contract, for confirmation and ratification:

- a. Star and Crescent Oil Company lease at foot of Hawthorn Street;
- b. Star and Crescent Oil Company lease at foot of Market Street;
- c. Contract for services of George F. Nicholson, consulting engineer;

was presented.

RESOLUTION NO. 103018, recorded on Microfilm Roll No. 41, ratifying, confirming and approving lease with Star and Crescent Boat Company, for a period of 5 years, a copy of which is on file in the office of the City Clerk as Document No. 435799, between The City acting by and through the Harbor Commission and said Company - being water area only, for wharf unloading of gasoline and petroleum products - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103019, recorded on Microfilm Roll No. 41, ratifying, confirming and approving lease with Star and Crescent Boat Company, for a period of 5 years, a copy of which is on file in the office of the City Clerk as Document No. 435802, between The City acting by and through the Harbor Commission and said Company - being water area only, and municipally-owned wharf space for mooring vessels - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103020, recorded on Microfilm Roll No. 41, authorizing and empowering the Harbor Commission to employ George F. Nicholson as Engineer Consultant for the fiscal year 1951-1952 at the rate of \$50.00 per day plus expenses, to cover approximately 50 days, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Prior to adoption of said Resolution No. 103020, its terms and purpose were explained to the Council by the Port Director.

Communication from the Purchasing Agent reporting on bids for remodeling of and addition to the Administration Building, Lindbergh Field, received June 28, 1951 - 2 bidders - recommending award to Helmer Eden, Inc., the low bidder, was presented.

RESOLUTION NO. 103021, recorded on Microfilm Roll No. 41, accepting bid of Helmer Eden, Inc., for the construction of remodeling and addition to the Administration Building, Lindbergh Field, awarding contract and authorizing a majority of the members of the Harbor Commission to enter into and execute a contract therefor, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent reporting on bids for construction of a concrete parking apron in front of the Administration Building, Lindbergh Field, received June 20, 1951 - 4 bidders - recommending award to V. R. Dennis Construction Company, the low bidder, was presented.

RESOLUTION NO. 103022, recorded on Microfilm Roll No. 41, accepting bid of V. R. Dennis Construction Company for the construction of a concrete parking apron in front of the Administration Building, Lindbergh Field, awarding contract and authorizing a majority of the members of the Harbor Commission to enter into and execute a contract therefor, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent reporting on bids for moving and renovation of the hangar located at 2830 Pacific Highway, received June 19, 1951 - 2 bidders - recommending award to Jim C. Slaughter, was presented. (Slaughter was low bidder).

RESOLUTION NO. 103023, recorded on Microfilm Roll No. 41, accepting bid of Jim C. Slaughter for the moving and renovation of the hangar located at 2830 Pacific Highway, awarding contract and authorizing a majority of the members of the Harbor Commission to enter into and execute a contract therefor, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4858 (New Series), recorded on Microfilm Roll No. 41, appropriating the sum of \$444,000.00 from the Harbor Development Fund, for the purpose of providing funds for:

- a. Remodeling of and addition to the Administration Building, Lindbergh Field Municipal Airport;
- b. Construction of a concrete parking apron in front of the Administration Building, Lindbergh Field Municipal Airport;
- c. Moving and renovation of the hangar located at 2830 Pacific Highway, Lindbergh Field Municipal Airport;

transferring to the unappropriated surplus of the Harbor Development Fund, the unexpended balance of monies appropriated by Ordinance 4608 (New Series) for improvements to the Airport Terminal Building, Airport Paving and Site Clearance; - \$120,000.00 - transferring to the unappropriated surplus of the Harbor Development Fund, the unexpended balance of monies appropriated by Ordinance 4180 (New Series) for the Dredging and Filling the Bay of San Diego and construction of piers at 10th Street and 28th Street; - \$125,000.00 - was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 2 6-drawer Card Catalog Cabinets for the City Library, was presented.

RESOLUTION NO. 103024, recorded on Microfilm Roll No. 41, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of 2 6-Drawer Card Catalog Cabinets for the City Library, under Specifications bearing Document No. 435970, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103025, recorded on Microfilm Roll No. 41, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expenses necessary or incidental to the construction of the concrete work of the fresh water backflow protection unit at the Sewage Treatment Works, bearing Document No. 435973, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103026, recorded on Microfilm Roll No. 41, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expenses necessary or incidental to the construction of the electrical work of the fresh water backflow protection unit at the Sewage Treatment Works, bearing Document No. 435975, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103027, recorded on Microfilm Roll No. 41, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expenses necessary or incidental to the construction of the water serviceline to the fresh water backflow protection unit at the Sewage Treatment Works, bearing Document No. 435977, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103028, recorded on Microfilm Roll No. 41, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental to the construction of a sewer outfall in Lot 2 and 3 Marcellena Tract, Montezuma Road, Littlerock Road, et al., to serve Alvarado Subdivision, bearing Document No. 435979, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Manager returning petition of the Rev. Joseph F. Morgan, First Church of the Nazarene, 936 Fourteenth Street, San Diego 2, requesting permit for his two sons to paint house numbers on curbs, was presented.

Accompanying the Manager's letter, was copy of his reply to Rev. Morgan, which says that the request cannot be granted, and which reply contained the several reasons for not granting the permit.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's communication and the matter to which it referred, were ordered filed.

Communication from the City Manager reporting on communication from Mrs. Mildred A. Oster, 3424 McCandless Blvd., San Diego 13, dated July 4, inquiring as to status of claim filed April 19, was presented.

Accompanying the Manager's letter, was copy of his reply to Mrs. Oster, which stated that he had been advised by the City's insurance carrier that check had been mailed to her on July 10.

Communication from the City Manager returning letter from R. W. Reed, 4381 New Jersey Street, relative to bridges, bomb shelters, sewage disposal, taxes on vacant land, and other subjects, was presented.

Accompanying the Manager's letter, was copy of his reply to Mr. Reed thanking him for the several suggestions.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's communication and the matter to which it referred, were ordered filed.

Communication from the City Manager returning petition of Mrs. Lena Liberto, Secretary, Church of Jesus Christ, 7076 Amherst Street, for permission to collect junk for resale for purpose of raising funds for the church, was presented.

Accompanying the Manager's letter, was copy of his reply to Mrs. Liberto which stated that City ordinance prohibits removing contents from refuse receptacles, also that the church does not have facilities to make collections or to provide protection against fire hazards resulting from junk accumulation, and that for those reasons it is inadvisable to grant the request.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the City Manager's letter and the matter upon which it reported, were ordered filed.

Communication from the Street Superintendent, bearing the Assistant City Manager's approval, recommending granting petition for closing portion of 55th Street adjacent to Lots 1 and 16 Seaman Subdivision, for reason that it is a portion being a dead-end northerly from Olive Street, that the topography and location do not fit normal street pattern of proposed subdivision adjoining the same, was presented.

RESOLUTION NO. 103029, recorded on Microfilm Roll No. 41, granting petition for closing portion of 55th Street, contained in Document No. 435421, as recommended by the Street Superintendent, directing the City Engineer to furnish description of lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's approval, recommending that unnamed street created by Court decree in Superior Court Case No. 84864, in the Mission Bay area, be closed, was presented.

RESOLUTION NO. 103030, recorded on Microfilm Roll No. 41, commencing proceedings for the closing of the unnamed street created by Court decree in Superior Court Case No. 84864, in the Mission Bay area, as recommended by the Street Superintendent, directing the City Engineer to furnish description of lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

(Said proceedings were initiated upon recommendation of the Planning Director).

Communication from the City Attorney, signed by the Assistant City Attorney, reporting on protest of Mrs. Charles W. Pierceall against sewer assessment against her Lot 29 Block 52 Fairmount Addition to City Heights, in the sum of \$77.63, was presented.

Said report stated that the City does not have the right to make the charge inasmuch as lateral has already been paid for in an adjacent street.

RESOLUTION NO. 103031, recorded on Microfilm Roll No. 41, authorizing and directing the City Manager to take the necessary action which will result in payment by the City to the contractor or to the Street Superintendent in his behalf, the amount of money necessary to cancel completely assessment against Lot 29 Block 52 Fairmount Addition to City Heights which lot has been assessed \$77.63 for public improvement, which said property has already been connected with the City sewer system and is therefor not benefited in any by such improvement, the owner of which has protested the assessment upon grounds set forth, and it being the Council's opinion that the protest should be sustained, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, reporting on petition of San Diego Unified School District for rezoning Lot 13 Cave and McHatten Addition, excepting Wly 200 feet, from the existing R-1 Zone to R-2 - on Detroit Street westerly of 59th Street, was presented.

The purpose of the zone change would be to permit construction of a school.

Said communication recommended reference to the City Attorney for preparation and presentation of the necessary ordinance, which would be followed by a Council hearing.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said communication was referred to the City Attorney for preparation and presentation of an ordinance.

Communication from S. Y. Robbins, 1257 N. Magnolia, El Cajon, Cal., dated July 11, 1951, stating that the City of San Diego needs a new Chief of Police, and that he is qualified to be appointed to the position, was presented.

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

Communication from Pacific Indemnity Company, dated July 11, 1951, signed by J. M. MacConnell, reporting that the claim of Allen's Exclusive Pharmacy, in the sum of \$84.36 for damage to stock by broken water main, had been paid, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated July 11, 1951, signed by J. M. MacConnell, reporting that the claim of Lewis H. Bray, in the sum of \$26.96, for damage to his automobile, had been paid.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated July 11, 1951, signed by J. M. MacConnell, reporting on claims of Anna M. Hubbard, Alfred R. Hubbard, and E. Werden Conway their attorney (Hubbard claim \$2,000.00 - insurance company claim \$49.25), stating that case had been closed by payment of \$850.00 on July 3, 1951, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated July 11, 1951, signed J. M. MacConnell, reporting on claim of John E. & Mildred A. Oster, in unspecified sum, for damage to car from spray painting of tanks at Sewage Disposal Plant, stating that case

was closed by payment of \$30.00, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was ordered filed.

RESOLUTION NO. 103032, recorded on Microfilm Roll No. 41, directing notice of filing of the Street Superintendent's Assessment No. 2019, and of the time and place of hearing, for the paving and otherwise improving of Emerald Street, within the limits and as particularly described in Resolution of Intention No. 100058, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103033, recorded on Microfilm Roll No. 41, directing notice of filing of the Street Superintendent's Assessment No. 2020, and of the time and place of hearing, for the paving and otherwise improving of Landis Street, Roselawn Avenue and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 99970, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 103034, recorded on Microfilm Roll No. 41, accepting bid of San Diego Gas & Electric Company and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District No. 1, for a period of one year from and including February 15, 1951, to and including February 14, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 103035, recorded on Microfilm Roll No. 41, accepting bid of San Diego Gas & Electric Company and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 2, for a period of one year from and including March 5, 1951, to and including March 4, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 103036, recorded on Microfilm Roll No. 41, accepting bid of San Diego Gas & Electric Company and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in Presidio Hills Lighting District No. 1, for a period of one year from and including February 1, 1951, to and including January 31, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103037, recorded on Microfilm Roll No. 41, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 149 University Heights, approving Plat No. 2271 showing the exterior boundaries of the district to be included in the assessment for the work and improvement, directing the City Clerk upon passage of the resolution of intention to file said plat in the office of the City Engineer, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 103038, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of the Alleys in Block 1 Ocean View, and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly described in Resolution of Intention No. 102544, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 103039, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Jarvis Street and Scott Street, within the limits and as particularly described in Resolution of Intention No. 102546, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 103040, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Wightman Street, 38th Street and 41st Street, within the limits and as particularly described in Resolution of Intention No. 102547, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103041, recorded on Microfilm Roll No. 41, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1951, to and including April 30, 1952, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103042, recorded on Microfilm Roll No. 41, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the

ornamental street lights located in Montemar Lighting District No. 1, for a period of one year from and including December 16, 1950, to and including December 15, 1951, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING IMPROVEMENT No. 103043, recorded on Microfilm Roll No. 41, for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1951 to and including April 30, 1952, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 103044, recorded on Microfilm Roll No. 41, for the closing of portion of Friars Road, as more particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 103045, recorded on Microfilm Roll No. 41, for the closing of portion of Linda Vista Road, as more particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 103046, recorded on Microfilm Roll No. 41, for the closing of Ocean Boulevard, as more particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103047, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of the Alley in Block 149 University Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 103048, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of 60th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103049, recorded on Microfilm Roll No. 41, appointing time and place for hearing protests, and directing notice of hearing, for the furnishing of electric current together with maintenance of appliances and other electrical equipment for the lighting of street lamps in Mission Beach Lighting District No. 1, for a period of one year including May 15, 1951, to and including May 14, 1952, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103050, recorded on Microfilm Roll No. 41, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 2 Subdivision of Lots 7 to 17 inclusive, Block N Teralta, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103051, recorded on Microfilm Roll No. 41, ascertaining and declaring the wage scale for the paving and otherwise improving of Brant Street and Washington Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103052, recorded on Microfilm Roll No. 41, ascertaining and declaring the wage scale for the paving and otherwise improving of Niagara Avenue and Catalina Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103053, recorded on Microfilm Roll No. 41, ascertaining and declaring the wage scale for the paving and otherwise improving of Thorn Street and 45th Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103054, recorded on Microfilm Roll No. 41, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Waverly Avenue and Colima Street, within the limits and as particularly described in Resolution of Intention No. 101200, directing the City Clerk at the same time of said approval to certify the fact and date thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103055, recorded on Microfilm Roll No. 41, approving change order No. 1 dated June 29, 1951, heretofore filed with the City Clerk as Document No. 435993, issued in connection with contract between The City and H. W. Grizzle for the construction of the Utility Building at Municipal Golf Course, Balboa Park, which contract is contained in Document No. 434678, changes amounting to increase in contract price of \$80.00, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103056, recorded on Microfilm Roll No. 41, approving change order No. 8 dated June 29, 1951, heretofore filed with the City Clerk as Document 435995, issued in connection with contract between The City and H. W. Grizzle for the construction of Fire Station No. 5 at Ninth and University Avenues, which contract is contained in Document No. 428790, changes amounting to increase in contract price of \$16.10, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103057, recorded on Microfilm Roll No. 41, authorizing and directing the City Manager to execute an agreement for the leasing of City-owned property at 5333 Custer Street to San Diego Humane Society, under terms and conditions set forth in said lease, a copy of which is filed in the office of the City Clerk as Document No. 436075, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103058, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to grant a permit to the San Diego Police Relief Association to occupy and manage the bowling alley in the Police Headquarters Building located at the corner of Pacific Highway and Market Street, and that said Association be given the concession stand and vending machines in said bowling alley and at various locations in the Police Headquarters Building and at the Police Department Pistol Range, commissions from said permit and concessions to be used for the benefit of the San Diego Police Relief Association, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103059, recorded on Microfilm Roll No. 41, granting permission to the Jewish War Veterans of the United States, Ladies' Auxiliary of San Diego Post No. 185, to conduct their annual sale of poppies on the City streets on Tuesday, August 14, 1951, for the purpose of raising funds for charitable work carried on by said organization in behalf of veterans in tuberculosis wards and the rheumatic fever ward of the United States Naval Hospital in San Diego, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103060, recorded on Microfilm Roll No. 41, granting application of Edward F. Cox, 3978 Park Boulevard, San Diego, to operate 8 ambulances and hearses for Lincoln Ambulance Service, as recommended by the Chief of Police and the City Manager, pursuant to provisions of Section 2 Ordinance No. 2424 (New Series) as amended by Ordinance No. 3564 (New Series), subject to compliance with all ordinances and regulations of The City of San Diego pertaining to operation of automobiles-for-hire and taxicabs within the City, within the periods of time prescribed therein, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager recommending granting of excess-width driveway permit to Reg Stalmer, 305 Washington Street, San Diego, on Washington Street between 3rd and 4th Avenues, was presented.

RESOLUTION NO. 103061, recorded on Microfilm Roll No. 41, granting permission to Reg Stalmer, 305 Washington Street, San Diego 3, to remove 35 feet of curbing on the north side of Washington Street, between points 26 and 61 feet east of the east line of Third Avenue, and install a 35-foot driveway on Washington Street, between Third Avenue and Fourth Avenue, to serve a used car and customer parking lot, to replace a 36-foot driveway to the east, on the same frontage, which latter driveway will be removed and the curb and sidewalk, including alley return, to be properly restored, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Councilman Schneider asked about the driveway, and his questions were answered by the City Manager.

RESOLUTION NO. 103062, recorded on Microfilm Roll No. 41, granting permission to Edgar Jero Hayes, Jr., 2562 Commercial Street, San Diego, to install a 4-inch cast iron sewer line between the property line and the sidewalk, to be placed 1 foot outside the property line and run in an easterly direction, parallel to the northerly line of Lots 12 and 1 Block 21 Wetmore & Sanborn's Subdivision, to point of intersection with public sewer, to serve property at 3267 Greeley, pursuant to the provisions of Section 32 of Ordinance No. 11648, subject to approval by the City Manager and the Department of Public Health, and on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103063, recorded on Microfilm Roll No. 41, authorizing the Director of the Water Department to send inspectors to the Los Angeles area for inspection during manufacture of pipe and fittings for the Lakeside Pumping Plant, said inspectors being authorized to incur all expenses necessary in connection with said trip, estimated at approximately \$500.00, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4859 (New Series), recorded on Microfilm Roll No. 41, appropriating the sum of \$5,000.00 from the Unappropriated Balance Fund, for the purpose of providing funds to cover the City's share of the cost of water conservation activities conducted through the Water Conservation Committee, was on motion of Councilman Godfrey, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4860 (New Series), recorded on Microfilm Roll No. 41, appropriating the sum of \$250.00 from the Unappropriated Balance Fund, and transferring the same to Maintenance and Support Account 22.93, Park and Recreation Department Fund, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Wincote.

The final reading of such Ordinance was in full.

Councilman Schneider, asked for details of the ordinance, and its purpose, which the City Manager answered by saying that funds were to be used for rental of portable restroom facilities at public events at Mission Bay.

On motion of Councilman Godfrey, seconded by Councilman Schneider, the Council took a recess at the hour of 11:20 o'clock A.M., until the hour of 3:00 o'clock P.M. this date.

The Mayor announced that a Conference was to be held at the hour of 2:00 o'clock P.M. today.

Upon reconvening, at the hour of 4:43 o'clock P.M., the roll call showed the following:

Present--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.
Absent---Councilmen Swan, Wincote.
Clerk----Fred W. Sick

The next Resolution was presented by the Mayor, who read it to the Council:

"RESOLUTION NO. 103064

WHEREAS, Walter W. Austin was a distinguished citizen and resident of The City of San Diego for thirty years; and

WHEREAS, Walter W. Austin was active in civic affairs, being the founder and former president of the San Diego Business Men's Art Club and founder and first president of the Executives' Association of San Diego; and

WHEREAS, said Walter W. Austin was an active advocate of water development for The City of San Diego; NOW, THEREFORE,

BE IT RESOLVED By the Council of The City of San Diego, as follows:

That in the passing of Walter W. Austin, Ex-Mayor of The City of San Diego, the City has lost an active and constructive citizen, as well as a city official who was always concerned with the well being and happiness of San Diego.

AND BE IT FURTHER RESOLVED, that the City Council does hereby extend its sympathy and condolence to the family of said Walter W. Austin; and does hereby direct that a copy of this resolution be sent to the members of the family of the said Walter W. Austin", was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

The City Manager requested, and was granted, permission under unanimous consent to present the next matters not listed on the Council's agenda:

RESOLUTION NO. 103065, recorded on Microfilm Roll No. 41, establishing the price of fifty cents per copy to be charged, plus State Sales Tax, by the City Clerk for the 1951 revised edition of the City Charter; authorizing the City Clerk to issue, without charge, copies of said revised charter to the various City Departments, to Libraries, Municipalities, and Courts; determining that each Councilman shall be entitled to receive not to exceed twenty-five copies thereof for distribution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103066, recorded on Microfilm Roll No. 41, accepting deed of Palmer Hughes, bearing date July 12, 195, conveying an easement and right of way for sewer purposes in portion of Lot 45 Block 38 La Jolla Park, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The following items were withdrawn from Council Conference, and ordered filed:

Communication from Richard L. Parsons, 2660 E Street, relative to lack of improvement in the City's transportation system, bearing Document No. 433918;

Communication from San Diego Tavern Owners and Associates, Tobacco Vendors, and others for rehearing on Ordinance No. 4784 (New Series) prohibiting the "26 Dice" game, bearing Document No. 434274;

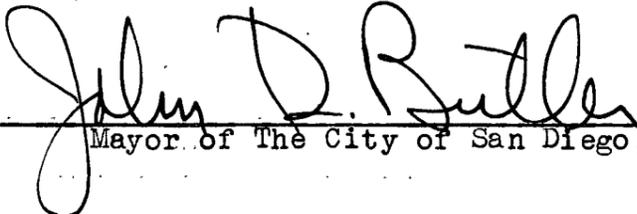
Communication from the Better Business Bureau relative to need for regulations in connection with "going out of business sales", bearing Document No. 434977.

The following items were listed on the Council's agenda as having been referred by the City Clerk directly to the City Manager, to expedite handling:

Communication from A. C. Berner, Sr., relative to housing project in Albuquerque, New Mexico, and relative to additional housing needs in San Diego;

Communication from E. R. Lane relative to conditions existing in Park de la Cruz, on 38th Street.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 4:47 o'clock P.M.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By  _____
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, July 19, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

Absent---Councilmen None.
Clerk----Fred W. Sick.

The hearing on the proposed Ordinance establishing setback lines on Ventura Place and Ventura Boulevard, set for this time, was continued temporarily, awaiting arrival of the Planning Director.

Claim of Helen D. Bohn, Box 258 Encinitas, California, in the sum of \$40.00, for personal injury in fall on sidewalk, was presented.

RESOLUTION NO. 103067, recorded on Microfilm Roll No. 41, referring claim of Helen D. Bohn to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Claim of F. J. Eppich, on behalf of Kathryn G. Johnston, 3105 Marlborough Ave., San Diego, in the sum of \$450.00, for damage to residence at 3109-1/2 Marlborough Avenue from sewer line stoppage, was presented.

RESOLUTION NO. 103068, recorded on Microfilm Roll No. 41, referring claim of F. J. Eppich on behalf of Kathryn G. Johnston to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Claim of Emma H. Heiser, 3087 "J" Street, in the sum of \$17.55, for damage to automobile by City truck parked in front of her residence, was presented.

RESOLUTION NO. 103069, recorded on Microfilm Roll No. 41, referring claim of Emma H. Heiser to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Claim of Earl Meech, 3092 University Avenue, San Diego 4, in the sum of \$59.69, for damage to his automobile when struck by a City-owned truck, was presented.

RESOLUTION NO. 103070, recorded on Microfilm Roll No. 41, referring claim of Earl Meech to the Pacific Indemnity Company was, on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Port Director, submitting Resolutions confirming agreement for employment of C.E. Jacobson as Traffic Consultant, and agreement for amendment of Tideland Lease with Anderson-Dunham Company, was presented.

Said communication was read to the Council.

RESOLUTION NO. 103071, recorded on Microfilm Roll No. 41, authorizing and empowering the Harbor Commission to employ C. E. Jacobson as Traffic Consultant for the fiscal year 1951-1952 at the rate of \$40.00 per day plus expenses, said employment to cover approximately 25 days, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103072, recorded on Microfilm Roll No. 41, ratifying, confirming and approving agreement for amendment of tideland lease with The Anderson-Dunham Company (in premises known as the Port Cafe), a copy of which is contained in Document No. 436174 on file in the office of the City Clerk - original lease being numbered 402522 - was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of electric service lines, including a vault, flood lights, etc., in Southcrest Park (near 40th and Z Streets), received by the Purchasing Agent on July 10, 1951, recommending award to Pacific Electric, the low bidder of 3 bidders, was presented.

RESOLUTION NO. 103073, recorded on Microfilm Roll No. 41, accepting bid of Pacific Electric, of San Diego, for installation of electric service lines, including vault, flood lights, etc., in Southcrest Park, near 40th and "Z" Streets, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on sale of one house to be moved, located at 608 South 34th Street, on property acquired by the City in connection with Wabash Freeway, stating that there were 7 bidders, and that the house was sold to Riggs and Nelson, 4085 Winona Street, San Diego, the high bidder, for \$1,025.00 plus Sales Tax, and that money has been deposited in the Gas Tax Fund to the credit of the Wabash Freeway Project, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

RESOLUTION NO. 103074, recorded on Microfilm Roll No. 41, accepting bid of Pipe Linings, Inc. for the cleaning and cement mortar lining of the 16-inch cast iron pipe on Torrey Pines Road from Prospect Place to Ardath Road, at the estimated sum of \$24,404.50, authorizing and directing the City Manager to execute contract upon the execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103075, recorded on Microfilm Roll No. 41, authorizing the City Manager to execute an amendment to the contract, Document No. 433127, for purchase of 249 additional Mi-Co Meters from the Michaels Art Bronze Company, Inc., to be furnished at a price of \$50.00 per meter, plus sales or use tax, on the same terms and conditions set forth in the original contract entered into on May 7, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103076, recorded on Microfilm Roll No. 41, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expenses necessary or incidental to the construction of the Lakeside Pumping Plant and appurtenant work, under Document No. 436093, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103077, recorded on Microfilm Roll No. 41, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expenses necessary or incidental to the construction of five Sewer Crossings across Torrey Pines Road between Viking Way and Ardath Road, under Document No. 436095, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, bearing the Asst. Planning Director's signature, recommending approval of the Final Map of Burgener's Holly Glen Unit No. 1, subject to posting of an adequate bond to insure the required improvements, was presented.

RESOLUTION NO. 103078, recorded on Microfilm Roll No. 41, authorizing the City Manager to execute a contract with Louis C. Burgener and Patricia W. Burgener for the installation and completion of the unfinished improvements for Burgener's Holly Glen Unit No. 1, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103079, recorded on Microfilm Roll No. 41, adopting Map of Burgener's Holly Glen Unit No. 1, being a subdivision of portion of Pueblo Lot 1256, accepting on behalf of the public El Paso Real and unnamed easements thereon for public purposes, declaring said street and unnamed easements to be a public street and easements and dedicated to the public use, rejecting as a dedication for a public street the land shown thereon as "Reserved for Future Street", authorizing and directing the City Clerk to endorse upon said map that said street and easements are accepted on behalf of the public as stated, authorizing and directing said City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Senior Planning Technician, recommending granting request of F. E. Melcher for six months' extension on a previous side yard variance granted by the Council, was presented.

RESOLUTION NO. 103080, recorded on Microfilm Roll No. 41, granting request of F. E. Melcher for a six months' extension on Council Resolution No. 100913 adopted January 11, 1951, granting side yard variance to permit construction of a single-family residence with a 4-foot sideyard, on Lot 9 Block B Presidio Hills, adjoining 2476 Presidio Drive, in Zone R-1, as recommended by the Planning Department under date of July 13, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Street Superintendent recommending denial of petition for closing portion of Alley Block G Resubdivision of Point Loma Heights, running northwesterly from Chatsworth Boulevard and adjacent to Lots 10, 11 and 12, and portion Lot 9, and outlining reasons for recommendation for denial, was presented.

RESOLUTION NO. 103081, recorded on Microfilm Roll No. 41, denying petition for closing portion of the Alley running northwesterly from Chatsworth Boulevard along Lots 10, 11, 12 and portion of Lot 9 Block G Resubdivision of Point Loma Heights, filed under

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Document No. 433725, as recommended by the Street Superintendent under Document No. 436103, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Grand Jury, signed by Ernest J. Boud, dated July 13, 1951, enclosing a copy of Ordinance to Provide for Commitment and Treatment of Non-medical Drug Addicts, together with letter on the subject from H. J. Anslinger, Chief of the Federal Narcotic Division, recommending serious consideration for legal action, and requesting advice to the Grand Jury on action taken, was presented.

E. W. Blom, Assistant City Manager, made a brief verbal report in the matter. The Mayor reported, also, on legal aspects of the narcotic question.

Councilman Schneider moved to refer the matter to the City Manager and to the City Attorney for report, which motion was seconded by Councilman Godfrey. The motion was amended to provide for such report being made in two weeks.

There was general discussion on the question, and upon the various phases of the narcotic question, at this time.

The roll was called, and the motion carried to refer the matter to the City Manager and City Attorney for report back to the Council in two weeks.

Communication from San Diego Highway Development Association, 1359 Garnet Avenue, dated July 17, signed by Robert Apitz, Secretary, opposing business frontage encroachments along the Mission Valley Alvarado Canyon Freeway, to preserve the splendid artery against unfortunate incursions experienced in other areas where such business frontages were permitted, was presented.

Councilman Kerrigan moved to refer the matter to the Planning Commission, which motion was seconded by Councilman Swan.

Glenn A. Rick, Planning Director, made a verbal report in which he said that the Planning Department had received a copy of said letter. He pointed out that all the property adjoining the Freeway is in the County, but that there may be City property in some of the area proposed to be annexed.

The roll was called on the motion to refer the communication to the Planning Commission.

Communication from San Diego Liquid Gas & Appliance Company, 3641 Rosecrans Blvd., San Diego 10, dated July 17, 1951, signed by L. H. Dowdy, owner, referring to recently adopted Ordinance No. 4832 (New Series), which precludes delivery of liquified petroleum gas to San Diego Mill Supply Corporation which has been supplied by him for a number of years, was presented.

Said communication pointed out that some years ago the City did away with the office of Boiler and High Pressure Vessel Inspector inasmuch as the California Industrial Safety Commission was placing within the City a resident engineer and that such service would amount to duplication of inspection. It said, further, that all of the Company's operations are under the State's Resident Engineer, and that duplication of service has resulted by having the San Diego Fire Department promulgate and enforce laws. The communication stated that the Council agreed in open meeting on August 24, 1950, when Ordinance No. 4466 was repealed by Ordinance 4516 that in the future, interested persons would be notified and have a chance to be heard on any liquified petroleum gas ordinance before being passed. Now, Mr. Dowdy pointed out, permission has been denied by the Fire Marshal of the City to continue deliveries to San Diego Mill Supply Corp. of cylinders mounted on their crane used to load and unload steel.

The communication was read to the Council.

The Assistant City Manager said he would get in touch with the San Diego Mill Supply Company.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said communication was referred to the City Manager for report back to the Council in one week.

Communication from Pacific Indemnity Company, dated July 16, 1951, signed by J. M. MacConnell, reporting that claim of Marian Parker, in the sum of \$32.66, had been paid on July 11, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Kerrigan, said matter was ordered filed.

The hearing on the proposed ordinance establishing a 15-foot setback line along the north side of Ventura Place between Strandway and Mission Boulevard, and a 5-foot setback line along the north side of Ventura Boulevard between Mission Boulevard and the easterly line of Block 97 Mission Beach, providing a penalty for the violation, which had been continued temporarily, was held at this time.

A written protest from Mrs. J. M. Lu Rochelle, Marion M. Winters, Milo S. Balet, John M. Phillips, and others, was presented, and read.

The Planning Director made a verbal report on existing conditions on the property on the west side, and told of deed restrictions which have expired.

Verbal protests were made by:

John M. Phillips, 750 Ventura, who said that taxes are being paid on private property which is being put to public use, in "C" Zone.

The Planning Director said that the matter had been brought up as a result of the expiration of the deed restrictions.

The City Attorney said, at this point, that the City "may" own the sidewalk area under discussion now, by virtue of use. He said that there are several things which may be done: The City could enjoin property owners from building upon the property being considered; the City could quiet title to that property; or the Property Owners could deed to the City.

The Planning Director said that he wants to see that the City does not have to pay for any buildings which might be built upon the property sought to be covered under

property sought to have included in the setback, and said that his view is for protection of the City.

Councilman Schneider maintained that the property owners should not be taxed for the property, if it is used by the public.

John M. Phillips spoke again, and told the Council that he wants to extend his building, but would not be able to do so if the setback line is established.

Councilman Wincote said that if the property in question is declared to be public property, it would automatically be no longer taxed.

The Planning Director said that it is unusual to have deed restrictions, such as had been placed on the property in question, on commercial property. There had been, he presumed, some reason therefor on the part of the Spreckels Company, original subdividers.

Councilmen Wincote and Swan maintained that the City should be fair to the property owners involved, in its dealings. Councilman Schneider took the same view.

Mr. Phillips spoke again. He said that Morey Levenson, his attorney, is in court today, and felt that it would be well to continue the matter for one week in order that he might be represented by counsel.

Mr. Rick spoke next about the situation on the east side. He contended that the proposed setback is a wise action. He pointed out that the City owns the property on the other side of the street (the south side) - being the Mission Beach Amusement Center. Mr. Rick expressed the belief that it would be unwise to widen the street on that side, and said that it would involve great expense to the City.

Marion Winters spoke, and said that 12-foot sidewalks are needed on commercial streets, and expressed the belief that the property should be taken from the south side. She said that she does not want the sidewalk on her property. He told of having built residential building on the back of her property, to be followed by a store on the front, and has 4 units. She said that if she had known of the proposal to place a setback on the property she would have built smaller residential units so that the store could be larger.

William Milligan spoke in behalf of Mrs. Laura Rochelle. He said that her store depth is only 32.6 feet now, 56 feet wide, also that plans have been approved for a building which had not taken into consideration the proposed setback line.

Mr. Rick said that he wants to protect the front of the property from encroachment.

RESOLUTION NO. 103082, recorded on Microfilm Roll No. 41, continuing the hearing on the proposed ordinance establishing a 15-foot setback line on the north side of Ventura Place between Strandway and Mission Boulevard, and a 5-foot setback line on the north side of Ventura Boulevard between Mission Boulevard and the easterly line of Block 97 Mission Beach and providing a penalty for its violation; requesting Glenn A. Rick, City Planning Director to attempt to work out details with Mrs. Marion M. Winters and Mrs. Laura Rochelle in connection with their proposed buildings, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending granting petition of General Petroleum Corporation for excess-width driveways on Fay Avenue, was presented.

Councilman Schneider questioned the advisability of allocating so much space for service station use, pointing out that it deprives motorists of parking area, and interferes with traffic movement.

The Assistant City Manager made a brief report.

RESOLUTION NO. 103083, recorded on Microfilm Roll No. 41, granting permission to General Petroleum Corporation, P.O. Box 1448, San Diego 12, pursuant to Ordinance No. 837 (New Series), to remove a total of 30 feet of curb on the easterly side of Fay Avenue between points 83 feet and 113 feet south of the south line of Prospect Street, for the installation of a 30-foot driveway as measured at the top of the full-height curb, adjacent to Lots 1 to 6 inclusive Block 38 La Jolla Park, to be in addition to a driveway extending from 3 feet to 35 feet south of the south line of Prospect Street on Fay Avenue, the second driveway to be in connection with remodeling of service station located at the southeast corner of Prospect Street and Fay Avenue, in accordance with City regulations for Curb and Sidewalk removal and Driveway installation, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103084, recorded on Microfilm Roll No. 41, authorizing the Mayor and the City Clerk to execute a quitclaim deed to I. V. Auiler and Helen M. Auiler, husband and wife, of portion of Tract "C" of La Mesa Colony, more particularly described in said Resolution, authorizing and directing said City Clerk to deliver said quitclaim deed to the Supervisor of Properties with instructions that said deed together with a warrant for the sum of \$1000.00 be delivered to the said Auilers upon receipt by the City of a deed conveying portions of Tract "C" La Mesa Colony required for widening of Montezuma Road and El Cajon Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103085, recorded on Microfilm Roll No. 41, accepting subordination agreement executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date June 20, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 58 Ocean View Terrace, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103086, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date June 20, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 58 Ocean View Terrace, to the right of way and easement for storm drain purposes theretofore conveyed, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103087, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by The County of San Diego on the 11th day of June, 1951, subordinating its interest in and to an easement and right of way for sewer purposes heretofore conveyed to The City of San Diego in portion of Lots 11, 12 and 13 Block 128 City Heights, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103088, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by The County of San Diego on the 11th day of June, 1951, subordinating its interest in and to an easement and right of way for sewer purposes heretofore conveyed to The City of San Diego in portion of Lots 18, 19, 20, 21, 22, 23, 24 Block 128 City Heights, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103089, recorded on Microfilm Roll No. 41, accepting partial reconveyance, executed by The First National Trust and Savings Bank of San Diego, trustee, bearing date June 26, 1951, quitclaiming and reconveying to the person or persons legally entitled thereto all that portion of Lot 15 La Jolla Hills, according to Map thereof No. 1479, authorizing and directing the City Clerk to transmit said Partial Reconveyance, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103090, recorded on Microfilm Roll No. 41, accepting deed of I. V. Auiler, Sr. and Helen M. Auiler, bearing date June 22, 1951, conveying portions of Lot "C" of La Mesa Colony, and vacated portion of Cajon Avenue, setting aside and dedicating Parcel 1 as and for and naming the same Montezuma Road and Parcel 2 as and for and naming the same El Cajon Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103091, recorded on Microfilm Roll No. 41, accepting deed of Edna May Remington, executed in favor of the City of San Diego, bearing date July 3, 1951, conveying portions of Lot 1 Block 393 Old San Diego, setting aside and dedicating the same to the public use as and for a public street, and naming the same Morena Boulevard, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103092, recorded on Microfilm Roll No. 41, accepting deed of Jesse B. Oldendorf and Elizabeth F. Oldendorf, bearing date May 26, 1951, conveying a portion of Lot 15 La Jolla Hills, and granting slope rights in an additional portion of said Lot, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103093, recorded on Microfilm Roll No. 41, accepting deed of Ruth Haller Ottaway Sokoloff and Nikolai Sokoloff, bearing date June 14, 1951, conveying a portion of Lot 16 La Jolla Hills, and granting slope rights in said Lot, setting aside and dedicating the same to the public use as and for a public street, and naming the same Torrey Pines Road, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103094, recorded on Microfilm Roll No. 41, accepting deed of Alfred Frank Antonicelli, bearing date June 22, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 4 Florence Heights Addition, authorizing and directing the City Clerk to file said deed of record in the office of the County Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103095, recorded on Microfilm Roll No. 41, accepting deed of Pasquale Antonicelli and Angela Antonicelli, bearing date June 22, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 8 Block 51 Arnold & Choate's Addition, and a portion of Dove Street as closed by Resolution No. 12416 of the Common Council, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103096, recorded on Microfilm Roll No. 41, accepting deed of Pasquale Antonicelli and Angela Antonicelli, bearing date June 22, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 1 and 2 Block 4 Florence Heights Addition, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103097, recorded on Microfilm Roll No. 41, accepting deed of John F. Evans and Della Evans, bearing date June 20, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 45 Block 180 University Heights, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, California, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103098, recorded on Microfilm Roll No. 41, accepting deed of C. T. Hampton and Emma L. Hampton, bearing date June 21, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 29 Block 3-1/2 of the Subdivision of Blocks 3, 6, 9 and 12 in City Heights Annex No. 1, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103099, recorded on Microfilm Roll No. 41, accepting deed of Christopher Mehl, bearing date May 16, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 18, 19, 20, 21, 22, 23, 24 Block 128 City Heights, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103100, recorded on Microfilm Roll No. 41, accepting deed of Grover L. Pike, Glynn L. Pike and Alexia B. Pike, bearing date May 26, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 1 Block 6 Homeland Villas, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103101, recorded on Microfilm Roll No. 41, accepting deed of Philip Pilbosian and Anne Pilbosian, bearing date May 16, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 11, 12, 13 Block 128 City Heights, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103102, recorded on Microfilm Roll No. 41, accepting deed of Henry L. Dickens, bearing date June 18, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 7 Block 9 Hoitt's Addition, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103103, recorded on Microfilm Roll No. 41, accepting deed of Earnest G. Howard and Mary E. Howard, bearing date June 12, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 58 Ocean View Terrace, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103104, recorded on Microfilm Roll No. 41, accepting deed of Edward Hefke and Alma Hefke, bearing date June 27, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 30 Block 8 Beverly, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103105, recorded on Microfilm Roll No. 41, accepting deed of Edward Hefke and Alma Hefke and Fred Rudesill, bearing date June 27, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 29 Block 8 Beverly, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4861 (New Series), recorded on Microfilm Roll No. 41, appropriating the sum of \$10,000.00 from the Capital Outlay Fund for the purpose of providing funds for installation of electric service lines, together with a vault, flood lights, etc., in Southcrest Park, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

Prior to the adoption of said Ordinance Councilman Wincote questioned the necessity for lighting of the Southcrest Park, or precedence, wondering if the lighting was being taken out of order ahead of other areas proposed to be lighted. He did not, however, raise any question at the time the bid was accepted and contract awarded for the doing of said work earlier in this meeting.

Assistant City Manager E. W. Blom said that the matter had been discussed previously with the Council, and that it had been decided to provide the lighting at this time.

ORDINANCE NO. 4862 (New Series), recorded on Microfilm Roll No. 41, appropriating the sum of \$2,400.00 from the Unappropriated Balance for the purpose of providing funds for employment of Victor W. Brown, as agricultural consultant to The City, for the term of one year, was on motion of Councilman Kerrigan, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4863 (New Series), recorded on Microfilm Roll No. 41, changing the name of portion of Ogden Street, lying northerly of the easterly prolongation of the southerly line of Wightman Street, being also the northerly line of Berkeley Heights, to Wightman Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The Assistant City Manager requested, and was granted, unanimous consent to present the next matter of business, not listed on Council agenda:

RESOLUTION NO. 103106, recorded on Microfilm Roll No. 41, granting permission to San Diego Junior Chamber of Commerce for a public display of fireworks on a barge in San Diego Bay, on July 21, 1951, from 8:30 P.M. to 10:00 P.M., upon condition that all laws of the State of California, ordinances of The City of San Diego, rules and regulations adopted by the State Fire Marshal pertaining to the public display of fireworks, by said Junior Chamber of Commerce shall be complied with, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The Mayor brought up the next matter, not listed on the agenda, in connection with the San Diego Junior Chamber of Commerce activity in the Harbor Days celebration:

The Mayor said that Emmett McCabe, of Consolidated Aircraft had telephoned to say that the Junior Chamber of Commerce had requested all aircraft plants to place exhibits on Lindbergh Field, and asked Convair to show films, that it would be necessary to erect a tent to close out some light, which films are to be shown while people are waiting to take short flights over the City, by Western Air Lines.

RESOLUTION NO. 103107, recorded on Microfilm Roll No. 41, granting permission to Consolidated Aircraft Corporation, in connection with verbal request therefor made through the Mayor's Office by Emmett McCabe, to erect, and maintain a tent on Lindbergh Field for the purpose of showing films to persons waiting to take short air flights via Western Air Lines over the City, during the Harbor Days celebration under sponsorship of the San Diego Junior Chamber of Commerce, which tent shall be erected and maintained in accordance with all rules, regulations and ordinances of the City, and shall be subject to inspection and approval of the Building Inspection and Fire Departments, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Prior to adoption of said Resolution, Councilman Kerrigan questioned the matter, inasmuch as Lindbergh Field is on tidelands and he wondered if approval would not have to be obtained from the Harbor Department.

The City Attorney advised the Council to adopt the Resolution, and said that action can be taken later by the Harbor Department, if needed.

James A. Milligan appeared before the Council and said he wanted to explain the matter listed at the end of the agenda, in connection with his request for closing portion of Ibis Street between Upas and Walnut Streets (which matter had been denied previously). He made a brief statement, after which the Assistant City Manager told the Council that his arguments for closing would be considered together with the petition.

No action was taken at this time.

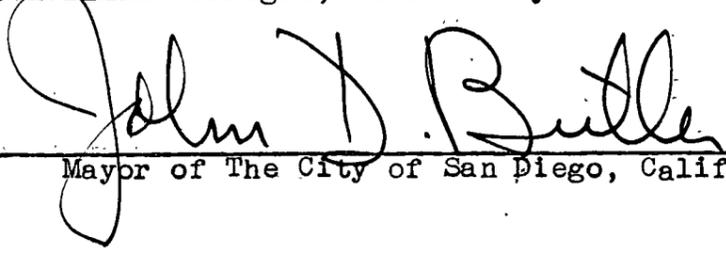
The following communications were listed at the end of the agenda, for Council information, and were shown as having been referred to the City Manager by the City Clerk to expedite handling:

Amalgamated Association of Motor Coach Employees relative to operations of the Pacific Greyhound Lines between San Diego and Tijuana, alleging that buses are over-length and over-weight;

D. P. Ivey and family suggesting use of prison escape sirens as air raid warnings, in lieu of the conventional style of sirens;

James A. Milligan explaining reasons for petition to close 20 feet of Ibis Street, between Upas and Walnut Streets.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Swan, at the hour of 11:18 o'clock A.M.


 Mayor of The City of San Diego, California.

ATTEST:
 FRED W. SICK, City Clerk

By 
 Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, July 24, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:10 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Butler.
Absent---Councilman Kerrigan
Clerk----Fred W. Sick

The Minutes of the Regular Meeting of Tuesday, July 17, 1951, and of the Regular Meeting of Thursday, July 19, 1951, were presented to the Council by the Clerk. On motion of Councilman Schneider, seconded by Councilman Swan, said Minutes were approved without reading, after which they were signed by the Mayor.

At this time the Mayor introduced Mr. Alfred Laucks, Mayor of Salem, Oregon.

Mayor Laucks responded briefly to the introduction and presented to Mayor Butler a key to the City of Salem.

Councilman Kerrigan entered the meeting at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road, the Alleys in Blocks 2, 5 and 8 La Mesa Colony and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 102375, the clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Bids were as follows:

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of thirteen thousand dollars, which bid was given Document No. 436302;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of eighteen thousand dollars, which bid was given Document No. 436303;

Councilman Godfrey was excused from the meeting at this time.

The bid of Daley Corporation, accompanied by bond written by the Glens Falls Indemnity Company in the sum of fifteen thousand dollars, which bid was given Document No. 436304;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of twelve thousand dollars, which bid was given Document No. 436305;

Councilman Godfrey returned to the meeting at this time.

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company, in the sum of sixteen thousand dollars, which bid was given Document No. 436306.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1951, to and including March 31, 1952, the clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$136.68 written by San Diego Trust and Savings Bank, which bid was given Document No. 436307.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1951, to and including March 15, 1952, the clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$194.58 written by San Diego Trust and Savings Bank, which bid was given Document No. 436308.

Thereupon, on motion of Councilman Wincote, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the construction of Sewer Replacement from Estrella Park northeasterly along Lexington Avenue to Thorn Street, thence easterly to Chamoune Avenue and connections, the clerk reported that 8 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by Continental Casualty Company in the sum of 10% of the aggregate sum of the bid, which bid was given Document No. 436309;

The bid of Charles J. Dorfman, accompanied by bond written by Saint Paul-Mercury Indemnity Company in the sum of 10% of the amount of bid, which bid was given Document No. 436310;

The bid of Cameron Bros., accompanied by bond written by Glens Falls Indemnity Company in the sum of ten per cent of the amount bid, which bid was given Document No. 436311;

The bid of Walter H. Barber and H. R. Breeden, as joint venturers, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of 10% of the amount of the accompanying bid, which bid was given Document No. 436312;

The bid of J. S. Barrett, accompanied by bond written by American Surety Company of New York in the sum of ten percent of the bid, which bid was given Document No. 436313;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of 10% of amount of bid, which bid was given Document No. 436314;

The bid of H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of ten per cent of the total amount of the bid, which bid was given Document No. 436315;

The bid of Carroll & Foster, accompanied by bond written by Maryland Casualty Company in the sum of 10% of amount of bid, which bid was given Document No. 436316.

Thereupon, said bids, on motion of Councilman Schneider, seconded by Councilman Kerrigan, were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of the Alley in Block 153 University Heights, within the limits and as particularly described in Resolution of Intention No. 102727, the clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2016, made to cover the costs and expenses of the paving and otherwise improving of Dwight Street, Lantana Drive, Euclid Avenue and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 98254, the Clerk reported that written appeals had been received from Leonard Kjelland and from Mrs. Wm. Bruce Newell, which appeals were presented to the Council and read.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Sophie Nemwood, who stated that she does not live on the street (Euclid Avenue), but that she is being assessed therefor, spoke. She said that she should not have to pay, and asked for an explanation.

The City Engineer explained the assessment on the written appeals, on an area basis.

The Mayor made an explanation to Mrs. Nemwood.

Councilman Dail was excused from the meeting at this time.

The City Engineer showed a plat of the assessment to members of the Council, and pointed out the comparative assessment figures. He said that he would explain in writing to the appellants who had filed written objections.

Mrs. Nemwood was asked to go to the Office of the City Engineer for a detailed report on her assessment, which she agreed to do.

RESOLUTION NO. 103108, recorded on Microfilm Roll No. 41, overruling and denying the written appeals of Leonard Kjelland and of Mrs. Wm. Bruce, and the verbal appeal of Sophie Nemwood, overruling and denying all other appeals from the Street Superintendent's Assessment No. 2016 made to cover the costs and expenses of the work of paving

and otherwise improving of Dwight Street, Lantana Drive, Euclid Avenue and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 98254; confirming and approving the Street Superintendent's Assessment No. 2016; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing the Street Superintendent to record said warrant, diagram and assessment in his office, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2015 made to cover the cost and expenses of the paving and otherwise improving of Westland Avenue, Commonwealth Avenue, Pentuckett Avenue and Ivy Street, within the limits and as particularly described in Resolution of Intention No. 99002, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented. RESOLUTION NO. 103109, recorded on Microfilm Roll No. 41, confirming and approving the Street Superintendent's Assessment No. 2015 made to cover the cost and expenses of the paving and otherwise improving of Westland Avenue, Commonwealth Avenue, Pentuckett Avenue and Ivy Street, under Resolution of Intention No. 99002; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; directing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Amended claim of The Pacific Telephone and Telegraph Company, 740 South Olive Street, was presented.

RESOLUTION NO. 103110, recorded on Microfilm Roll No. 41, referring the amended claim of The Pacific Telephone and Telegraph Company to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from Ocean Beach Chamber of Commerce, submitting petition of Ocean Beach residents, recommending the continuation of the rock wall from a point approximately 50 feet north of the present Lifeguard Station at the foot of Santa Monica Avenue to the foot of Narragansett Avenue, etc., was presented.

James J. Noel spoke in behalf of doing the work as requested in the petition and told of existing conditions due to beach sand having been washed out.

T. B. McElwee told the Council about the possible damage to the City's and other property damage from high winter tides, and hoped that serious damage which had occurred on the coast line of California could be avoided by taking prompt remedial action.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the matter was referred to the City Manager.

Councilman Dail returned to the meeting just prior to the vote on reference of the Ocean Beach rock wall matter to the Manager.

Communication from the Acting City Manager recommending denial of petition of West Coast Investment Company for annexation to the City of portions of Rosedale, the Highlands and Rancho Mission, which had also been recommended for denial by the Planning Commission which Commission had made a finding that buildings in the area do not conform to Present City of San Diego standards or to requirements of the State Housing Act, was presented.

Ferdinand Fletcher, attorney, spoke in behalf of the property owners in the area sought to be annexed. He said that it was at the request of the Assistant City Manager and the City Planning Director that the petition had been amended to include the land which contains the houses which are now being objected to as being substandard. He said that owners would be willing to amend the petition to delete the substandard areas, if the Council preferred, but felt that it would be better to leave the area in, for future development control. Mr. Fletcher said he would not rehash the petition, but that he would be glad to answer any questions, if possible.

The Mayor spoke regarding the necessity for industrial development.

Councilman Dail asked if the applicant is prepared to offer a modification.

Mr. Fletcher said that owners within the present boundaries would be willing to go into conference to modify the request. He reiterated that the present boundary line request had been included at City officials' request. He said that the area must be large enough to carry improvements out to the property. He said, again, that owners would prefer the presently-petitioned territory boundaries.

Councilman Schneider asked if Mr. Fletcher's clients control all the area to the south, on the west side of the highway. Mr. Fletcher said "no", but that they control all the area included in the petition. He said that other areas are interested in annexation, also. He showed the Council a map, which the Clerk could not see. He said that Mr. Platner has contacted owners in a "V" - shown on the map - 95% of whom are interested in annexation.

Councilman Swan asked Mr. Fletcher regarding reimbursement to the City, and also what improvements will consist of, and what it will "mean to the City".

Mr. Fletcher handed a "synopsis" of the property use to members of the Council. The Planning Director said that a copy of the proposed use is in the annexation file of the City Clerk. Mr. Fletcher told of promised development. He said that among other things, between 1200 and 1500 residential units would be erected within a year after annexation. He said that he had recommended that "that road" be left out, but said that it was included in the petition, to the middle of the road. Mr. Fletcher said that he will not make any statements to the Council which cannot be fulfilled.

Councilman Dail spoke up and said that a hearing was being held prematurely. He said that a hearing should be set, prior to which the matter should be considered in Council Conference. It was his contention that if there is to be a modification, it should come in before Conference time.

The Mayor recommended that action be taken through regular channels. Councilman Wincote recommended that a conference be held with the City Manager and with the Planning Director before any modification is made. He said that petitioners should know all of the Council's feeling in the matter.

Councilman Schneider favored holding a Conference to bring out all points, and any changes proposed. Mr. Fletcher said that referring the matter back to the Planning Department would cost the petitioners a 2 months' delay.

Councilman Dail said that he wants the entire matter before the Council, before modification. Councilman Wincote said that the present proposal would not be acceptable to the Council, and that the petitioners should know that.

Councilman Dail said that the Council should "take leadership" in the matter. Councilman Swan moved to refer to Council Conference for consideration on next Thursday, at 2:00 o'clock P.M. The motion was not seconded.

The Mayor said that it is up to the Council to determine boundaries, then to refer it to the City Attorney, to be followed by the prescribed hearing. City Attorney Jean F. DuPaul said that policy in annexations should be determined by the Council, before action on this matter before the legislative body.

He said that the City's administrative officers should make the negotiations, and stressed that the Council's word is final. Councilman Wincote said the City should "do an overall job" in the annexation matter.

Councilman Wincote moved to refer the matter of the City Manager and to the Planning Director for discussion on advantages of change in the petition for such annexation. An amendment was added to the motion by consent, including the setting of a future Conference. The motion and amendment resulted in the following Resolution:

RESOLUTION NO. 103111, recorded on Microfilm Roll No. 41, referring to the City Manager and to the Planning Director for discussion on the advantage of change in the petition for annexation to the City of portions of Rosedale, the Highlands and Rancho Mission, upon which a Conference shall be set, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Acting City Manager recommending granting petitions of the Southern Title and Trust Company for annexation of portion of the Rancho Mission of San Diego, upon conditions recommended by the Planning Commission, was presented.

The City Manager spoke, and said that the only question is if the City is to set an "annexation fee", which matter has not been determined by the Council. He recommended exemption of the Planning Commission recommendations, and wanted the access road inclusion stipulation.

A motion of Councilman Kerrigan was made to set a hearing in 2 weeks, which motion was seconded by Councilman Dail). (The motion was withdrawn when a subsequent motion was made).

Councilman Dail said that there is confusion in the matter of Council policy and administration duties

RESOLUTION NO. 103112, recorded on Microfilm Roll No. 41, referring to the City Manager and to the City Attorney the matter of the proposed annexation of portion of the Rancho Mission of San Diego, as petitioned for by Southern Title and Trust Company, for preparation of an ordinance agreeable to the City and to petitioners, for presentation to the Council, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103113, recorded on Microfilm Roll No. 41, setting a Council Conference for the hour of 9:00 o'clock A.M. on the allover policy on annexation of land to the City, which shall include consideration for the establishment of fees, and other phases, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted. Conference to be held Thursday, July 26, 1951.

Communication from the City Manager recommending establishment of 2-hour parking zone on both sides of Pearl Street, between Draper and Eads Avenues, in La Jolla, between the hours of 8 A.M. and 6 P.M., Sundays and holidays excepted, on petition of business establishments in the block was presented.

The City Manager made a verbal report, stating that the proposed installation was being made at the request of the merchants. He said that although it is contrary to City policy to establish additional parking time limits without parking meters, it is not practicable to install meters in beach areas relative to difficulty in making collections and the service trips due to distance. The Manager said that such regulation would be practically unenforceable, but that he was willing to make the establishment if it will be of assistance.

Councilman Schneider felt that it would put a burden on the City to have to go out and tag automobiles in a two-hour areas for overtime parking, if it had no means for enforcing the restriction.

The City Manager said it would be all right with him if the Council felt it preferred not to establish the parking restriction.

RESOLUTION NO. 103114, recorded on Microfilm Roll No. 41, establishing a two hour parking zone, between 8:00 o'clock A.M. and 6:00 o'clock P.M. on both sides of Pearl Street between Draper Avenue and Eads Avenue, La Jolla, Sundays and holidays excepted, authorizing and directing the installation of necessary signs and markings; repealing all

resolutions or parts of resolutions in conflict, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, reporting on bids received July 17, 1951, for construction of Montezuma Road between 63rd Street and El Cajon Boulevard, recommending award to Cox Bros. Construction Co. on Schedule A, and to Ets-Hokin & Galvan on Schedule B, was presented.

RESOLUTION NO. 103115, recorded on Microfilm Roll No. 41, accepting bid of Cox Bros. Construction Co. on Schedule A and bid of Ets-Hokin & Galvan on Schedule B, for improvement of Montezuma Road between 63rd Street and El Cajon Boulevard, rejecting all other bids thereon and declaring said bids to be the low bids on their respective schedules, awarding contracts and directing the City Manager to execute the same upon execution, delivery, filing and approval of binds required thereunder, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the Acting City Manager's stamp of approval, reporting on bids received for construction of Safety Lighting System on Ventura Boulevard, recommending award to Ets-Hokin & Galvan, was presented.

RESOLUTION NO. 103116, recorded on Microfilm Roll No. 41, accepting bid of Ets-Hokin & Galvan for the construction of a Safety Lighting System on Ventura Boulevard, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103117, recorded on Microfilm Roll No. 41, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expenses necessary or incidental to the construction of three Storm Drains on Ingraham Street-Mission Bay Project, under Document No. 436249, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103118, recorded on Microfilm Roll No. 41, authorizing and directing the Purchasing Agent, during the fiscal year 1951-1952, upon recommendation and direction of the City Manager, to purchase in the open market without advertising for bids, such Water Department supplies as may be required for the operation and maintenance of the Water Department system of The City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the Purchasing Agent advises that copper water service tubing, fittings, valves and other required water system supplies may become unobtainable in the near future due to allocation of materials by the Federal Government for increasing output of implements of war, that it appears materials are presently available and that purchase in amounts required by the City would not have an adverse effect upon the program of rearming, and that it appears inadvisable to advertise for bids for purchase of such supplies due to time involved and that it will be for the best interests of the City to purchase the same in the open market without advertising for bids.

After adoption of Resolution No. 103118, Councilman Godfrey brought up the matter of purchases of materials in the open market without advertising for bids. He said that the Council sometimes receives complaints on account of such action, and felt that a report thereon should be made by the City Manager.

The City Manager told Mr. Godfrey that he would make a report to the Council on purchases without bids.

No action was taken, following the Manager's assurance that a report would be made.

The matter of the recommendation from the Planning Commission for denial of petition for zone change from R-4 to M-1 at 34th & Pickwick Streets, in Lots 1 to 5 Block 2 Broderick and Wests Addition, which was before the Council on June 10, 1951, and referred to the City Attorney for opinion to be presented at the meeting of July 17, 1951, on the possibility of granting zone variance from Zone R-4 to M-1, was brought up at this time.

Communication from the City Attorney, dated July 23, 1951, signed by Louis M. Karp, Deputy City Attorney, and approved by J. F. DuPaul, City Attorney, reporting thereon, was presented and read.

Said opinion said, in part "Certainly under Section 15 of Ordinance No. 8924 the City Council 'After conducting the public hearing and reviewing the report of the Zoning Committee...may grant or deny the appeal upon such terms and conditions as the City Council deems appropriate.'" If it is a fact (and it is not denied) that the Planning Department failed and refused to accept and act on the applicant's petition for a zone variance on the theory that it did not have jurisdiction under Section 14 of Ordinance No. 8924 then this refusal to accept the petition and act on it amounted to a denial by the Planning Commission of a zone variance petition, and the Council has the right to consider this matter as an appeal under Section 15 of Ordinance No. 8924. (Hopkins v. MacCulloch, 35 C.A. (Second) 442, 451, 452). Therefore, the Council may consider that it has before it an appeal from a decision of the Zoning Committee denying a zone variance to the applicant, and on such appeal the Council may either grant or deny the appeal upon such terms and conditions as it deems appropriate".

Councilman Kerrigan said that it was he who brought up the question. He said he thought the matter should go back to the Zoning Committee to permit opportunity to act on the matter.

Councilman Wincote said there should be no undue delays in these matters. He said he was ready to act now.

Councilman Schneider felt that the matter should go back to the Zoning Committee to include stipulations.

The Mayor said that he wants the matter to go through the regular procedure - to the Zoning Committee.

Councilman Dail spoke regarding activities in the past on the problem. He said that it is not Mr. Penick's fault there have been delays, and that Mr. Penick wants to go ahead with his work of construction his yard.

The Planning Director said that the Zoning Committee had acted, in the matter, upon previous opinions handed down by the City Attorney. He said that there had been 2 previous opinions, and that the Committee had acted upon them, feeling that it had jurisdiction in the matter of granting a variance in lieu of the requested zone change. He said that the procedure had not been followed as set up in the Ordinance.

William Starke, attorney, spoke for Mr. Penick. He said that at the hearing his client was willing to have a zone variance, but was told he could not have it under attorney's opinions. Mr. Penick, he said, is anxious to get started with his construction.

RESOLUTION NO. 103119, recorded on Microfilm Roll No. 41, referring back to the Zoning Committee, the matter of a zone variance in lieu of a zone change recommended for denial to L. T. Penick, to permit as an M-1 use the construction and operation of a contractor's yard in the existing R-4 zone on Lots 1 to 5 Block 2 Broderick and Wests Addition at 34th and Pickwick Streets, for which no additional fee shall be charged for a zone variance application, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Pacific Indemnity Company, dated July 17, 1951, signed by J. M. MacConnell, reporting that the claim of Mrs. Louise L. Norship, in the sum of \$31.00, had been paid in the sum of \$30.50, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was ordered filed.

The matter of Council Conferences was brought up, and apparently there was not an agreement upon what had been determined as to days and times.

The Mayor asked to have the point settled, officially, at this time, and invited a motion on the subject.

RESOLUTION NO. 103120, recorded on Microfilm Roll No. 51, setting each Tuesday morning as a regular Council Conference, with special Conferences if needed on Tuesday afternoon and on Thursday of each week, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103121, recorded on Microfilm Roll No. 51, directing notice of filing of the Street Superintendent's Assessment No. 2021 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 317 Reed and Daley's Addition, 29th Street, et al., within the limits and as particularly described in Resolution of Intention No. 100221, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103122, recorded on Microfilm Roll No. 51, directing notice of filing of the Street Superintendent's Assessment No. 2023 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 147 University Heights, the East and West Alley in Block 126 University Heights, the North and South Alley in Block 126 University Heights, within the limits and as particularly described in Resolution of Intention No. 99967, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103123, recorded on Microfilm Roll No. 51, directing notice of filing of the Street Superintendent's Assessment No. 2022 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Copley Avenue, within the limits and as particularly described in Resolution of Intention No. 99968, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103124, recorded on Microfilm Roll No. 51, directing notice of filing of the Street Superintendent's Assessment No. 2024 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Felspar Street, within the limits and as particularly described in Resolution of Intention No. 99702, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 103125, recorded on Microfilm Roll No. 51, accepting bid of Daley Corporation, and awarding contract, for the paving and otherwise improving of Oliver Avenue, within the limits and as particularly described in Resolution of Intention No. 102301, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted. In a written communication, the City Engineer advised the Council that the low bid was 30.3% below the estimate).

RESOLUTION NO. 103126, recorded on Microfilm Roll No. 51, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1951, to and including April 30, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103127, recorded on Microfilm Roll No. 51, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Oliver Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 101715, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103128, recorded on Microfilm Roll No. 41, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Fortuna Avenue, within the limits and as particularly described in Resolution of Intention No. 101714, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103129, recorded on Microfilm Roll No. 41, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Dawes Street, Emerald Street, Everts Street and Felspar Street, within the limits and as particularly described in Resolution of Intention No. 101111, and to be assessed to pay the expenses thereof, directing the City Clerk at the same time of said approval to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103130, recorded on Microfilm Roll No. 41, ascertaining and declaring the wage scale for the paving and otherwise improving of LaJolla Hermosa Avenue, as more particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103131, recorded on Microfilm Roll No. 41, ascertaining and declaring the wage scale for the paving and otherwise improving of 33rd Street and public rights of way in Pueblo Lot 1161 and Lot 7 Block 21 Wetmore and Sanborn's Addition, as more particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103132, recorded on Microfilm Roll No. 41, ascertaining and declaring the wage scale for the paving and otherwise improving of Beardsley Street and 22nd Street, as more particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103133, recorded on Microfilm Roll No. 41, ascertaining and declaring the wage scale for the paving and otherwise improving of Coronado Avenue, Del Mar Avenue and Orchard Avenue, as more particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 103134, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Thorn Street and 45th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 103135, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of portion of the Alley in Block 2 Subdivision of Lots 7 to 17 inclusive, Block N Teralta, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 103136, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Brant Street and Washington Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 103137, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Niagara Avenue and Catalina Boulevard, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 103138, recorded on Microfilm Roll No. 41, for the closing of portion of Congress Street, as more particularly described in said Resolution, determining that it is not necessary that any land be taken therefor, setting out the exterior boundaries of the assessment district, electing to proceed under the provisions of the "Street Opening Act of 1889", was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 103139, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of 59th Street and Kenwood Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 103140, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Riley Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103141, recorded on Microfilm Roll No. 41, authorizing the Superintendent of Streets to grant John B. Henry a 90-day extension of time for completion of the contract for improvement of the Alley in Block 33 Ocean Beach, in accordance with his recommendation filed in the office of the City Clerk under Document No. 436231, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103142, recorded on Microfilm Roll No. 41, authorizing the Superintendent of Streets to grant Cameron Bros. a 90-day extension of time for the completion of the contract for the improvement of the Alley in Block 6 City Heights Annex No. 2, and the Alley in Block 11 City Heights Annex No. 1, et al, in accordance with his recommendation filed in the office of the City Clerk under Document No. 436179, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Prior to adoption of Resolutions Nos. 103141 and 103142, Councilman Schneider asked for an explanation for the necessity to grant the extensions. The City Manager told Mr. Schneider that the work had been completed, and that extensions were needed for the purpose of protecting the assessment rolls.

RESOLUTION NO. 103143, recorded on Microfilm Roll No. 41, granting permission to Pasquale Antonicelli, Angela Antonicelli and Alfred S. Antonicelli to install sanitary sewers by private contract in portions of Dove Street, Curlew Place and Public Rights of Way in Lot 8 Arnold and Choate's Addition and Lots 1 and 2 Block 4 Florence Heights Addition, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 435904, and under conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103144, recorded on Microfilm Roll No. 41, granting permission to Carl A. Sjobring, Muriel E. Sjobring, Chester Hedreen and Alice Hedreen to construct sanitary sewer by private contract in the Alley in Block 17 La Jolla Park and in a portion of Cuvier Street, to serve Lots 10, 11 and 12 Block 35 La Jolla Park, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 435627, and under conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION No. 103145, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to execute a release of the City's claim in the sum of \$87.00 for water services rendered to Frank G. Fuller, doing business as Catalina Nursery at 4205 Voltaire Street and at 2164 Catalina Boulevard, upon payment by the San Diego Wholesale Credit Men's Association, as assignee, for the benefit of the creditors of said Frank G. Fuller of a sum of not less than 26.688 per cent of the City's claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103146, recorded on Microfilm Roll No. 41, granting permission to Claude L. Horton, P.O. Box 121, Descanso, California, to install a 4-inch cast iron sewer line between the property line and sidewalk, to be placed 1.0 feet outside the property line and run in a westerly direction, parallel to the northerly line of Lot 48 Block 106 City Heights Subdivision, to point of intersection with public sewer, to serve property at 3450 - 42nd Street, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103147, recorded on Microfilm Roll No. 41, granting permission to General Petroleum Corporation, P.O. Box 1448, San Diego 12, to remove 44 feet of curb on the westerly side of Crosby Street, between points 12 feet and 56 feet south of the south line of Colton Avenue, adjacent to Lot 25 Block 49 Mannasse and Schiller's Subdivision, in order to install a 44-foot driveway, to provide access to bulk storage plant being rebuilt, to be in accordance with all rules, regulations and ordinances of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103148, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to execute a concession lease agreement with Calvin Swalm, 4138 Cass Street, Pacific Beach, to operate a Junior Fire Truck in Balboa Park in the area immediately south of the merry-go-round and kiddie-car rides on the east side of Park Boulevard, in and for the consideration of the City receiving 15 per cent of the gross revenue from said concession, on terms and conditions of the concession lease agreement, on file in the office of the City Clerk as Document No. 436257, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103149, recorded on Microfilm Roll No. 41, establishing the bond of the Assistant City Engineer and Street Superintendent at \$10,000.00, authorizing and directing the City Manager to take the necessary steps to cause said bond to be furnished and filed with the proper custodian immediately, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 4864 (New Series), recorded on Microfilm Roll No. 41, appropriating the sum of \$5,600.00 from the Capital Outlay Fund for the purpose of providing funds for construction of safety lighting system on Ventura Boulevard, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

A proposed Ordinance incorporating Lot 13 Cave and McHatton Subdivision into an "R-2" Zone (being change from R-1 Zone) as defined by Ordinance No. 8924 and amendments thereto; repealing Ordinance 116 (New Series) adopted January 3, 1933, insofar as the as the same conflicts, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., on Tuesday, August 7, 1951.

ORDINANCE NO. 4865 (New Series), recorded on Microfilm Roll No. 41, establishing the grade of the Alley in Block 102 City Heights, between the southerly line of Myrtle Avenue and a line produced at right angles easterly from a point on the westerly line of said Alley and distant 220.00 feet southerly along the westerly line of said Alley from the intersection of the westerly line of said Alley with the southerly line of Myrtle Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4866 (New Series), recorded on Microfilm Roll No. 41, establishing the grade of the Alley in Block 77 Ocean Beach, between the northwesterly line of Abbott Street and the southeasterly line of Spray Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent---Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4867 (New Series), recorded on Microfilm Roll No. 41, establishing the official property line grades, curb grades and positions of curbs on Playa del Norte Street between a line drawn at right angles southeasterly from the northwesterly line of Playa del Norte Street, at a point distant 12.40 feet southwesterly from the southeasterly corner of Lot 51 Block 1 La Jolla Strand, and the easterly line of Neptune Place, and Neptune Place between a radial line bearing S 60° 25' W through the point of intersection of the northeasterly line of Playa del Norte Street and the easterly line of Neptune Place

and a line drawn parallel to and distant 36.00 feet westerly from the westerly line of Block A South La Jolla, and its southerly prolongation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Knox. Nays--Councilmen None. Absent--Councilmen None.

The Mayor requested, and was granted, unanimous consent to present the next matter for consideration, which was not listed on the agenda, which he read:

"RESOLUTION NO. 103150

WHEREAS, Herbert Sponholz has been a popular and active leader in civic affairs since coming to San Diego in 1936; and

WHEREAS, said Herbert Sponholz was appointed a member of the City Recreation Commission on July 1, 1947 for a five year term; and

WHEREAS, said Herbert Sponholz also served as a member of the Mission Bay Advisory Committee; and

WHEREAS, said Herbert Sponholz devoted a great deal of his life to helping young men receive higher educations; NOW, THEREFORE,

BE IT RESOLVED by the Council of The City of San Diego that it is deeply moved and regrets the passing of so active and popular a leader as Herbert Sponholz, and does hereby extend its sympathy and condolence to the family of said Herbert Sponholz;

BE IT FURTHER RESOLVED that the City Clerk of said City is hereby directed to forward a copy of this resolution to the family of said Herbert Sponholz."

was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The City Manager requested, and was granted, unanimous consent to present the next matter, which was not listed on the agenda:

The City Manager spoke about an appropriation for institutions, including \$1,000.00 for the Junior Chamber of Commerce. He said no action was needed, that he was only calling the matter to the Council's attention.

A motion was made by Councilman Schneider, seconded by Councilman Godfrey, to approve the appropriation.

The Mayor said he had a note from Eve Budrow asking permission to be heard.

Eve Budrow spoke about the matter listed on the agenda for hearing on the assessment for the paving and otherwise improving of Dwight Street, Lantana Drive, Euclid Avenue and Public Right of Way, which matter was concluded earlier in the meeting by confirming the assessment. She said that there is water standing on Lantana Drive.

The Mayor suggested that Mrs. Budrow see the Assistant City Manager.

Mrs. Budrow said that she had written two or three letters, that investigations had been made and some work done, but that water continues to stand, making it necessary to sweep it down to the corner. She said that heavy equipment had apparently been left standing, causing the street to sink.

RESOLUTION NO. 103151, recorded on Microfilm Roll No. 41, referring to the City Manager the verbal complaint of Eve Budrow relative to water standing upon the newly paved Lantana Drive, upon which a hearing was held on the assessment for the improvement thereof which included Dwight Street, Lantana Drive, Euclid Avenue and Public Right of Way, said hearing being held this date and assessment therefor confirmed by Council Resolution No. 103108, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 11:52 o'clock A.M.

Chester E. Schneider
Vice Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, July 26, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.

Absent---Councilmen None
Clerk----Fréd. W. Sick

The hour of 10:00 o'clock A.M. having arrived the time to which the hearing had been continued on the proposed Ordinance establishing 15-foot setback line on the north side of Ventura Place between Strandway and Mission Boulevard, and a 5-foot setback line on the north side of Ventura Boulevard between Mission Boulevard and the easterly line of Block 97 Mission Beach, the Planning Director made a verbal report.

Glenn A. Rick, Planning Director, spoke about the Council's request to work out with Mrs. Winters and Mrs. Rochelle plans for buildings to conform to the proposed plans for their developments. He said it is not possible to give them what they want and comply with the State Housing Act and with the setback. Mrs. Winter's case, particularly would not lend itself to any changes, but said it might be possible to work out something for Mrs. Rochelle, if she converts two of the garages back to garages, from they had been changed prior to making them into living units. He reported again on the expense of any widening of the street on the City's property.

Morey Levenson, attorney, representing all of the protestants, spoke. He said that some property owners have had no notice of the proposed setback. Mr. Levenson spoke of two problems: the east and west parcels. He said that buildings had been set back in Block 96 Mission Beach, and that deed restrictions had been placed upon only 1 or 2 parcels. He said that the setback would leave the property in private ownership. The sidewalk, he said would be on private property over which the City would have no control. The property owners, he pointed out, would have to pay taxes on property which would be used by the public. If contended that if the setback is desired, the City should acquire the property by purchase or by condemnation.

The Mayor said that the City is weighing the public good and expense, as against injury to a few property owners. He said, as he had at the previous hearing, that the property owners would not be taxed, if used publicly. He said, again, that the City may have acquired the property by adverse use.

Councilman Schneider told Mr. Levenson that the City would probably acquire the property.

Mr. Levenson spoke next about the area on the east side. He said that it is not proper to establish sidewalks under police power. He stressed the point that the property under discussion is in the commercial zone, and that it is a rare thing to have setbacks in effect on commercial property.

The Mayor said that the lots in the area are larger than most in Mission Beach.

Mr. Levenson said that a thorough search had been made, and no deed restriction had been found (as alleged) on the Winter's property. He requested the City not to place sidewalks on private property. He said that the cost of widening the Boulevard should not be borne by the property owners. The Winter's property, he said, was designed for commercial development on the front. He said that property of some of the owners to the east are on the same basis. He contended that need does not exist for wide sidewalk. Also, he said, private property cannot be taken by establishment thereon of a setback.

Councilman Dail asked City Attorney Jean F. DuPaul about depriving property owners of the right to negotiate.

The City Attorney replied that it is a question of whether or not the setback is a proper exercise of police power. He said if its purpose is to acquire land, it cannot stand up in court.

Mr. Rick said that the Planning Commission's recommendation for establishment is primarily to prevent construction of buildings closer than 5 feet to the property line. He said that when the property is acquired later, it would then not be necessary to buy buildings which would add to the expense.

Mrs. Winters, Mr. Levenson said, would be entitled to severance damages if deprived of use of her property.

Councilman Wincote said that the City should decide the better way of acquiring the property. He said that the City should buy it, and not leave the setback hanging over the property.

Mr. Rick said that there have been a number of inconsistencies, especially on 6th Avenue and on El Cajon Boulevard. Some properties had been acquired, he said, while others had not. He said it has to be looked at in the light of public necessity.

Councilman Wincote said if it is more reasonable to go to the north, the City should buy.

The Mayor said this is a preliminary step to protect the City. The property owners, he said, will be paid eventually for the property. He said he did not agree with Mr. Wincote.

Councilman Schneider said he thought the matter should be handled as in the case of Washington Street, which property had been acquired.

The Mayor said this is not an urgent matter now, but is for protection of City's interest against future undue expense.

Councilman Wincote emphasized that the matter should be handled with all fairness.

The City Manager suggested a motion for exploration of potential development, for the best interest of the City.

Councilman Godfrey said that in fairness, the City Manager would have to be asked to review all similar cases where setbacks exist.

Mr. Levenson said that this is the only situation in the City where there are alternatives, referring to ownership of land by the City across the street from the property sought to be placed under setback by the City.

The Mayor said that the cost for using of the City property would be so great that it would be practically possible, and referred to utilities, traffic signals, drains, etc., which would have to be moved.

Marion Winters asked to be heard, although she was represented by Mr. Levenson. She said she bought her Ventura property in 1946, and that she should have full use of the 80 feet which she had purchased at a high price. She said that if 7 feet was adequate for sidewalk at the time of construction, it could have been provided then. She contended that it is not fair to penalize property owners by forcing them to give up private property.

The Mayor said conditions changed since various improvements have been made in the Mission Bay area, and pointed out that Mrs. Winters had done very well (from her own admission) on rentals.

Mrs. Winters said that only one building is constructed "out", in her area.

The Mayor said that the setback is only a limitation upon use of the property to prevent building on the front portion, that the City will acquire in the future.

Mrs. Winters told of planning to build two stores on the front with two rental units above. He said that she had left the proper open areas to take care of such developments, and that if she had supposed she would be deprived of the use of the front of the property she would have designed the already-built improvements differently. She said that income from the proposed development would be far more valuable to her than whatever the City would pay for the property.

The Mayor said that the City has to weigh the overall cost to the entire City.

A motion was made and seconded to place the proposed Ordinance on its final passage at its first reading, but before the roll could be called, there was further discussion.

ORDINANCE NO. 4868 (New Series), recorded on Microfilm Roll No. 41, establishing a 15-foot setback line along the north side of Ventura Place between Strandway and Mission Boulevard and a 5-foot setback line along the north side of Ventura Boulevard between Mission Boulevard and the easterly line of Block 97 Mission Beach, providing penalty for the violation thereof, was on motion of Councilman Dail, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Swan, Wincote. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Swan, Wincote. Absent--Councilmen None.

The final reading of such Ordinance was in full.

Councilman Schneider moved to refer the matter to the City Manager to investigate, and that if deemed necessary to negotiate to reduce the amount of the setback, which motion was seconded by Councilman Swan.

Before the roll was called on that motion, there was considerably more discussion among members of the Council, after which it was withdrawn, with the consent of the second.

RESOLUTION NO. 103152, recorded on Microfilm Roll No. 41, referring the matter of property involved in the setback established by Ordinance No. 4868 (New Series) adopted this date, on the north side of Ventura Place between Strandway and Mission Boulevard, and on the north side of Ventura Boulevard between Mission Boulevard and the easterly line of Block 97 Mission Beach, for report back to the Council, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the consideration of evidence as to whether or not the house situated at 5154 Long Branch Avenue, owned by Mrs. Coralie M. Reed, 3101 Manitou Avenue, Los Angeles 31, is a public nuisance, the Mayor presented a communication signed by Dr. H. H. Eshelman, Avalon Industrial Hospital, 5911 Avalon Boulevard, Los Angeles 3, stating that Mrs. Coralie M. Reed is in ill health and cannot appear at this hearing, that it was requested that an extension of time be granted in order that she may personally appear after she has regained her health.

The City Manager reviewed the situation in connection with the premises. He said that the Council could order abatement, but could also give the extension of time to comply with abatement.

The City Attorney outlined in detail the procedure to be followed.

Councilman Swan said he had a wire from a friend of Mrs. Reed's which requested a continuance of the matter, to permit Mrs. Reed to be present and for her to repair the premises.

George B. Scott, 4412 - 42nd Street, who identified himself as a friend of Mrs. Reed's, spoke. He asked for a temporary continuance. He said that he was sure that Mrs. Reed, who is a very sick woman, does not realize the condition of the premises, although several of her friends have tried to make her aware thereof.

The City Attorney asked to have the photographs, which had been made by the Fire Department (and handed to the Clerk) introduced into the record for the purpose of showing the condition of the premises, and wanted the record to show that the City Manager had made a statement as to the dilapidated condition of the premises which constitutes an extreme fire hazard, as well as a neighborhood (which statements the City Manager had made).

RESOLUTION NO. 103153, recorded on Microfilm Roll No. 41, determining that

the house situated at 5154 Long Branch Street constitutes a public nuisance in that because of its extremely dilapidated condition constitutes an extreme fire hazard to the lives and property of the heavily-opulated neighborhood in which it is situated and in that the house is and has been for a long time a resorting place of tramps, vagrants and juvenile delinquents; ordering Mrs. Coralie M. Reed, the owner of said house at 5154 Long Branch Street, and directing her to abate said public nuisance within 60 days from the date of this said Resolution; authorizing and directing the City Attorney in the event that Mrs. Coralie M. Reed fails to abate said public nuisance to take any and all legal action which he may consider necessary to require the owner of said house to abate the public nuisance which the Council has found to exist, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Prior to adoption of said Resolution, Councilman Swan sought to have interested persons, who had any evidence in support of declaring the premises a nuisance, be given an opportunity to be heard.

The Mayor said that there was no point in devoting the time to such a presentation, inasmuch as City records and recommendations show the premises to be a nuisance, and that adoption of such a resolution would accomplish the very purpose sought by such interested persons. No one was invited by the Mayor, therefore, to be heard in support of the resolution.

Petition of Greene-Haldeman, 2100 So. Figueroa Street, Los Angeles, being application for "6-20 more" U-Drive 5 Pass. Sedans and Convs., was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said application was referred to the City Manager.

Petition of Donald C. Harder, 2031 Chatsworth Boulevard, San Diego 7, for sale of surplus City-owned land in Block 17 Pt. Loma Heights, together with \$60.00 deposit, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said petition was referred to the City Manager.

Petition of The Point Loma-Ocean Beach Civic Association, dated July 21, 1951, signed by Joseph J. Kenneally, President, 2260 Catalina Boulevard, San Diego 7, requesting development of Collier Park, together with access thereto from the proposed Wabaska Freeway on the Pt. Loma-O.B. side, was presented.

The communication, in the form of a petition, requested the Council to authorize and direct the Park Department to prepare detailed plan of landscaping, and pointed out that since civil and military leaders are engaged in seeking to improve recreational facilities for servicemen in this area, said Park lends itself admirably for a picnic area, and that the many service families living in the adjoining Warren Navy Housing would be greatly benefited thereby.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said matter was referred to the City Manager.

The communication from the Planning Commission, continued from the meeting of July 12 until this meeting, to permit William Hamilton, attorney representing 4 property owners, to present evidence, which communication recommended denial of petition for rezoning from R-2 to R-4 of property fronting on Mission Boulevard in Ocean Spray Addition and First Addition to Ocean Spray Tract, Mr. Hamilton was heard.

Mr. Hamilton said he represented various property owners who favor adoption of the proposed ordinance to make the zone change from R-2 to R-4. He said, also, that he is a Pacific Beach property owner, and is interested in proper development. Mr. Hamilton showed a plat of the zoning in the area, and in the immediate vicinity of the property sought to be rezoned. He presented photographs of the property, most of which is in the area under discussion. He contended that the Mission Boulevard property is unsuitable for 1-family and 2-family developments. All but one owner, he said, is in favor of the zone change. Mr. Hamilton showed photograph of unattractive developments on Opal Street, in the middle of the protestants' area. He then made reference to the hearing held by the Planning Commission, and presentation before hearing was opened of a recommendation from the Assistant Planning Director for denial, which he inferred influenced the Commission's decision before any of the property owners had been permitted to state their case.

Glenn A. Rick, Planning Director, told how hearings are conducted, and read to the Council a copy of the Assistant Planning Director's report which had been read at the hearing. He said that it is customary for the department to present detailed reports and recommendations to the Commission. Mr. Rick said that the minds of the Commissioners are never made up before the hearing, and that decisions are made from evidence presented and study made; the matter is not pre-judged.

Mr. Hamilton disputed the report on the property which can be developed. He emphasized that Mission Boulevard is a tourist thoroughfare, and said it should have multiple dwelling development. He denied that the density of population would be a detriment (as appeared in the report read by Rick). Much of the property is developed, he said, under zone variance for the very type of thing that is proposed by the petitioners under a zone change.

The Mayor pointed out that the Council retains a degree of control over the property under zone variance, but loses it under a zone change.

Councilman Godfrey contended that there is inconsistency in the theory.

Mr. Rick said that variances are to be used only in border line cases, particularly between different classes of zones. He disagreed with conditions as presented by Mr. Hamilton.

At this time the Mayor asked Mr. Hamilton if he had concluded his presentation. Mr. Hamilton replied that he had. The Mayor then invited the group which favored the Commission's recommendation for denial of the petition for the zone change.

Roy D. Fitzgerald, attorney, spoke for Jeanette Jordan, 905 Opal Street, San Diego 9, and read a petition of protest, containing 40 property owners' signatures. He,

too, showed a plat of the various properties: protestants, et al. He presented the petition of protest for the record, and the map (which was later returned at his request, inasmuch as it was not needed for the file).

It was moved by Councilman Schneider and seconded by Councilman Dail to sustaining the Zoning Committee's (should have read "Planning Commission's") recommendation for denial of application for said zone change.

Before the roll could be called, H. L. Bishop, a Beryl Street property owner asked to be heard, inferring that the Mayor was attempting to close the hearing before all interested persons were given an opportunity to speak.

The Mayor invited Mr. Bishop to speak, saying he assumed that both sides of the question, being represented by counsel, would leave the presentation of the case to their attorneys.

Mr. Bishop referred to 25-foot lots throughout the area.

Mr. Rick told about the unfortunate subdivision of the property into 25 foot lots, saying that it was the original intention of property owners to build upon 2 for each development, but that it had not worked out that way and that the City could not force such a procedure. He said that there are a tremendous number of such small lots in Pacific Beach. He said that unfortunately it is possible to build 2 houses in an R-2 zone on one 25-foot lot. He mentioned a pending application for a variance in the area under discussion for permission to make a good development upon 4 25-foot lots.

Mr. Bishop said it would solve having to come in frequently for variances, if the rezoning were accomplished.

The question was called for on the motion, resulting in the following resolution:

RESOLUTION NO. 103154, recorded on Microfilm Roll No. 41, sustaining the Planning Commission's recommendation for denial of the petition of property owners for the rezoning of Lots 1 to 4 inclusive and Lots 49 to 52 inclusive Block 1, Lots 1 to 11 inclusive Block 2, Lots 27 to 34 inclusive Block 3, Lots 49 to 52 inclusive Block 4 Ocean Spray Addition, Lots 27 to 35 inclusive Block 3, Lots 49 to 52 inclusive Block 4 First Addition to Ocean Spray Tract, from the existing R-2 zone to zone R-4, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103155, recorded on Microfilm Roll No. 41, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expenses necessary or incidental to the construction of mesh wire fence along Wabash Boulevard, under Document No. 436331 on file in the office of the City Clerk, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Asst. Planning Director, reporting on communication from Frank L. Hope, architect for the Bay View Hills Housing Project (Wherry Housing Project - N-47 Sect.) requesting amendment to Item 6 of Resolution No. 102669 in respect to required improvement of streets - for installation of sidewalks 4 feet wide set integral with curb to be installed on all streets - was presented.

Said Communication reported that the Planning Commission has recommended that condition 6 be amended so as to provide for installation of sidewalks on both sides of all streets excepting therefrom sidewalks on AA Street between Paradise Valley Road and the intersection with the westerly portion of BB Street, and on the northerly side of FF Street from Calle Tortuoso to Calle Canada and on the south side of FF Street from Calle Canada to the westerly line of Building M102A.

RESOLUTION NO. 103156, recorded on Microfilm Roll No. 41, amending Section 6 of Resolution No. 102669 relative to sidewalks in Bay View Hills - Wherry Housing Project (N-47 Sect.) - as outlined in the Planning Commission's recommendation under Document No. 436332, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Superintendent of Streets, bearing the Assistant City Manager's signature of approval, recommending granting petition for closing of Shafter Street from the northerly boundary of Carleton Street to the mean high tide line between Blocks 28 and 29 Roseville, was presented.

Said communication states that the proposed closing is in the public interest.

The City Manager made a verbal request for reference back to him of the matter.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said file was referred to the City Manager.

Communication from the City Manager announcing his reappointment of Mr. Elwood Bailey, whose term on the Park Commission expired June 30, 1951, for another five-year term, effective July 1, 1951, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said communication was ordered filed.

Communication from The Metropolitan Water District of Southern California, 306 West Third Street, Los Angeles 13, dated July 20, 1951, signed by A. L. Gram, Executive Secretary, transmitting copy of communication being a joint report by Julian Hinds, General Manager and Chief Engineer, and James H. Howard, General Counsel, of the District, to the Board of Directors, reporting findings as to the facts involved in the reported delivery of Colorado River water by the City of San Diego to the City of Coronado, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated July 20, 1951, signed by J. M. MacConnell, reporting on claim of Grace R. Canning, stating that a thorough check disclosed that the City did not have a street sweeper in the 800 block on Missouri Streets on any of the dates that she claimed her car was parked and injured by a street sweeper, and stating that Mrs. Canning has been advised that in view of the facts it would be impossible to entertain any claim which she had filed, was presented.

On motion of Councilman Schneider, seconded by Dail, said matter was ordered filed.

RESOLUTION NO. 103157, recorded on Microfilm Roll No. 41, authorizing and directing the City Attorney to file petition with the Board of Supervisors of the County of San Diego requesting that all taxes of record against various lots in Block 110 of the Subdivision of Pueblo Lot 1168, more particularly set forth in said Resolution, be cancelled together with all penalties and expenses and all deeds to the State for delinquent taxes, authorizing and directing him to take whatever steps he may deem necessary otherwise to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103158, recorded on Microfilm Roll No. 41, authorizing and directing the City Attorney to file petition with the Board of Supervisors of the County of San Diego requesting that all taxes of record against Lots 13 to 18 Block 37 of Sellar's Addition be cancelled together with all penalties and expenses and all deeds to the State for delinquent taxes, authorizing and directing him to take whatever steps he may deem necessary otherwise to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103159, recorded on Microfilm Roll No. 41, authorizing and directing the City Attorney to file petition with the Board of Supervisors of the County of San Diego requesting that all taxes of record against Lot 60 Block 103 Ocean Bay Beach be cancelled together with all penalties and expenses and all deeds to the State for delinquent taxes, authorizing and directing him to take whatever steps he may deem necessary otherwise to secure cancellation of taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103160, recorded on Microfilm Roll No. 41, authorizing and directing the City Treasurer to exchange \$1,000,000 par value of 1-1/4% United States Treasury Notes purchased from inactive funds in the City Treasury, due August 1, 1951, for \$1,000,000 1-7/8% Certificates of Indebtedness, dated August 1, 1951, and maturing July 1, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103161, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all the work in connection with the installation of curb returns and drainage structures at the intersection of Jewell Street and La Playa Avenue, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by City forces more economically than if let by contract.

RESOLUTION NO. 103162, recorded on Microfilm Roll No. 41, agreeing to contribute the sum of one-third of the estimated cost of \$3592.00, i.e. \$1197.33, for the construction of an outfall sewer line outside the limits of Makai Heights and which outfall sewer has been required to be constructed in the Resolution accepting the tentative map thereof, said money to be paid upon completion of the outfall sewer and its acceptance by the City, and upon delivery to the City of a quitclaim deed to said outfall sewer line, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending granting excess-width driveway to Jasper and Lucy Frontiero, to provide access to four garages on Elm Street between First Avenue and Front Street, was presented.

RESOLUTION NO. 103163, recorded on Microfilm Roll No. 41, granting permission to Jasper Frontiero and Lucy Frontiero, 1642 Columbia Street, San Diego 1, to break out approximately 36 feet of curb and install a driveway on the north side of Elm Street, approximately between points 60 feet and 98 feet west of the west line of First Avenue, as measured at the top of the full-height curb adjacent to Lot G Block 223 Horton's Addition, to provide access to four garages in connection with apartment located at said address, subject to all rules, regulations and ordinances governing the same, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Manager recommending granting excess-width driveway to G. N. Wallace, on La Jolla Boulevard between Ravina & Prospect, to serve a ten-unit apartment, was presented.

RESOLUTION NO. 103164, recorded on Microfilm Roll No. 41, granting permis-

sion to G. N. Wallace, 347 Prospect Street, La Jolla, to remove 40 feet of curb on the westerly side of La Jolla Boulevard, approximately between points 411 and 451 feet, as measured along the property line, south of the south line of Prospect Street, for the installation of a driveway adjacent to Lot 17 Block 15 La Jolla Park, to provide access to off-street parking for 5 cars in connection with construction of apartment on westerly side of La Jolla, in accordance with all rules, regulations and Ordinances governing the same, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103165, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all the work in connection with the renewal and/or lowering of 85 existing services to grade on Saranac Street, Mohawk Street, et al., by appropriate City forces, in accordance with his recommendation, to comply with Engineer's Plans 7838-L to 7847-L and 8316-L to 8320-L, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103166, recorded on Microfilm Roll No. 41, granting permission to Floyd L. Skiles and Lois J. Skiles, 4705 Natalie Drive, San Diego 15, to install a 4-inch cast iron sewer line between the curb and the sidewalk, to be placed outside the property line and run in an easterly direction, parallel to the northerly line of Lot 1 Block 144 University Heights Subdivision, to point of intersection with public sewer, to serve property at 2009-2011 Howard Avenue, subject to approval of the San Diego Department of Public Health and of the City Manager, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103167, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by Security Trust and Savings Bank of San Diego, beneficiary and trustee, bearing date July 21, 1951, wherein said party subordinates all its right, title and interest in and to portions of Pueblo Lot 1785 of the Pueblo Lands of San Diego, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103168, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by San Diego Federal Savings and Loan Association, beneficiary, and Southern Title and Trust Company, trustee, bearing date July 11, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 104 Redwood Village Unit No. 1, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103169, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by Fred C. Corey and Ruth C. Corey, beneficiaries, and Security Trust and Savings Bank of San Diego, trustee, bearing date June 21, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 1774 to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103170, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by Fred C. Corey and Ruth C. Corey, beneficiaries, and Security Trust and Savings Bank of San Diego, trustees, bearing date June 21, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 1774 heretofore conveyed to the City of San Diego to the right of way and easement for street purposes, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103171, recorded on Microfilm Roll No. 41, accepting subordination agreement executed by La Jolla Federal Savings and Loan Association, beneficiary, and Security Trust and Savings Bank of San Diego, trustee, bearing date July 3, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 1774 to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103172, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by La Jolla Federal Savings and Loan Association, beneficiary, and Security Trust and Savings Bank of San Diego, trustee, bearing date July 3, 1951, wherein said parties subordinate all their right, title and interest in and to portions of Pueblo Lot 1774 to the right of way and easement for street purposes heretofore conveyed to the City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103173, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by Paul P. Richmond and Aline Richmond, beneficiaries, and Security Trust & Savings Bank of San Diego, trustee, bearing date June 22, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 10 Block A La Jolla Country Club Heights, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said Subordination Agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103174, recorded on Microfilm Roll No. 41, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of The City of San Diego acceptance of a permit, executed on the 16th day of July, 1951, for the construction, operation and maintenance of a sanitary sewer system on State Highway Road XI-SD-2-SD, near the intersection of Pacific Highway and Balboa Avenue, and of all of the terms and conditions therein set forth, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103175, recorded on Microfilm Roll No. 41, accepting deed of Bessie Thomas, executed in favor of The City of San Diego, bearing date July 17, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 32 Pacific View Homestead Lots, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103176, recorded on Microfilm Roll No. 41, accepting deed of Samuel M. McNaul and Orsina R. McNaul, bearing date July 9, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 194 Middletown, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103177, recorded on Microfilm Roll No. 41, accepting deed of C. A. Matson and Eva C. Matson, bearing date November 14, 1950, conveying an easement and right of way for sewer purposes in portion of Lot 12 Block "D" La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103178, recorded on Microfilm Roll No. 41, accepting deed of John B. Cammann and Evelyn D. Cammann, bearing date May 29, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 10 Block A La Jolla Country Club Heights, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103179, recorded on Microfilm Roll No. 41, accepting deed of Florence R. McKinney and Ruth M. Glendon, bearing date July 11, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 2 Block 12 F. T. Scripps' Addition, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103180, recorded on Microfilm Roll No. 41, accepting deed of Christina Murray Bryan, bearing date July 6, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 21, 22, 23 and 24 Block 6 Frary Heights, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103181, recorded on Microfilm Roll No. 41, accepting deed of LeRoy Thompson, Jr. and Betty J. Thompson, bearing date July 2, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 104 Redwood Village Unit No. 1, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103182, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by San Diego Federal Savings and Loan Association, beneficiary, and Southern Title and Trust Company, trustee, bearing date July 11, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 105 Redwood Village Unit No. 1, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103183, recorded on Microfilm Roll No. 41, accepting deed of Howard L. Anderson and Rose Mary Anderson, bearing date July 2, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 105 Redwood Village Unit No. 1, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103184, recorded on Microfilm Roll No. 41, accepting deed of LeRoy B. Klapper and Diane D. Klapper, bearing date June 18, 1951, conveying an easement and right of way for street purposes in portions of Pueblo Lot 1774, setting aside and dedicating portions as and for public street, and naming the same La Jolla Rancho Road and La Jolla Mesa Drive, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, Adopted.

RESOLUTION NO. 103185, recorded on Microfilm Roll No. 41, accepting deed of William Sandberg and Dorothy Sandberg, bearing date July 20, 1951, conveying an easement and right of way for street purposes in portions of Pueblo Lot 1785, setting aside and dedicating the same to the public use as and for a public street, and naming the same Alta Vista Street and Turquoise Street, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103186, recorded on Microfilm Roll No. 41, accepting deed of Cecil R. Nichols and Beulah Nichols, bearing date July 3, 1951, conveying portions of Lot 7 Block 33 Point Loma Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Wabaska Drive, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

ORDINANCE NO. 4869 (New Series), recorded on Microfilm Roll No. 41, repealing Ordinance No. 2342 (New Series) adopted December 30, 1941, which said Ordinance prohibited any persons from becoming a visitor to any place for the practice of gambling, prohibiting soliciting another to visit any place for the purpose of prostitution or gambling, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent-Councilmen None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4870 (New Series), recorded on Microfilm Roll No. 41, appropriating the sum of \$120.00 from the Unappropriated Balance and transferring the same to Maintenance and Support and other Outlay, Social Welfare Department Fund, was on motion of Councilman Swan, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

The next item of business, not listed on the Council's agenda, was presented by the Mayor upon unanimous consent of the Council:

RESOLUTION NO. 103187, recorded on Microfilm Roll No. 41, authorizing the Mayor to attend committee meetings of Congress, to be held during the latter week of July and the first week of August in Washington, D.C., for the purpose of representing The City of San Diego in assisting representatives of the San Diego County Water Authority and The

Metropolitan Water District of Southern California in presenting by way of evidence the critical need of the people of this City and the people of this County for an additional water supply and the great benefit that will be conferred upon such people if the United States Government at this time authorizes and appropriates the necessary funds for the construction of the needed second aqueduct or conduit for the purpose of bringing water from the Colorado River Supply, through the agency of The Metropolitan Water District of Southern California and the San Diego County Water Authority for the use of the people of the City and County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

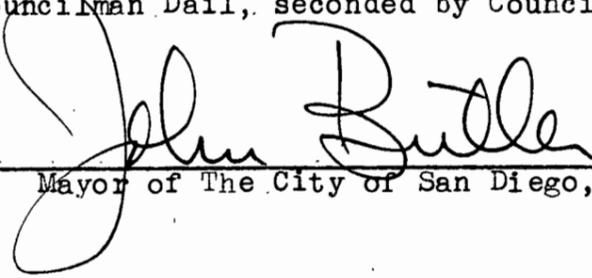
The City Manager requested, and was granted, unanimous consent, to present the following matters, not listed on the Council's agenda, each of which he explained to the Council:

RESOLUTION NO. 103188, recorded on Microfilm Roll No. 41, authorizing the City Attorney to comprise action filed against The City of San Diego in the Superior Court of the State of California, in and for the County of San Diego, designated as "Solomon S. Kipp, W. E. Starke, and K. L. Mark vs. The City of San Diego, etc." designated as No. 165981, to Quiet Title to Lots Nos. 25, 26, 27, 28 Block 104 City Heights Subdivision pursuant to assessment No. 209, 210, 211 and 212 for the opening of Tamarack and Thorne Streets, and authorizing him to file a consent decree in said action on condition that the plaintiffs pay to The City of San Diego the principal sum due together with interest due on certificates of sale issued for the opening of said streets, in the total sum of \$137.05, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

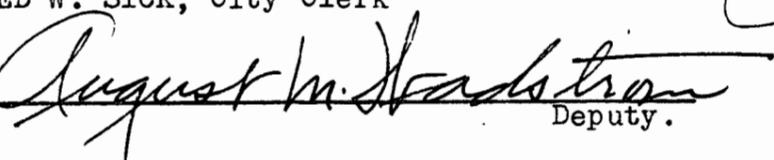
RESOLUTION NO. 103189, recorded on Microfilm Roll No. 41, accepting offer made by the Board of Supervisors of the County of San Diego on the 30th day of October, 1950, regarding a Cooperative Agreement between the County and the City of San Diego for construction of College Way Extension (Road Survey 943), the City to deposit \$28,000.00 with the Road Commissioner's Trust Fund, upon the various stipulations contained in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Prior to adoption of Resolution No. 103189, the City Manager stated that it was adopted pursuant to a previous agreement made in Council Conference, but upon which no formal official action had been taken. The Manager said that the amount will be considerably higher than the figure shown, being based upon the original estimate.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Godfrey, at the hour of 12:00 o'clock Noon.


Mayor of The City of San Diego, California.

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy.

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, July 31, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:15 o'clock A.M.

Present--Councilmen Swan, Schneider, Kerrigan, Dail
Absent---Councilmen Wincote, Godfrey, Mayor Butler.
Clerk---Fred W. Sick

In the absence of the Mayor, Vice Mayor Chester E. Schneider presided.

The Minutes of the Regular Meetings of Tuesday, July 24, 1951, and of Thursday, July 26, 1951, were presented to the Council by the Clerk. On motion of Councilman Kerrigan, seconded by Councilman Swan, said minutes were approved without reading, after which they were signed by the Vice Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, within the limits and as particularly described in Resolution of Intention No. 102451, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$1000.00, which bid was given Document No. 436648;

Councilman Godfrey entered the meeting at this time.

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$1100.00, which bid was given Document No. 436649;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York, in the sum of \$1,000.00, which bid was given Document No. 436650.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2017 made to cover the costs and expenses of the work upon the paving and otherwise improving of Evergreen Street, within the limits and as particularly described in Resolution No. 100059, the Clerk reported that no written appeals had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented. RESOLUTION NO. 103190, recorded on Microfilm Roll No. 41, confirming and approving the Street Superintendent's Assessment No. 2017, made to cover the cost and expenses of the paving and otherwise improving of Evergreen Street, within the limits and as particularly described in Resolution of Intention No. 100059, authorizing and directing him to attach his warrant thereto and issue the same in the manner and form provided, directing him to file said warrant, diagram and assessment in his office, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 102889, the Clerk reported that no written protests had been received.

Thereupon, the Vice Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented. The matter was continued, temporarily, awaiting arrival of the sixth member of the Council, to permit adoption of the Resolution of feasibility.

(The matter will be resumed later in these Minutes).

Councilman Wincote entered the meeting at this time.

The Vice Mayor requested, and was granted, unanimous consent to present the next matter, not listed on the agenda:

Ferdinand Fletcher, attorney, brought up the matter of the proposed annexation of property north of Montgomery Field to the City of San Diego - which had been before the Council previously. Mr. Fletcher asked for a motion to approve the annexation "in principle", then reference to the City Attorney for an ordinance. He said that all of the property owners have signed on the petition. He stressed the need for speeding up the procedure, and said that the field survey of boundaries could come later. He said that such action would be of assistance to the property owners. Mr. Fletcher asked the City Engineer how long it would be before he could make the surveys.

The City Engineer said that he was not sure when the surveys of the boundaries could be made - perhaps within 2 or 3 weeks.

The City Manager said that reference to the City Attorney would infer that the Council approves the annexation, and that if such were not the case it would be a waste of funds to proceed.

Councilman Dail asked for a hearing 4 weeks from this date.

Councilman Dail moved to set a hearing 4 weeks from this date, which motion was seconded by Councilman Wincote.

There was discussion on the point before the motion was called, resulting in a substitution, by Councilman Dail seconded by Councilman Wincote, for reference to the City Attorney for preparation of the necessary Ordinance.

The City Manager said the various stipulations regarding services, etc., would be included.

Councilman Godfrey said he was not ready for the question, and insisted that the Council has had no detailed answers to specific questions.

The City Manager said agreements have been made regarding developments, costs, school property, etc. He said that the amount of development cannot be written into the petition.

Once again Councilman Godfrey said that he is not ready to vote until the questions have been answered. He said that it could be costly to serve homes, if improvements not completed.

Mr. Fletcher said that the matter is in escrow now, and said that there is commitment for construction of not less than 1,000 homes, for the financing. He said that industrial area is being set aside, but that no commitment can be made on that point at this time. He made reference to the pro-rata share to be borne by anyone else who would join in the water line.

Mr. Platner said that other property owners in the "pie shape piece" (previously discussed by the Council) have been contacted, and that they will probably join in the petition.

Councilman Wincote said that all had agreed at the very first meeting regarding the stipulations to be made.

Aubrey Davis spoke regarding an industrial survey which the Chamber of Commerce and he have made. He said that various inquiries are being received for available land to be put to industrial uses. He said that the best area would be in the land sought to be annexed, for all purposes. He told of proposed industrial development, which will need acreage.

The motion was called for on the question, resulting in RESOLUTION NO. 103191, recorded on Microfilm Roll No. 41, referring to the City Attorney the matter of proposed annexation of portions of Rosedale, Highlands, Rancho Mission for preparation of the necessary Ordinance, upon which a hearing shall be set, as expeditiously as possible, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

The next matter was brought up at this time, out of order, to accommodate a large group of persons present who were interested in the subject:

Communication from the City Manager reporting on San Diego Liquid Gas & Appliance communication relative to Ordinance 4832 N.S. re transportation of liquified petroleum gas, and attaching communications from the Fire Marshal and Chief of the Fire Department, was presented. The Manager's letter advised the Council that Mr. Dowdy (writer of the letter referred to) had been informed that the question would come before the Council, and he had been invited to appear.

Lewis H. Dowdy, who identified himself as a partner in the San Diego Liquid Gas & Appliance Co., spoke. He said that the Council had agreed to have a hearing before any ordinance on the subject of liquified petroleum gas was passed, but that another emergency Ordinance has been adopted - without any notification.

Mr. Dowdy's letter of July 17 was read.

Mr. Dowdy quoted from Ordinance No. 4832 N.S. He said that the statement in the ordinance regarding danger is incorrect. He quoted, also, the sections regarding equipment and regulations. He said that there is State supervision, and that work is under jurisdiction of a resident State engineer. He said that the subject is covered under State regulation, which is one of the strictest in the country. Mr. Dowdy spoke regarding permit required to enter fire Zone 1 and route to be followed by trucks. He said that the Ordinance actually routes trucks over the busiest street in the City. He mentioned, also, the routes to be followed to make truck repairs. Mr. Dowdy charged that the Fire Department has the "supreme say". He said that when a permit had been asked to take his equipment into repair shop, he had hung up on the Assistant Fire Marshal on account of his telephone comments. He asked for repeal of the Ordinance. He introduced Mr. Braden (first name or initials were not given), resident engineer of the Industrial Safety Commission.

Mr. Braden spoke regarding inspection by qualified and certified certified inspectors of the State. He said that State laws cover all conditions.

H. C. Clutse (the Clerk did not have the speaker's name spelled to him; is recording it phonetically), Senior Engineer of the Industrial Accident Commission, gave a detailed account of an accident which had occurred in San Fernando Valley, in reply to a question from Councilman Kerrigan. No gas had escaped from tanks, he said, except through a safety valve, as is wanted. He said that Liquified Petroleum Gas was safer in the tank truck than if it had contained gasoline. He spoke of another transport truck which did not explode or spring a leak in the accident. Lather, he said there was leakage, and about \$100 worth of damage, although the papers had reported \$6000. damage. The fifth wheel, he said, had been rubbing on a fitting, cause the damage. He told of new directions which are being issued for further safety.

Councilman Kerrigan said that laxity in the State law is apparent.

Mr. Clutse said that there is plenty to be learned regarding the hazard. He said that the gas has to be confined, to prevent damage. The gas, he said, is heavier than air, therefore has to be vented downward.

The Vice Mayor asked for a statement of what is desired.

Mr. Clutse said that the State of California is not protesting the Ordinance, that he was here to answer questions, and that he is here to work with the City.

The City Manager said that the Ordinance had been advertised before adoption, that all ordinances have to be advertised before they are adopted. That statement was corrected by the Clerk, who said that the Ordinance was not advertised, and that there is no requirement for such advertising unless the Council sets a formal hearing (which was not done).

Councilman Wincote questioned Mr. Dowdy's statement that a promise had been made to hold a hearing before any new Ordinance on the subject of Liquefied Petroleum Gas. There are no gas experts on the Council, Mr. Wincote pointed out.

Mr. Dowdy said every home in the city has propane-butane gas at various, through Gas Co. in shortage periods, and told of having delivered such gas to the company's tanks.

Lester Kling, president of the Rock Gas Corporation, spoke. He said he has operated in San Diego since 1935. Mr. Kling said he has no arguments with the City, but contended that the ordinance is unjust and that dealers have been discriminated against on account of it. He said that they operate under State Industrial Accident Commission. Mr. Kling said that the liquefied petroleum gas is less than the gasoline trucks. He pointed out that there have been 2 violent natural gas explosions in San Diego. Also, he said, no local regulation is needed of the liquefied petroleum gas. He said he would be willing to discuss the matter with City officials.

Mr. Dowdy called on George Requa to speak next.

George Requa, State executive secretary of the Liquefied Gas Dealers of California, and Assistant Fire Chief of Arcade, spoke. He said that the gas will dissipate itself into the air in a reasonable time. He said that the industry is regulated on a State level, for the entire State. No pointed out that no other area has such an ordinance, or even one under consideration. He maintained that State orders are sufficient. Mr. Requa pointed out that Sacramento County has no ordinance, other than the State's regulation. He said that he is not familiar with the San Diego area, and said that it may be that regulation is needed here, and that he does not know about that. He felt that the matter might be studied, with the industry. He made reference to Section 1 e, about the Fire Chief's orders. He said that the Fire Chief may know nothing about the subject he is to regulate. He felt that the ordinance puts power into an individual's hands, which he contended is wrong. He said that the Ordinance can be a dangerous thing.

Mr. Dowdy spoke again. He said that Chicago's buses are going to all liquefied petroleum gas, but that under San Diego's ordinance that could not be done here. San Antonio buses all use liquefied petroleum gas, he said, with no gasoline or diesel buses operating.

Mr. Stillman, local representative of the Shell Oil Company was called upon by Mr. Dowdy. Mr. Stillman spoke briefly, presenting Mr. Falen, of Los Angeles.

Mr. Falen (his name was not spelled for the Clerk, so once again it is written in phonetically), of the liquefied petroleum department of the Shell Oil Co., spoke. He commended the Fire Department for its interested in safety measures. However, he pointed out that liquefied petroleum gas is good fuel, no more or less dangerous than any other fuel. He told the Council that buses of Chicago, Phoenix, and a line between Burbank and Los Angeles operate on propane. He said that there is no mystery about liquefied petroleum gas. Mr. Falen informed the Council that the liquefied petroleum gas is not being used in many cities, and said that it is being piped through Victorville and other cities.

Mr. Stillman said that the metal used in the liquefied petroleum gas tank trucks is safer than that of gasoline trucks. He said that l.p.g. trucks have rolled over many times without spillage or evaporation.

Councilman Kerrigan moved to refer the matter to the City Manager for consultation with interested persons and the Fire Department, unless the Fire Chief wants to be heard.

Fire Chief Courser said he wanted to be heard. Chief Courser spoke, and said that he has nothing against liquefied petroleum gas, but said that it is dangerous. He referred to failure of Dowdy's delivery, being able to take trucks to the Sealer of Weights and to garage for repairs. He wanted the Council to leave the ordinance in effect, as written, and said "don't monkey back and forth" with it. He told of an ordinance in Youngstown, Ohio. The Chief said that he could bring in Fire Chiefs who would uphold him, to testify, but saw no reason to do so.

Asked if there is any regulation on high test gasoline delivery, Chief Courser said that there is not. He said that this is not a case of trying to interfere with business, simply one of safety. He recommended leaving the Ordinance as is, and said that he will work with Mr. Berg (San Diego Mill Supply Co.) for his liquefied petroleum gas deliveries. The Chief admitted that Mr. Berg had been prevented from getting deliveries. He said he just wants to protect the users, and does not want the big gas trucks operating in Fire Zone 1. (Previous testimony had shown that the trucks are routed, by provisions of the ordinance, on Pacific Highway, the most heavily traveled artery in the City).

Councilman Kerrigan moved to refer the matter to the City Manager for discussion of the points in question, which motion was seconded by Councilman Godfrey.

Before the roll could be called, Gabriel Berg asked to be heard.

Mr. Berg, of the San Diego Mill Supply Co., spoke regarding the use of liquefied petroleum gas in his business. He said that there is no emergency, as stated in the Ordinance, and pointed out that there have been no industrial accidents in San Diego in years. He asked for suspension of enforcement of the Ordinance until the matter can be clarified. He said that he has now been receiving l.p.g. deliveries in small quantities.

The Fire Chief showed photographs of the San Diego Mill Supply Co.'s tanks to the Council, which photos he did not file for the record.

The previously-made motion and seconded were remade, and the question called for.

RESOLUTION NO. 103192, recorded on Microfilm Roll No. 41, referring to the City Manager for conference with the Fire Department and with the affected industry, the matter of the City's Ordinance governing the storage and transportation of liquefied petroleum gas, upon which a hearing had been held this date as a result of a communication from the Manager reporting on communication of Mr. L. H. Dowdy, San Diego Liquid Gas & Appliance Co., 3641 Rosecrans Blvd., protesting Ordinance No. 4832 N.S., was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Inasmuch as Councilman Wincote had arrived, the matter of Jewell Street paving under Resolution No. 102889 of Preliminary Determination was resumed at this time.

The City Engineer spoke about a water main in the project. He said that the City Schools System has one block on the improvement, and that it is objecting to paying for the main. The School contend that what is obtained from another source, which the Engineer said is true. He felt that perhaps the City should make a contribution to the project covering that portion of the main. It was pointed out that if a contribution were made, it need not be done now. The Engineer said he realized that to be the case, but felt the Council should be informed, so that it would know about the matter at the proper time.

No action was taken about contributing to the project for the cost of the water main adjoining the City School's property.

RESOLUTION NO. 103193, recorded on Microfilm Roll No. 41, determining that the proposed paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution No. 103889 of Preliminary Determination, is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and also finding and determining that public convenience and necessity require the proposed improvements, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Claim of Dr. C. E. Godfrey and Margaret M. Godfrey, 3355 Brant Street, in the sum of \$3.90, for damage to automobile by fire hydrant installed at a parking meter, was presented.

RESOLUTION NO. 103194, recorded on Microfilm Roll No. 41, referring claim of Dr. C. E. Godfrey and Margaret M. Godfrey to the Pacific Indemnity Company was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Claim of W. D. Buffat, 4528 Altadena Avenue, in the sum of \$10.00, for damage done to coat by wire wrapped around flag or decorative bunting on a light pole at the northeast corner of Broadway and Sixth Avenue, was presented.

RESOLUTION NO. 103195, recorded on Microfilm Roll No. 41, referring claim of W. D. Buffat to the Pacific Indemnity Company was, on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from A. J. Sutherland, for himself and H. Robert Kaplan, owners of Lot 1 and portion of Lot 2 Block 497 Old San Diego, requesting action to open Conde Street for traffic to provide access to their property, was presented.

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

Communication from the City Engineer, bearing the Purchasing Agent's and the Assistant City Manager's stamps of approval, reporting on bids for construction of sewer replacement from Estrella Park northeasterly along Lexington Avenue to Thorn Street, recommending award to L. B. Butterfield, the low bidder - low bid 8.7% below the estimate - stating project to be financed from the \$750,000.00 sewer bond issue - was presented.

RESOLUTION NO. 103196, recorded on Microfilm Roll No. 41, accepting bid submitted by L. B. Butterfield for the construction of sewer replacement from Estrella Park northeasterly along Lexington Avenue to Thorn Street; thence easterly to Chamoune Avenue, and connections, declaring said bid to be the lowest, responsible and reliable bid, rejecting all other bids received therefor, awarding contract and directing the City Manager to execute the same upon execution of L. B. Butterfield of said contract, and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent bearing the Assistant City Manager's stamp of approval, reporting on bids for furnishing 20 tons of Palm Fiber and 5 tons of Gutter Broom Wire for the Street Department, recommending award to George L. Avery on Palm Fiber and to A. Steiert and Son, Incorporated, on Gutter Broom Wire (Avery low on both items, but Gutter Broom Wire offered by Avery is inferior), was presented.

RESOLUTION NO. 103197, recorded on Microfilm Roll No. 41, accepting bid of George L. Avery, Oakland, California, for the furnishing of 20 tons of Palm Fiber, awarding contract and directing the City Manager to execute the same, directing the City Clerk to return all bid checks submitted, with the exception of the checks submitted by the low bidder and the second low bidder, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103198, recorded on Microfilm Roll No. 41, rejecting bid of George L. Avery for furnishing 5 tons of Gutter Broom Wire on the basis of inferior quality, accepting bid of A. Steiert and Son, Incorporated, the lowest responsible bidder, therefor, awarding contract and directing the City Manager to execute the same, directing the City Clerk to return all bid checks submitted, with the exception of the checks submitted by the low bidder and second low bidder, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the furnishing of 36" and 42" Valves for the Water Department, recommending award of 2 36" Gate Valves to Crane Company under Item 1; alternate bid for 1 42" Butterfly Valve with rubber liner to Waterworks Supply Co., stating that due to revision in proposed reservoir piping connections that Valves listed under Item 3 will not be required, was presented.

RESOLUTION NO. 103199, recorded on Microfilm Roll No. 41, accepting bid of

Crane Company of San Diego for the furnishing of two 36" Gate Valves, accepting bid of Waterworks Supply Company of Los Angeles for the furnishing of one 42" Butterfly Valve with Rubber Liner, for the Water Department, awarding contracts and directing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the furnishing of the City's official advertising for the period beginning August 1, 1951 and ending July 31, 1953, but making no recommendation for award but leaving consideration of acceptance to the Council, was presented.

Said communication states that a compilation of bids, showing amount of advertising for the past 12 months at the rates now offered by the two bidders: San Diego Union and Daily Transcript. The report states that the costs under the bid submitted by the San Diego Union would increase approximately 132% over costs of the past year and the Daily Transcript 100% over the past year. The current advertising cost to the City was \$20,471.59, and the same amount by the Union would be \$47,492.52, and by the Transcript would be \$40,941.00. The report states, further that affidavits furnished by the two bidders on average daily circulation are: Union, 43,214; Transcript, 1096.

Gerald Thomas, attorney, representing the Daily Transcript, asked to be heard. Mr. Thomas told the Council that the official advertising in the Transcript would go to the people who read it. He said that the trend of official advertising is toward the legal papers. The Transcript, he pointed out, has been recognized legal paper for 65 years. Also, he said that award to the Transcript would result in economy to the City of San Diego.

There was some discussion as to the necessity of making the award at this time. The Vice Mayor pointed out that today is the dead line.

Mr. Thomas asked that the award be made to the Daily Transcript.

Councilman Wincote said he was not ready to vote upon the matter at this time, and asked for continuance until this afternoon, in order to discuss the question in conference preceding an afternoon session.

A motion was made to continue the report and award until this afternoon.

Before the roll was called, Max Gutman, Manager of the Daily Transcript, spoke. He said that the Transcript has an average daily net paid circulation of 1096, by the month. He said that a Los Angeles legal paper carries the Los Angeles official advertising. He said that papers going out of the County are about 2%.

Mr. Thomas outlined the type of subscribers, and mentioned general circulation. He said that there is much gratis service to the courts, of benefit to the City. Mr. Thomas said that the Transcript is available, in addition to subscription, in newsstands, libraries, and by distribution through the mails. He contended that contenders would get as much of the City advertising in the Transcript as elsewhere.

The Vice Mayor declared the matter continued until this afternoon.

At the hour of 12:00 o'clock Noon, the Vice Mayor declared the meeting recessed until the hour of 2:00 o'clock P.M., this date, to be preceded by a conference to be held at the hour of 1:50 o'clock P.M.

Upon reconvening, at the hour of 2:15 o'clock P. M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey.

Absent---Mayor Butler

In the absence of the Mayor, Vice Mayor Chester E. Schneider presided.

The matter of the award for advertising, was resumed.

Councilman Kerrigan moved to award the contract to the San Diego Union, with a 90-day cancellation clause, at the City's option, which motion was seconded by Councilman Wincote.

Gerald Thomas who had spoken in behalf of the Daily Transcript, expressed his appreciation to the Council for its consideration in hearing him in connection with the bid for official advertising.

RESOLUTION NO. 103200, recorded on Microfilm Roll No. 41, accepting bid of Union-Tribune Publishing Co. for the doing of all the advertising of The City of San Diego in the San Diego Union, for a period of 2 years beginning August 1, 1951, and ending July 31, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Department, bearing the Assistant City Manager's stamp of approval, reporting on bids for furnishing Pumps, Motors and Starters for Catalina, Chesterton, and 65th and Herrick Streets Pumping Plants, was presented, together with detailed recommendations on awards in accordance with detailed break-down on the bids.

RESOLUTION NO. 103201, recorded on Microfilm Roll No. 41, accepting bids of Food Machinery and Chemical Corporation, Peerless Pump Division, Los Angeles, for the furnishing 3 Pumping Units for 65th and Herrick Streets, and 2 Pumping Units for Catalina Pumping Plant; and of Worthington Pump and Machinery Corporation, of Los Angeles for the furnishing of 2 Pump Units for Chesterton Pumping Plant; awarding contracts and authorizing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on Linda Vista Democratic Club petition for traffic signals at the intersections of Linda Vista Road with Ulric and Comstock Streets, attaching copy of his reply which stated that a survey indicates need for signals, but that locations are far down on the priority list, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Swan, the matter was ordered filed.

Communication from the City Manager reporting on E. L. Baumgardner suggestions relative to the water shortage, attaching copy of his reply stating that the suggestions have merit, but that it would not be feasible for members to go to his residence in Encinitas for a meeting at this time, that a meeting could be arranged at a later date relative to bringing water from Feather River and Sacramento River, was presented.

Councilman Swan asked for further details, particularly with reference to "suggestions with merit". The City Manager read a copy of his reply to the Council.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said matter was ordered filed.

Communication from the City Manager reporting on communication from Myron D. Collins expressing his views on support of symphonic music in San Diego, advocating combining the Summer and Winter orchestras, attaching copy of his reply to as to the merits of combining the two associations, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from the City Manager submitting copy of report made to him by the City Attorney, signed by H. F. Landgraf, Deputy, relative to claim of Hopkins News Agency for damage to truck by tree limb and reasons for denial by the insurance company, was presented.

The Attorney's communication agreed with findings of the insurance company.

It was stated by the Deputy City Attorney who attended the meeting that the claimant is not precluded from filing suit in court if he believes his claim to be correct and just.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the matter was ordered filed.

Communication from the City Manager reporting on Amalgamated Association of Motor Coach Employees communication relative to over-length and over-weight Greyhound buses operating to Tijuana, attaching copy of his reply, was presented.

The report states that regulations governing that type of permit are contained in the State Vehicle Code, and applications therefor are made to the Public Utilities Commission of the State.

The City Manager stated, verbally, that it is a matter over which the City of San Diego does not have control.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from the City Manager reporting on petition for construction of storm drain on Noyes Street, Pacific Beach, stating that there is an urgent need for the drain and has been approved for high priority rating in Capital Improvement Funds projects, and attaching a copy of his reply to the petitioners, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the City Manager reporting on San Diego Tavern Owners' Association and Associates communication requesting amendment to Ordinance No. 4784 N.S. to permit "cup dice" at cigar counters and bars, stating that the City Attorney has communicated with the Association and furnished copy of opinion dated April 16, 1951, on points raised in the communication from the Association, was presented.

The City Manager reported verbally, and said that the Association has been advised of the City Attorney's legal opinion in the matter.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said matter was ordered filed.

Communication from the City Manager reporting on complaints of Mrs. T. N. Calvert re cars parked at 2220 Adams Avenue, stating that she has been advised of regulations and basis for issuing complaints of violations, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from the City Manager reporting on communication of several Ocean Beach residents complaining about noise and other nuisances emanating from Rosey's, 2228 Bacon Street, stating that the Police Department has investigated and that the management of the cafe has agreed to take measures to eliminate cause for complaints, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the City Manager reporting on petition of residents for the removal of trash cans from the street at 2843 Candiz Street, and attaching copies of reports from various City departments made to him, stating that public nuisance does not exist, and transmitting copy of his reply to the first signer of the petition, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said matter was ordered filed.

Communication from the Street recommending granting petition of San Diego City Schools for closing of the Alley in Block B Tecolote Heights, and portion of April Street, within an area acquired for public school site, stating that the Major Street Plan would not be affected thereby and that the closing would be in the public interest, was presented.

RESOLUTION NO. 103202, recorded on Microfilm Roll No. 41, granting petition for the closing of the Alley in Block B Tecolote Heights and April Street, between the north line of August Street and the south line of July Street, as recommended by the Street Superintendent, directing the City Engineer to furnish a description of the lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of said closing, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission recommending granting San Diego School District petition for rezoning Block 55 and "Park" in Morena from the existing Zone R-1 to R-2, for school purposes, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission forwarding request of Mrs. Julia Nagem for approval of plan to construction to a non-conforming store building (the Council having already overruled the Planning Commission for one addition - this request is for a further addition to "square out" the building - and granted one addition) at 3595 Arizona Street in Zone R-2, was presented.

The matter was continued for one week from this date to permit members of the Council to look at the property, on motion of Councilman Kerrigan, seconded by Councilman Swan.

Although other members did not indicate that they would personally inspect the property, the Vice Mayor said that he would do so and report back to the Council at the meeting in week from today.

OF AWARD

RESOLUTION/NO. 103203, recorded on Microfilm Roll No. 41, accepting bid of San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in University Avenue Lighting District No. 2, for a period of one year from and including March 16, 1951, to and including March 15, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 103204, recorded on Microfilm Roll No. 41, accepting bid of San Diego Gas & Electric Company for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District No. 4, for a period of one year from and including April 1, 1951, to and including March 31, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF AWARD NO. 103205, recorded on Microfilm Roll No. 41, accepting bid of Griffith Company and awarding contract for the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road, Alley in Block 2 La Mesa Colony, Alley in Block 5 La Mesa Colony, Alley in Block 8 La Mesa Colony, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 102375, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

A written communication from the City Engineer advised the Council that the bid was 32.2% under the estimate.

RESOLUTION NO. 103206, recorded on Microfilm Roll No. 41, directing notice of filing of the Street Superintendent's Assessment No. 2025 and of the time and place of hearing thereof, made to cover the costs and expenses of the work done upon the paving and otherwise improving of Vallecitos, Camino del Oro, De la Ribera, and Camino del Sol, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 103207, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of 33rd Street and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION OF INTENTION NO. 103208, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of La Jolla Hermosa Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by

Councilman Dail, adopted. RESOLUTION NO. 103208, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Beardsley Street and 22nd Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded

RESOLUTION OF INTENTION NO. 103209, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Beardsley Street and 22nd Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 103210, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of Coronado Avenue, Del Mar Avenue and Orchard Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 103211, recorded on Microfilm Roll No. 41, for the paving and otherwise improving of the Alley in Block 153 University Heights, within the limits and as particularly described in Resolution of Intention No. 102727, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 103212, recorded on Microfilm Roll No. 41, for the closing of Placer Street and Flumas Street in Lemona Subdivision, as more particularly set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 103213, recorded on Microfilm Roll No. 41, for the closing of the Alley in Block 77 Point Loma Heights, as more particularly set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION CHANGING GRADE NO. 103214, recorded on Microfilm Roll No. 41, on portions of Falconer Street, Pirotte Drive and Balboa Vista Drive, as described in Resolution of Intention No. 102217 and map showing official property line grades to be changed signed by the City Engineer and filed under Document No. 432394 in the office of the City Clerk April 25, 1951, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103215, recorded on Microfilm Roll No. 41, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alley in Block 175 University Heights, within the limits and as particularly described in Resolution of Intention No. 101859, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103216, recorded on Microfilm Roll No. 41, directing the City Engineer to furnish a diagram of the property affected and benefited by the work of paving and otherwise improving of 33rd Street, Beech Street and Date Street, within the limits and as particularly described in Resolution of Intention No. 101860, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103217, recorded on Microfilm Roll No. 41, approving diagram of the property affected or benefited by the paving and otherwise improving of Venice Street, Brighton Avenue, Northeasterly and Southwesterly Alley in Block 91 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 101051, to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103218, recorded on Microfilm Roll No. 41, approving diagram of the property affected or benefited by the paving and otherwise improving of Landis Street, Alley in Block 12 Subdivision of Blocks 3, 6, 9 and 12 of City Heights Annex No. 1, et al, within the limits and as particularly described in Resolution of Intention No. 101271, to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103219, recorded on Microfilm Roll No. 41, approving diagram of the property affected or benefited by the paving and otherwise improving of Hancock Street and Clayton Street, within the limits and as particularly described in Resolution of Intention No. 101329, to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103220, recorded on Microfilm Roll No. 41, directing the City Attorney to file petition with the Board of Supervisors of the County of San Diego, requesting cancellation of all taxes of record together with all penalties and other expenses and the cancellation of all deeds to the State for delinquent taxes on Lots 8, portion of Lot 9, and Lot 12 Block 5 Drucker's Subdivision, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103221, recorded on Microfilm Roll No. 41, directing the City Manager to make application to the County of San Diego and to take all necessary steps to acquire from the State of California tax-deeded lands in Blocks 10, 14, 16 Electric Line Addition, more particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103222, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all the work of pouring a six-inch concrete cover over 300 feet of canal in connection with the improvement of the Dulzura Conduit, 100 feet between Flumes #16 and #17, and 200 feet in various locations between tunnel 3/4 and Flume #10, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103223, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all the work of sandblasting and guniting walls of canal from Station #467 to Station #437, in connection with the improvement of the Dulzura Conduit by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103224, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all the work in connection with the installation of 5,432 feet of cement concrete flooring in the Dulzura Conduit, between Station 18 and Flume #10, omitting tunnels and flumes, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103225, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all of the work in connection with the road along the Otay Second Main Pipe Line, to-wit: construct patrol road; install 3 large culvert crossings; build up road in various locations; install culverts where necessary, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103226, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all the work in connection with removal of wooden trestles and replacement with concrete and steel bents; installation of walkway on top of pipe; and painting as shown on the Resolution, necessary for improvement of Bonita Steel Pipe Line, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103227, recorded on Microfilm Roll No. 41, authorizing and directing the City Manager to make application to the Water Resources Board for reallocation to the City of San Diego of the sum of \$408,200.00, in payment for lands, easements, rights-of-way, bridges, utilities relocations, side drainage structures, and for other obligations of the City in connection with channel improvements to be constructed by the United States Government on the San Diego River and Mission Bay Project, from the State of California, for reimbursement of expenditures made by the City, all as authorized in Chapter 1514, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103228, recorded on Microfilm Roll No. 41, granting revocable permit to the Expo-Stucco Co. permission to install and maintain a loading platform, 12 feet wide and 74 feet long, on the west side of California Street north of Palm Street, adjoining the new building of said company, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103229, recorded on Microfilm Roll No. 41, authorizing the City Manager to enter into contract with Royal A. Brown, as an independent contractor to perform organ recitals, for a term of one year commencing July 1, 1951, at a monthly rate of \$250.00, in accordance with terms and conditions set out in form of agreement filed with the City Clerk under Document No. 436660, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103230, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to enter into contract with Leonard A. Dowling as an independent contractor to keep the Spreckels organ in tune and in proper operating conditions for a term of one year commencing July 1, 1951, at a monthly rate of \$149.00, in accordance with terms and conditions set out in form of agreement filed with the City Clerk under Document No. 436661, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103231, recorded on Microfilm Roll No. 41, declaring intersection stops at Laurel Street and 5th Avenue, affecting traffic in all directions - 4-way stop, Laurel Street and 6th Avenue, affecting traffic in all directions - 4-way stop; directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103232, recorded on Microfilm Roll No. 41, authorizing and empowering the City Auditor and Comptroller, pursuant to the provisions of Chapter 803 of the Statutes of the State of California, and particularly Section 1225 of the Government Code thereof, and subject to the consent in writing of the City Attorney, to destroy the following records in the office of said Auditor and Comptroller, which records are more than five years old, and have served their purpose and are no longer required:

- 1 Paid and cancelled payroll and commercial warrants issued and paid prior to July 1, 1946;
 - 2 Commercial vouchers for goods and/or services paid prior to July 1, 1946;
 - 3 Bills for interdepartmental services and/or transfers prior to July 1, 1946;
 - 4 General obligation bonds and coupons redeemed prior to July 1, 1946,
- was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103233, recorded on Microfilm Roll No. 41, authorizing and directing the Mayor and City Clerk, for and on behalf of and as the act and deed of The City of San Diego, to execute a quitclaim deed quitclaiming to Solon S. Kipp, W. E. Starke and K. L. Mark, an easement for the purpose of installing and maintaining a storm drain across portion of Lot 1 Block 195 of City Heights, more particularly described in said Resolution; authorizing and directing the City Clerk to deliver said quitclaim deed to the Supervisor of Properties of said City, with instructions that the same be delivered to said grantees, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103234, recorded on Microfilm Roll No. 41, authorizing and empowering the Mayor and City Clerk to execute for and on behalf of and as the act and deed of The City of San Diego, a quitclaim deed quitclaiming to J. W. Brem and Helen M. Brem, husband and wife as joint tenants, portions of Pueblo Lots 299 and 300, more particularly described in said Resolution; said deed, when duly executed and acknowledged to be placed in the hands of the Supervisor of Properties of the City of San Diego, to be by him placed with the Southern Title & Trust Company, Escrow No. 226864-5, to be by said Company delivered to said grantees when Southern Title & Trust Company has put clear title in the name of the City of San Diego of portion of Pueblo Lot 300 also more particularly described in said Resolution, conveyance being for the purpose of a freeway and releasing and relinquishing any and all abutter's rights of access over Course "A" described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103235, recorded on Microfilm Roll No. 41, declaring that the best interests of The City of San Diego require that it exchange an easement for public use over, upon and across real property described in said Resolution, for an easement for the same purposes in real property described therein; authorizing and directing the Mayor and City Clerk to execute, on behalf of The City of San Diego, a quitclaim deed in favor of William R. Tinker and Betty K. Tinker, husband and wife, as joint tenants, owners of real property described in said Resolution; directing that that said deed after execution be sent to the Supervisor of Properties to be delivered by him to said William R. Tinker and Betty K. Tinker, husband and wife, as joint tenants, in exchange for a deed from the Tinkers of an easement for public use, within Lots 175 of Collwood Park and 176 of Collwood Park, more particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4871 (New Series), recorded on Microfilm Roll No. 41, appropriating the sum of \$35,000.00 from the Capital Outlay Fund, for the purpose of providing funds for the City's share of the cost of the extension of College Avenue to the Alvarado Freeway, which project has been undertaken in cooperation with the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Schneider, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Butler.

The final reading of such Ordinance was in full.

The City Manager requested, and was granted, unanimous consent to present the following matters, not listed on the Council's agenda:

ORDINANCE NO. 4872 (New Series), recorded on Microfilm Roll No. 41, creating the positions of Docent Caretaker, Assistant Director of Civil Defense, Chief Warden of Civil Defense and Preparator, in the Classified Service, and establishing schedule of compensation therefor, for the fiscal year 1951-1952, declaring said Ordinance to be effective immediately upon its passage, for the immediate preservation of the public peace, property, health and safety of The City of San Diego, in order to carry on the work of the City and to preserve the public peace, property of said City, as stated, to recognize that certain de facto positions have existed from the start of this fiscal year and the duties thereof have been performed by the incumbents thereof and that it is necessary to immediately create said positions and establish compensation schedule, said positions having by inadvertence and mistake been omitted from Ordinances Nos. 4821 (New Series) and 4835 (New Series), was on motion of Councilman Kerrigan, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The final reading of such Ordinance was in full.

Prior to the passage and adoption of Ordinance No. 4872 (New Series), the Manager made a verbal statement to the Council in explanation of the necessity to adopt the Ordinance and for making it an emergency. He said that an effort has been made by the City to change certain positions from the City's payroll to contractual basis in the institutions. Also the non-payment of funds into the City Employees' retirement system was involved. He said that the positions are supposed to be carried in the Classified Service unless they are a highly specialized nature to avoid the Civil Service Rules. He said, also, that the City Auditor had questioned the procedure, and had indicated that he cannot pay the employees on the contractual basis, and that the positions have to be provided for in the Classified Service. The positions, the Manager told the Council, can be abolished. The Manager said that this action cannot be avoided, if the City is to pay the salaries of the employees whose positions are created under 4 new classes.

Councilman Kerrigan requested, and was granted, unanimous consent, to present the next matter, not listed on the Council's agenda:

Mr. Kerrigan said that he had received complaints regarding McGrath Bros. at 54th Street and University Avenue storing top soil for sale, which is creating a nuisance to a nearby trailer court by blowing dust. He said that there is another top soil storage enterprise being established on El Cajon Boulevard, and that he foresees other such places which may commit nuisances, even though located within a commercial zone.

The City Manager said that the City might be able to abate, if a public nuisance can be proved. If it is a private nuisance, not affecting a large area or group, residents could bring action, even if it is in a C zone permitting such operation. He said he could look into the matter.

Mr. Kerrigan wondered if that type of business should be eliminated from the C Zone.

RESOLUTION NO. 103236, recorded on Microfilm Roll No. 41, referring to the City Manager for investigation as to the legality of operating a top soil storage business in Zone C, and if an Ordinance to eliminate such storage from that Zone would be feasible, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

At this time there was brief discussion of the matter of Civil Defense, resulting in -

RESOLUTION NO. 103237, recorded on Microfilm Roll No. 41, referring to Council Conference on Tuesday, August 7, 1951, for consideration at the hour of 9:00 o'clock A.M. the matter of Civil Defense, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The City Manager requested, and was granted, unanimous consent, to present the following matters, not listed on the Council's agenda:

The City Manager presented a request which had been made to him in behalf of Brown Bigelow, 4610 Norwood Street, San Diego, for permission to place the City's official seal upon playing cards which are to contain scenic views of the City of San Diego. He exhibited to the Council the views to be imprinted on the cards, and showed samples of the cards containing the City of Seattle's seal.

RESOLUTION NO. 103238, recorded on Microfilm Roll No. 41, granting permission to Brown Bigelow, 4610 Norwood Street, San Diego, to use the City of San Diego's official seal upon playing cards, which cards are to be imprinted with scenic views of this City, in accordance with verbal request presented by him through the San Diego Chamber of Commerce, in behalf of said Brown Bigelow, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

At this time the City manager distributed to members of the Council the "CAPITAL IMPROVEMENTS PROGRAM, 1951", being a long time program of activities, developments, improvements, prepared for submission to the City Council by the City Manager, dated May, 1951, in accordance with Section 69 J of the City Charter, a copy of which he filed with City Clerk this date.

The City Manager explained the matter, briefly, to the Council which was followed by some discussion.

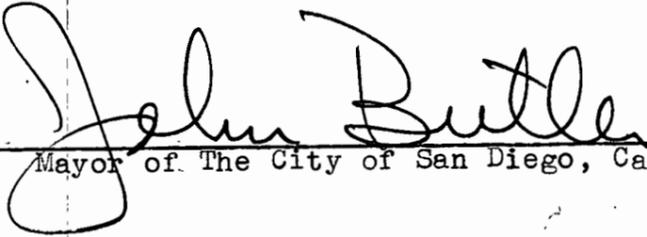
RESOLUTION NO. 103239, recorded on Microfilm Roll No. 41, referring to Council Conference, for consideration at the hour of 2:00 o'clock P.M., on Tuesday, August 14, 1951, the "Capital Improvements Program, 1951", a long time program of activities, developments, improvements, prepared for submission to the Council by the City Manager, dated May 1951, in accordance with Section 69 J of the City Charter, a copy of which he filed with the City Clerk for the official record this date, and copies of which he distributed to members of the Council at this meeting, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

The City Manager brought up the matter of the "Waring" Annexation, which was to have been presented to the Council today as an Ordinance, but which is not ready at this time. He said that the petition for annexation will be amended, and that the Ordinance will be amended and expects to have the matter ready for Council consideration at the meeting of Thursday, this week.

There was no action taken, or needed.

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There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Kerrigan, seconded by Councilman Dail, at the hour of 3:12 o'clock P.M.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 

Deputy.

*

The following matters were listed on the Council's agenda for the meeting of Tuesday, July 31, 1951, as having been referred to the City Manager direct to expedite action thereon:

- Communication from Security Trust & Savings Bank regarding proposed deed for strip of land in Hilltop Villas;
- Complaint of Mrs. W. S. Mills re inadequacy of the City's street cleaning equipment in her neighborhood.

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REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, August 2,
1951

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:13 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Butler
Clerk----Fred W. Sick

In the absence of the Mayor, Vice Mayor Chester E. Schneider presided.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for removal of chain link fence, erection of chain link fence, and the furnishing of chain link wire gates, recommending award to Atlas Iron and Wire Works, San Diego, the sole bidder, was presented.

RESOLUTION NO. 103240, recorded on Microfilm Roll No. 41, accepting bid of Atlas Iron and Wire Works, San Diego, for the removal and erection of Chain Link Wire Fence in the Non-Scheduled Flight Area, Lindbergh Field, and the furnishing and installation of Chain Link Wire Gates, awarding contract and authorizing a majority of the members of the Harbor Commission to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Prior to award of the contract, Councilman Godfrey asked the City Manager why there was only one bid. The Manager, having no way of determining why others had not bid, said he did not know, but told the Council about the work of removal and installation of the fence and gates.

RESOLUTION NO. 103241, recorded on Microfilm Roll No. 41, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the construction of culverts in 62nd Street and 63rd Street northerly of Akins Avenue, bearing official Document No. 436669, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Dennstedt Point Unit No. 2, subject to the posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 103242, recorded on Microfilm Roll No. 41, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with The Dennstedt Investment Company, for the installation and completion of the unfinished improvements and the setting of the monuments required for Dennstedt Point Unit No. 2, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103243, recorded on Microfilm Roll No. 41, adopting Map of Dennstedt Point Unit No. 2, being portion of Lot 67 of the Rancho Mission of San Diego, accepting on behalf of the public Richard Street, Julie Street, Cleo Street, Judson Way, Lenore Drive, 67th Street, and unnamed easements shown for public purposes, said streets and unnamed easements being declared to be such public streets and easements and dedicated to the public use, rejecting as a dedication for a public street the land shown thereon as "Reserved for Street Purposes", authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets and easements are accepted on behalf of the public, directing the City Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Redwood Village Unit No. 9 subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 103244, recorded on Microfilm Roll No. 41, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with E. J. Hubner and Ione C. Hubner for the installation and completion of unfinished improvements and the setting of monuments required for Redwood Village Unit No. 9, directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103245, recorded on Microfilm Roll No. 41, adopting Map of Redwood Village Unit No. 9, being portion of Parcel "00" of Lot 19 of Rancho Mission of San Diego, accepting Rock Street, Marron Street, Gayle Street, Hegg Street, portion of College Avenue, together with any and all abutter's and access rights in and to that

portion of College Avenue adjacent and contiguous to Lot No. 1087, subject to access only at such points as may be established by public authority, and unnamed easements shown thereon for public purposes, dedicating said streets, portion of street and unnamed easements to the public use, authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council that said streets, portion of street, abutter's and access rights in and to that portion of College Avenue adjacent and contiguous to Lot No. 1087, subject to access only at such points as may be established by public authority, and unnamed easements accepted on behalf of the public, directing the City Clerk to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager reporting on request of Public Works Department of the 11th Naval District for protection against all-day parkers in the vicinity of their office at the Foot of Broadway, stating that installation of parking meters and prohibition of parking during early morning hours were considered as possible solutions with the latter appearing to be the most effective and practicable, recommending that no parking be established on portions of Pacific Highway, set forth in the communication, between 7 A.M. to 9 A.M. and 4 P.M. to 6 P.M., Sundays and holidays excepted, was presented.

RESOLUTION NO. 103246, recorded on Microfilm Roll No. 41, prohibiting the parking of automobiles between the hours of 7:00 o'clock A.M. to 9:00 o'clock A.M. and 4:00 o'clock P.M. to 6:00 o'clock P.M., Sundays and holidays excepted, on the east side of Pacific Highway, between A Street and a point 600 feet north of Broadway; on the west side of Pacific Highway, between points 170 feet south of A Street and 625 feet north of Broadway; authorizing and directing the installation of the necessary signs and markings, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending granting of excess-width driveway permit to Edgar W. Bourquin on Castle Avenue east of Euclid Avenue, was presented.

RESOLUTION NO. 103247, recorded on Microfilm Roll No. 41, granting permission to Edgar W. Bourquin, 4586 Park Boulevard, San Diego 16, to remove 34 feet of curb on the southerly side of Castle Avenue, approximately between points 414 and 448 feet east of the east line of Euclid Avenue, for installation of driveway adjacent to Lots 15 and 16 Block 6 Resubdivision of Blocks 1 to 12 Fairmount Addition, to serve 3-car garage under construction, to meet City requirements for excess width driveways, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from San Diego County Water Authority, 314-321 Land Title Building, San Diego 1, signed by J. L. Burkholder, General Manager and Chief Engineer, dated July 27, 1951, requesting notice of proposed method of paying the City's share of Water Authority taxes for 1951-52, was presented.

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

Communication from Conference of Fraternal Organizations for the City and County of San Diego, 2442 G Street, San Diego, signed by Folsom F. Stemshorn, secretary, referring to criticism which has been made because of use of Morley Field for recreational purposes in that precious water was being wasted, stating that investigation reveals that waste water from the swimming pool is utilized to fill the casting pool, eliminating use of fresh water at no extra cost to the City, and commending the City for operation of the program in connection with combating juvenile delinquency, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated July 24, 1951, signed by J. M. MacConnell, stating that investigation of the claim of Mrs. Ralph M. Vasquez in the sum of \$256.27 fails to show where damage was caused through negligence on the part of the City or any of its employees, recommending denial thereof, was presented.

RESOLUTION NO. 103248, recorded on Microfilm Roll No. 41, denying claim of Ralph Vasquez, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Pacific Indemnity Company, dated July 27, 1951, signed by J. M. MacConnell, reporting on claim of Earl E. Meech in the sum of \$59.69, stating that the case had been closed by payment of said sum, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated July 27, 1951, signed by J. M. MacConnell, reporting on claim of Emma M. Heisser in the sum of \$17.55, stating that the case had been closed by payment of said sum, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated July 27, 1951, signed by J. M. MacConnell, reporting on claim of James and Cecelia Wakiji in the sum of \$18.16, stating that the case had been closed by payment of the sum of \$9.08, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated July 27, 1951, signed by J. M. MacConnell, reporting on claim of Dr. H. W. DeWolf in the sum of \$60.00, stating that the case had been closed by payment of said sum, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated July 25, 1951, signed by J. M. MacConnell, reporting that claim of Mrs. Lura M. Wolff in the sum of from \$94.00 to \$100.00, stating that the case had been closed by payment of \$94.00, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated July 26, 1951, signed by J. M. MacConnell, reporting on claim of Loren F. Scoven in the sum of \$424.78, stating that the case had been closed by payment of \$277.28, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed.

Communication from County of San Diego, dated July 31, 1951, signed by Jean L. Vincenz, Director of Public Works, requesting that the Council consider its application to purchase site for the new Juvenile Hall, being property in New Riverside more particularly described in said communication, in the vicinity of Gibbs Airport Road, was presented.

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

RESOLUTION NO. 103249, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all the work in connection with the preparation of the Organ Pavilion in Balboa Park, for use during the American Legion Convention to be held in the City, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103250, recorded on Microfilm Roll No. 41, authorizing and empowering the City Manager to do all the City work in connection with construction of drainage extension project in 19th and 20th Streets, south of Commercial Street, across Block 67 Sherman's Addition, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has recommended cooperation with Our Lady of Guadalupe Catholic Church in such construction, also that he has submitted estimates for the work to be done by the City, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103251, recorded on Microfilm Roll No. 41, granting permission to Henry Levy and Muriel Levy, 7540 Mar Avenue, La Jolla, to install a 6-inch cast iron sewer line diagonally across public alley, from a point on the westerly line of Lot 56 Block 5 Center Addition to La Jolla Park Subdivision, to point of intersection with sewer easement, Lot 17 Block 77 Villa Tract, to serve property at 7544 Mar Avenue, subject to approval of San Diego Department of Public Health and of the City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The next two matters were questioned by Councilman Swan, and were explained in considerable detail to the Council by the City Manager:

RESOLUTION NO. 103252, recorded on Microfilm Roll No. 41, authorizing Ed W. Beale, Chief of the Bureau of Sanitation, Health Department, and Chairman of the Executive Committee of the National Association of Sanitarians, to attend the 15th Annual Convention of the National Association of Sanitarians, to be held in Miami, Florida, August 21 to August 25, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey,

RESOLUTION NO. 103253, recorded on Microfilm Roll No. 41, authorizing A. George Fish, Safety Officer of The City of San Diego, to attend the Navy Safety Conference to be held in Chicago, Illinois, on Saturday, October 6, 1951, and to attend the National Safety Congress and Exposition in Chicago, October 8 through October 12, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103254, recorded on Microfilm Roll No. 41, giving notice of the proposed annexation to The City of San Diego of portions of Lots 66 and 77 or Rancho

Mission of San Diego, and a portion of Lot "E" in a portion of Lot 70 of said Rancho Mission of San Diego, in the County of San Diego, to be known and designated as "Southern Title & Trust Company Tract", hearing thereon to be held at the hour of 10:00 o'clock A.M., Tuesday, August 21, 1951, providing for publication of notice, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103255, recorded on Microfilm Roll No. 41, approving bill of San Diego Junior Chamber of Commerce, bearing date July 27, 1951, in the sum of \$1,000.00 for expenses incurred in the Harbor Days and Golden Jubilee of Tuna, held July 20, 21, 22, 1951, and allowing said bill as approved by the Advertising Control Committee, authorizing a requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1951-1952 for said sum, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103256, recorded on Microfilm Roll No. 41, accepting deed of Union Title Insurance and Trust Company, bearing date July 25, 1951, conveying a portion of Lot 67 Rancho Mission of San Diego in the County of San Diego, in Township 16 South, Range 2 West, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department recording when escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103257, recorded on Microfilm Roll No. 41, accepting deed of Union Title Insurance and Trust Company, bearing date July 13, 1951, conveying a portion of Lot 67 Rancho Mission of San Diego in the County of San Diego, in Township 16 South, Range 2 West, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103258, recorded on Microfilm Roll No. 41, accepting subordination agreement, executed by Catherine Jane McKinnon McDonald, beneficiary, and Southern Title and Trust Company, trustee, bearing date July 9, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 1 Block 73 Ocean Beach, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103259, recorded on Microfilm Roll No. 41, accepting deed of Ted M. Moore, Utallah C. Moore, Robert B. Caraway and Martha Caraway, bearing date June 22, 1951, conveying an easement and right of way for street purposes in portion of Lot 1 Block 73 Ocean Beach, setting aside and dedicating the same to the public use as and for a public street, and naming the same Abbott Street, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103260, recorded on Microfilm Roll No. 41, accepting quitclaim deed of Security Trust & Savings Bank of San Diego, bearing date July 24, 1951, quitclaiming portion of Hilltop Villas, setting aside and dedicating the same to the public use as and for a public street, and naming the same 43rd Street, authorizing and directing the City Clerk to file said quitclaim deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103261, recorded on Microfilm Roll No. 41, accepting deed of Safeway Stores, Incorporated, bearing date June 28, 1951, conveying an easement and right of way for street purposes in portions of Lot 23 La Mesa Colony, setting aside and dedicating the same to the public use as and for public streets, and naming the same El Cajon Boulevard, Art Street, and Seminole Drive, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103262, recorded on Microfilm Roll No. 41, accepting deed of Henry Levy and Muriel Levy, bearing date July 20, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 55 and 56 Block 5 Center Addition to La Jolla Park, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103263, recorded on Microfilm Roll No. 41, accepting deed of the Department of Veterans Affairs of the State of California and Walter S. Carrington and Irma H. Carrington, bearing date July 14, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 15 Block 2 Carmelita Place, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103264, recorded on Microfilm Roll No. 41, accepting deed of dedication of the San Diego Unified School District of San Diego County, bearing date July 17, 1951, dedicating to the City of San Diego an easement and right of way for water main purposes in portions of Emerald and Haines Streets as closed by Resolution of the Council numbered 96926, authorizing and directing the City Clerk to file said deed of dedication of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4873 (New Series), recorded on Microfilm Roll No. 41, appropriating the sum of \$800.00 from Unappropriated Balance for the purpose of providing funds to cover the cost of preparing the Organ Pavilion for use during the American Legion Convention, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler. Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler. The final reading of such Ordinance was in full.

ORDINANCE NO. 4874 (New Series), recorded on Microfilm Roll No. 41, amending Section 14 of Ordinance No. 4744 (New Series), (Building Code), adopted March 22, 1951, relative to Tent Structures, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 4875 (New Series), recorded on Microfilm Roll No. 41, safeguarding the waters and property of the Water Impounding System of The City of San Diego; authorizing the City Manager to adopt rules and regulations and modifications thereof, concerning entry, camping, boating, shooting, hunting and fishing privileges, and sanitation upon the Reservoirs and properties of the Water Impounding System, and the granting of permit therefor; providing penalties for the violation; repealing Ordinance No. 3097 (New Series) adopted November 20, 1945, Ordinance No. 4490 (New Series) adopted August 10, 1950, Ordinance No. 4656 (New Series) adopted January 9, 1951, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 4876 (New Series), recorded on Microfilm Roll No. 41, establishing the grade of the Alley in Block 41 Ocean Beach, between the northwesterly line of Ebers Street and the southeasterly line of Sunset Cliffs Boulevard, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent---Mayor Butler.

Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays---Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4877 (New Series), recorded on Microfilm Roll No. 41, establishing the grade of Castana Street, between the easterly line of Euclid Avenue and the westerly line of San Jacinto Drive, was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4878 (New Series), recorded on Microfilm Roll No. 41, changing the width of roadway and sidewalks of Byron Street, between the southeasterly line of Scott Street and the Mean High Tide Line of The Bay of San Diego, as more particularly set forth in said Ordinance, was on motion of Councilman Swan, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

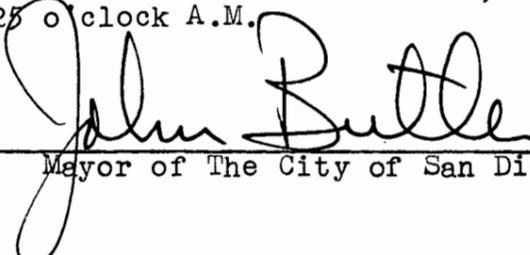
Thereupon, on motion of Councilman Swan, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The following items were listed on the Council's agenda as having been referred to the City Manager by the City Clerk, for expeditious handling:

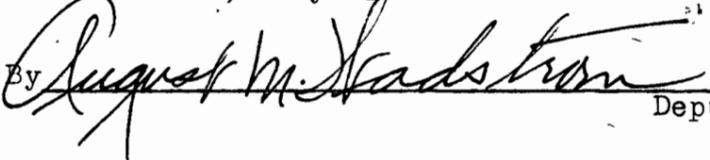
Complaint of L. A. Van Reed regarding fire hazard on Indiana Street in the rear of the Piggly Wiggly store;

Petition of C. Vanderhoef for one or two-hour parking in the 1600 block on State and in the 400 block west on Cedar Street.

There being no further matters to come before the Council, at this time, the meeting was adjourned, at the hour of 10:25 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, August
7, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:07 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.

Absent---Councilmen None.
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, July 31, 1951, and of Thursday, August 2, 1951, were presented to the Council by the Clerk

On motion of Councilman Swan, seconded by Councilman Wincote, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alleys in Block 1 Ocean View and Block 1 Sunset Grove, and Brighton Avenue, within the limits and as particularly described in Resolution of Intention No. 102544, the Clerk reported that 2 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$500.00, which bid was given Document No. 436836;

The bid of William M. Penick and Lloyd T. Penick, a corporation doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$450.00, which bid was given Document No. 436837.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Jarvis Street and Scott Street, within the limits and as particularly described in Resolution of Intention No. 102546, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$750.00, which bid was given Document No. 436838;

Councilman Godfrey was excused from the meeting at this time.

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$700.00, which bid was given Document No. 436839;

The bid of Daley Corporation, accompanied by bond written by the Glens Falls Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 436840;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$520.00, which bid was given Document No. 436841.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Wightman Street, 38th Street and 41st Street, within the limits and as particularly described in Resolution of Intention No. 102547, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$4,000.00, which bid was given Document No. 436842;

Councilman Godfrey returned to the meeting at this time.

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$4,800.00, which bid was given Document No. 436843;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$4,000.00, which bid was given Document No. 436844;

The bid of Daley Corporation, accompanied by bond written by the Glens Falls Indemnity Company in the sum of \$4,000.00, which bid was given Document No. 436845;

Councilman Dail was excused from the meeting at this time.

The bid of Cox Bros. Const. Co., accompanied by bond written by Great American Indemnity Company of New York in the sum of \$5,000.00, which bid was given Document No. 436846.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1951, to and including April 30, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$168.00 written by San Diego Trust and Savings Bank, which bid was given Document No. 436847.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for a period of one

year from and including December 16, 1950 to and including December 15, 1951, the Clerk reported that 1 bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared. Said bid was as follows:

The bid of San Diego Gas & Electric Company, accompanied by certified check in the sum of \$67.32 written by San Diego Trust and Savings Bank, which bid was given Document No. 436848. On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said bid was referred to the City Manager and to the City Attorney for report and recommendation

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for Lakeside Pumping Plant and Appurtenant Work, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared. Said bids were as follows:

The bid of F. J. Buckner Company, 2500 North Alameda, Compton, California, accompanied by bond written by The Century Indemnity Company in the penal sum of ten percent of amount bid, but not to exceed \$10,000.00, which bid was given Document No. 436849;

The bid of Rogers Construction Co., 3669 California St., San Diego, Calif., accompanied by bond written by Manufacturers Casualty Insurance Company in the sum of ten percent of bid, which bid was given Document No. 436850;

The bid of H. R. Breeden, 7309 El Cajon Boulevard, La Mesa, California, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of 10% of the accompanying bid, which bid was given Document No. 436851.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Godfrey, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102944 of Preliminary Determination for the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 103265, recorded on Microfilm Roll No. 42, determining that the proposed improvement of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in Resolution No. 102944 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvement, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 102945 of Preliminary Determination for the paving and otherwise improving of San Juan Place, Alleys in Blocks 155, 159 and 160 Mission Beach, and Bayside Lane, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

Councilman Dail returned to the meeting at this time.

RESOLUTION NO. 103266, recorded on Microfilm Roll No. 42, determining that the proposed improvement of San Juan Place, Alleys in Blocks 155, 159 and 160 Mission Beach, and Bayside Lane, within the limits and as particularly described in Resolution No. 102945 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, also finding and determining that the public convenience and necessity require the proposed improvement, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2018 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 16 Sunset Cliffs, within the limits and as particularly described in said Resolution, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 103267, recorded on Microfilm Roll No. 42, confirming and approving the Street Superintendent's Assessment No. 2018 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 16 Sunset Cliffs, within the limits and as particularly described in Resolution of Intention No. 100382, directing the Street Superintendent to record said warrant, diagram and assessment in his office, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights

located in La Jolla Lighting District No. 1, for a period of one year from and including January 1, 1951 to and including December 31, 1951, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 103268, recorded on Microfilm Roll No. 42, confirming the proposed assessment for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 1, in accordance with Engineer's Report and Assessment filed in the office of the City Clerk March 30, 1951, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 103269, recorded on Microfilm Roll No. 42, confirming the proposed assessment for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, in accordance with Engineer's Report and Assessment filed in the office of the City Clerk March 9, 1951, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed Ordinance incorporating portion of Lot 13 Cave and McHatton Subdivision into R-2 Zone, being a change from R-1 on petition of the Board of Education, to permit construction of an elementary school in the vicinity of 59th and Detroit Streets, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4879 (New Series), recorded on Microfilm Roll No. 42, incorporating portion of Lot 13 Cave and McHatton Subdivision into "R-2" Zone as defined by Ordinance No. 8924 of the Ordinances of the City of San Diego and amendments thereto, repealing Ordinance 116 (New Series) adopted January 3, 1933, insofar as the same conflicts, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, ~~Schneider~~, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

Claim of Mrs. Clarence W. Bender, 835 Selma Place, San Diego 14, in the sum of \$28.08, for damage to automobile in ditch, was presented.

RESOLUTION NO. 103270, recorded on Microfilm Roll No. 42, referring claim of Mrs. Clarence W. Bender to the Pacific Indemnity Company, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Claim of Ted Pyke, 4200 Panorama Drive, La Mesa, California, in the sum of \$49.59 or \$52.68 (estimated) for damage to pickup truck by City rubbish truck, was presented.

RESOLUTION NO. 103271, recorded on Microfilm Roll No. 42, referring claim of Ted Pyke to the Pacific Indemnity Company was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, authorizing the purchase of Transite Pipe from Johns-Manville Sales Corporation, for Water Department use, without bids, said pipe being available only from the manufacturer, was presented.

RESOLUTION NO. 103272, recorded on Microfilm Roll No. 42, authorizing and directing the Purchasing Agent to purchase from the Johns-Manville Sales Corporation, 2770 feet of 12-inch Nominal Diameter Class 150 Transit Pipe, at the price not to exceed \$3.46 per linear foot, plus State Sales Tax, f.o.b. Watson, California, with freight allowed to the City's chollas Station, without advertising for bids, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing two 60-drawer Card Catalog Cabinets for the Library, recommending award to Gaylord Bros., Inc., of Stockton, California, the low bidder of 5 bidders, was presented.

RESOLUTION NO. 103273, recorded on Microfilm Roll No. 42, accepting bid of Gaylor Bros., Inc., for the furnishing of two 60-drawer Card Catalog Cabinets for the Library, awarding contract and directing the City Manager to execute the same, directing the City Clerk to return all bid checks submitted, with the exception of the checks submitted by the low bidder and the second low bidder, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for Revolvers and Shotguns for the Police Department, was presented.

RESOLUTION NO. 103274, recorded on Microfilm Roll No. 42, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Revolvers and Shotguns for the Police Department in accordance with Specifications bearing Document No. 436775, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103275, recorded on Microfilm Roll No. 42, approving plans, specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the installation of a sprinkling system, preparation of site, and planting lawn in Division 8 of Mt. Hope Cemetery, bearing Document No. 436769, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on petition of John H. Murphy to grade and oil the section of Evergreen Street between Newell Street and Poe Street, at his own expense, providing the City Engineer will set grade stakes at no expense to him, was presented.

Said communication reported that, for the various reasons set forth therein it was recommended the request be denied.

The City Manager made a verbal report, answering questions from members of the Council as to reasons for not granting the request for such improvement.

On motion of Councilman Schneider, seconded by Councilman Dail, the matter was ordered filed.

Communication from the City Manager reporting on petition of residents in the vicinity of Stork Street for a vehicular bridge on Stork Street near Akins Avenue and a companion petition requesting that a grade crossing be established extending Stork Street across the San Diego & Arizona Eastern Railway tracks near Imperial Avenue, was presented.

A detailed report was made on the estimated cost of improvements requested, and a statement made that if property owners were to petition for a paving project under the 1911 Act the City might be willing to provide a paved dry weather crossing of the creek channel which would serve traffic most of the year, also it was pointed out that it is most unlikely that the Public Utilities Commission would approve or order a new grade crossing which would require another intersection at Imperial Avenue on a street to be developed in the future as a major highway.

The communication recommended filing of the petitions.

The City Manager's report was read to the Council.

On motion of Councilman Schneider, seconded by Councilman Wincote, the matter was ordered filed.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition for installation of sewers in portion of La Jolla Country Club Heights, signed by approximately 75% of the area in the district, was presented.

RESOLUTION NO. 103276, recorded on Microfilm Roll No. 42, granting petition for installation of sanitary sewers in portions of Blocks A, B, C, D, E and F La Jolla Country Club Heights, directing the City Engineer to furnish a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay therefor, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition to improve Bandini Street, California Street and Public Rights of Way adjacent to subdivision to be known as Rodefer Hills View Point Division, by private contract, under City inspection according to plans and specifications checked by the City Engineer's Office, plans filed under Document No. 430614 on March 14, 1951, with the City Clerk, at no cost to the City, was presented.

RESOLUTION NO. 103277, recorded on Microfilm Roll No. 42, granting permission to C. M. Rodefer to grade and otherwise improve Bandini Street and public rights of way adjacent to the subdivision to be known as Rodefer Hills View Point Division, by private contract, on the several conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103278, recorded on Microfilm Roll No. 42, authorizing the City Engineer to amend proceedings for improvement of the Alley in Block 5 Chester Park, in accordance with his recommendation filed in the office of the City Clerk on August 3, 1951, under Document No. 436738, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending paving of "A" Street between 17th and 18th Streets, without petition, it being the only unpaved street in the neighborhood, was presented.

The City Manager made a verbal report, telling the Council that property owners affected would not petition for paving the portion of A Street, and that the City would try to accomplish the work through this method.

Members of the Council pointed out that property owners may protest the proposed work out if more than 51% of them oppose it.

RESOLUTION NO. 103279, recorded on Microfilm Roll No. 42, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the paving and otherwise improving of A Street, between 17th Street and 18th Street, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103280, recorded on Microfilm Roll No. 42, granting petition for paving and otherwise improving Shasta Street, between the center line of Fortuna Avenue and Pacific Beach Drive, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district of lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, within said limits, directing the City Engineer to consolidate said assessment district with the district heretofore ordered by Resolution No. 100669 for improvement of portions of Chico Street and Kendall Street, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition for paving and otherwise improving of Millar Street between Hobart and Rose Streets, and Stewart Street between Millar Street and 63rd Street, was presented.

RESOLUTION NO. 103281, recorded on Microfilm Roll No. 42, granting petition for improvement of portions of Millar Street and Stewart Street, within the limits shown therein, directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, to include if required, the improvement of intersections and terminations with adjoining streets, and installation of drainage structures, sewer laterals and water services, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Norman W. Tolle, Muriel Tolle, Lynn Edith Tolle, 2345 Juan Street, San Diego 3, dated August 1, 1951, urging the Council to reject the proposal for addition of fluorine to City water, for the various reasons set forth therein, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed.

Communication from Linda Vista Democratic Club, signed by Della N. Peterson, corresponding secretary, 2738 Comstock Street, requesting appointment with the Council at today's meeting to present protest, along with other organizations, against the City Manager's decision on installation of traffic signals on Linda Vista Road at Comcock and Ulric Streets, was presented.

(Under date of July 19 the Manager forwarded to the Council a copy of his reply to Mrs. Peterson stating that survey indicates needs for the signals, but that they are far down on the priority list, and that it is doubtful if either intersection can warrant installation within 3 years).

Mrs. Peterson spoke in protest against delay in installation of the signals, and said that they are needed now.

The Mayor asked the City Manager to make a verbal report.

The City Manager said that the signals are needed, as stated. There, he said 150 to 200 intersections which also need signals, and that the 2 intersections under discussion are far below immediate priority.

The Mayor asked the Manager to report on the method of arriving at the priority rating.

The Manager told of the factors entering into the formula used in making the determination. He said that the City's ability to install is about 20 per year; the City does not have funds for more. Both intersections, he said again, are well down the line, and repeated that many intersections need the signals more.

Don D'Augustino, 2345 Linda Vista Plaza, spoke in behalf of the Holy Family Parish, the Boy Scouts, Kiwanis Club and the San Diego Safety Council. He asked the Council if the reason for denial was based upon the area being in a housing project.

The Mayor, City Manager, and members of the Council replied with a concerted "no".

Mr. D'Augustino said that Linda Vista is paying a "half million dollars in lieu of taxes". He read a list of associations interested in the matter and listed their representatives' names, also spoke of an injured pedestrian. He told of the accidents and injuries at the two locations. He wanted to know if it is necessary to kill someone before action is taken.

James Reading, Traffic Engineer, spoke. He said that traffic safety is important and give weight on the determining of priorities. He said that there are few accidents compared with other intersections. Mr. Reading said that the Comstock location is 101 and Ulric is 88 on the priority list, and actually should be farther down.

Mr. D'Augustino spoke about injuries, particularly to children.

The Mayor said that study of the problem and comparisons are made on an all-over City basis.

Councilman Dail pointed out that taking of funds out of the Gas Tax fund for signals has increased.

The City Manager spoke again, along the same lines as Mr. Dail's observations. He said further study may indicate that the City will possibly set aside more funds from the Gas Tax for signals.

Asked if there were any other things which can be done to improve the conditions, Mr. Reading said that there are: freshen up the signs, etc. He said that all the "more critical intersections" are rechecked every 6 months. He said that the intersections will be raised in priority list, if warranted.

Councilman Kerrigan said that the only problem is one of money - money which is not available.

Mr. D'Augostino spoke again about funds paid in by Linda Vista.

The Mayor said that there is no discrimination against Linda Vista.

Mr. D'Augostino asked about installation of 4-way stops, in lieu of the requested signals.

Mr. Reading said that subject will be studied, at both locations.

Mr. D'Augostino said that "after all, Linda Vista is a vital part of the community".

Councilman Swan asked for an explanation regarding the cost of signals.

The City Manager said that they average about \$10,000.00 per corner.

Councilman Wincote told about the City's Capital Outlay program for improvements, for which money is not available.

Councilmen Wincote and Kerrigan referred to the taxes, again, and said that figures on taxes are not correct, inasmuch as only 1/3 comes to the City.

Mrs. R. G. Carman, of the Coordinating Council, spoke regarding juvenile delinquency. She said that youngsters cannot be sent to the community center because it is too dangerous to cross Linda Vista Road. They could be able, she said, to go to the community center.

Mrs. Mary J. Moss, Kit Carson PTA representative, said that the City has not taken into consideration the concentration of children in Linda Vista. She said that the interest of residents of the area is not in the cause of the accidents, but in the protection of their children.

The City Manager said that parents have a basic responsibility to their children. He said that the City cannot be responsible for their not getting into the street.

The Manager continued, along the same line of his previous comments, by saying that there are other worse needs. He said that it is a cruel situation, but that all have to be treated on basis of all facts.

Councilman Swan asked if Boy Scouts could be given the same status of the schools' Junior traffic patrol.

The Manager thought "perhaps".

Councilman Godfrey said that this has been a good session, and said that more attention may be paid to traffic signal installations as a result.

Councilman Dail said that residents and property owners in his area and all the organizations there feel that they have been discriminated against. He told of the treatment to several intersections, especially at the extremely heavy intersection of Market and 45th.

Myrtle Gray told of having been injured. She pointed out that she was no juvenile, as she said members of the Council could see, and that her injury had taken place at 10:30 A.M. The driver, she said, had stopped, and then started up when she was struck.

RESOLUTION NO. 103282, recorded on Microfilm Roll No. 42, referring to the City Manager for further study, the matter of providing additional traffic safety measures at the intersections of Linda Vista Road with Comstock and Ulric Streets, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

After the roll had been called on Resolution No. 103282, the Mayor thanked the Linda Vista residents who had come to the meeting, although few of them spoke, for their interest in the matter, and he assured them that the City would do all that it can to lessen the dangerous traffic hazards in the area.

At this time K. Owens, who identified himself as a DeMolay member, spoke. He said that in his opinion people would not stop for traffic direction by the Boy Scouts. He spoke, also, about the exhibitionism of many of the younger drivers in the area. He said, also, that although the signals might not solve all the traffic problems in Linda Vista, he said that they would give confidence to the residents. It is an all-over problem, he said.

The Mayor told Mr. Owens that such organizations as the DeMolay can do much to improve driving habits of the young people in the area, reducing traffic hazards for residents.

Mr. Owens agreed with the Mayor's statement.

There was no further action, and no one requested to be heard in the matter.

Communication from Pacific Indemnity Company, dated August 1, 1951, signed by J. M. MacConnell, reporting that claim of Dorothy I. Erickenbrack, for personal injury, had been closed by payment of \$40.00 on July 30, 1951, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Swan, said matter was ordered filed.

RESOLUTION OF AWARD NO. 103283, recorded on Microfilm Roll No. 42, accepting bid of John B. Henry and awarding contract, for the paving and otherwise improving of the Alleys in Block C Starkey's Prospect Park, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103284, recorded on Microfilm Roll No. 42, ascertaining and declaring the wage scale for the paving and otherwise improving of Jewell Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103285, recorded on Microfilm Roll No. 42, directing notice of filing of the Street Superintendent's Assessment No. 2027 made to cover the costs and expenses of the work done upon paving the Alley in Block 33 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 97345, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103286, recorded on Microfilm Roll No. 42, directing notice of filing of the Street Superintendent's Assessment No. 2026 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alleys in Blocks 6 and 2 in City Heights Annex No. 2, and the Alley in Block 11 City Heights Annex No. 1, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103287, recorded on Microfilm Roll No. 42, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current for the lighting of the ornamental street lights located in College Park Lighting District No. 1, for a period of one year from and including June 1, 1951 to and including May 31, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103288, recorded on Microfilm Roll No. 42, declaring intention to change the grade of portion of Byron Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION CHANGING GRADE NO. 103289, recorded on Microfilm Roll No. 42, for portions of Evergreen Street and Macaulay Street, in accordance with map thereof signed by the City Engineer and filed in the office of the City Clerk May 15, 1951, as Document No. 433381, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103290, recorded on Microfilm Roll No. 42, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alleys in Block 69 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 101713, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103291, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the construction of paved paths for school children paralleling 54th Street, between Streamview and Pirotte Drive, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103292, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the abandonment of 760 feet of two-inch W.I. pipe, and the installation of 760 feet of eight-inch water main and one six-inch two-way fire hydrant in Manzanita Drive, from Heather Street to Manzanita Place, and in Manzanita Place from Manzanita Drive to Thorn Street, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103293, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the abandonment in place of 1195 feet of two-inch W.I. pipe, and the installation of 930 feet of eight-inch water main and one six-inch two-way fire hydrant in Manzanita Drive, from Tuberosa Street to Violet Street, and in Violet Street, from Manzanita Drive to Poplar Street, by appropriate City forces, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103294, recorded on Microfilm Roll No. 42, rescinding former action of rejection for a public street the land shown on the "Hubner Knolls Annex" Subdivision Map, marked as "Reserved for Street Purposes", accepting on behalf of the public said land on said map marked "Reserved for Street Purposes", being portions of Lots 1, 2, 3, 4, 5 as a public street and dedicating the same for public use and naming said street 54th Street, authorizing and directing the City Clerk to record a certified copy of said Resolution in the office of the County Recorder, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103295, recorded on Microfilm Roll No. 42, authorizing the City Manager to execute contract between the City of San Diego and Lowell A. DeWeese and Bernardine A. DeWeese, being on file in the office of the City Clerk, which contract provides for payment by the City of the sum of \$250.50, which sum is equal to the difference in cost between the larger water mains and appurtenances now installed in the "Richmond Hills Subdivision" and the water mains and appurtenances required for said subdivision by the ordinances of The City of San Diego, accepting quitclaim deed executed July 12, 1951 by said Lowell A. De Weese and Bernadine De Weese to all water mains and appurtenant structures constructed for its use located on public streets, rights of way, highways and public places, either within or without Richmond Hills, being a subdivision of portion of Lot 11 Lemon Villa, shown on drawing of the City of San Diego numbered 8494-L, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from the City Manager recommending installation of thirty-six minute parking on E Street between 2nd and 4th Avenues, as requested by the Labor Unions occupying a building at the southwest corner of Third Avenue and E Street, for shorter parking than the 1-hour limit which now prevails.

RESOLUTION NO. 103296, recorded on Microfilm Roll No. 42, establishing a thirty-six minute parking zone, to be effective between the hours of 8 o'clock A.M. and 6:00 o'clock P.M., Sundays and holidays excepted, on both sides of E Street, between 2nd and 4th Avenues, authorizing and directing installation of the necessary signs and markings, repealing all resolutions or parts of resolutions in conflict, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103297, recorded on Microfilm Roll No. 42, authorizing James E. Reading, City Traffic Engineer, to attend the national annual meeting of the International Municipal Signal Association, to be held in San Francisco, California, September 17 to September 20, 1951, and to go to Portland, Oregon, from San Francisco, for the purpose of making a two-day study of Portland's one-way street system, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103298, recorded on Microfilm Roll No. 42, authorizing James E. Reading, City Traffic Engineer, to attend the 22nd annual meeting of the Institute of Traffic Engineers, to be held in Los Angeles, California, September 23 to 27, inclusive, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103299, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to execute, for and on behalf of the City, an agreement with Bank of America, owner and operator of U.S. Naval Air Station Banking Facility at Building No. 93, U.S. Naval Air Station, San Diego 35, for collection of monthly water bills (in the Naval Air Station district) of the City of San Diego, wherein and whereby said collection agency agrees to collect and receive payment of City water bills in behalf of the City and to issue receipts for such payments, and the City agrees to pay said collection agency a sum of 6.8¢ per bill collected, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103300, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to enter into contract retaining John Davidson as an independent contractor to serve as Consultant in connection with the Serra Museum for a term of three months only, commencing July 1, 1951, at a monthly rate of \$275.00, in accordance with terms and conditions set out in form of agreement heretofore filed with the City Clerk as Document No. 436898, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103301, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to enter into amendment of contract with Ets-Hokin and Galvan, whereby the contract dated May 15, 1951, filed with the City Clerk as Document No. 433598 is amended to provide that furnishing and installing safety lighting on Sunset Cliffs Boulevard Bridge shall be completed within 60 days after completion of the concrete deck of the bridge by the Guy F. Atkinson Co., as more particularly set out in form of amendment to contract on file in the office of the City Clerk as Document No. 436899, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103302, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to execute, for and on behalf of the City, an agreement between the City and Clay M. Summerville, for the operation of a concession to furnish food, beer and soft drinks, with permission to rent motors and poles and sell fishing equipment and bait, for a period of one year, commencing July 1, 1951 and ending June 30, 1952, for which concession the concessionaire will pay 5% of gross receipts derived from operation thereof, payable monthly, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103303, recorded on Microfilm Roll No. 42, granting request of Chas. J. Dorfman, dated July 16, 1951, for an extension of time of 31 days, to and includ-

ing August 30, 1951, heretofore filed with the City Clerk as Document No. 436900, for completion of contract for construction of Ocean Beach Storm Drain contained in Document No. 429250 on file in the office of the City Clerk, completion time extended to August 30, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103304, recorded on Microfilm Roll No. 42, granting request of the City Engineer, approved by the City Manager, contained in Document No. 436901 on file in the office of the City Clerk, for extension of 21 days to Chas. J. Dorfman, to and including August 20, 1951, in which to complete contract for construction of Sewer Replacement in Cleveland Avenue and Richmond Street, contained in Document No. 432475 on file in the office of the City Clerk, and extending completion time until such date, waiving provisions of the specifications with respect to liquidated damages until termination of the contract as extended, to August 20, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103305, recorded on Microfilm Roll No. 42, granting request of the City Engineer, approved by the City Manager, contained in Document No. 436905 on file in the office of the City Clerk, for extension of 31 days to Al E. Riley, to and including August 10, 1951, in which to complete contract for improvement of 6th Avenue between Ivy and Hawthorn Streets, contained in Document No. 433648 on file in the office of the City Clerk, and extending completion time until such date, waiving provisions of the specifications with respect to liquidated damages until termination of the contract as extended, to August 10, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Accompanying said Resolution was communication signed by the City Engineer, addressed to the City Manager, and forwarded to the Council with the Assistant City Manager's stamp of approval, recommending extension due to unavailability of steel at beginning of the contract and delay caused by having to shut down operations during the Soap Box Derby.

RESOLUTION NO. 103306, recorded on Microfilm Roll No. 42, approving Change Order No. 51 dated July 26, 1951, heretofore filed with the City Clerk as Document No. 436906 issued in connection with contract between The City of San Diego and Daley Corporation for construction of Wabash Freeway, Section "A", contained in Document No. 414553 on file in the office of the City Clerk, amounting to increase in contract price of approximately \$1,532.52, repealing Resolution No. 102895 approving Change Order No. 50 dated June 22, 1951, adopted by the Council July 3, 1951, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 4880 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$1,800.00 from the Capital Outlay Fund for the purpose of providing funds for construction of paved paths for school children paralleling 54th Street, between Streamview and Pirotte Drive, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

ORDINANCE NO. 4881 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$3,700.00 from the Unappropriated Balance Fund and transferring the same to Salaries and Wages, Social Welfare Department Fund, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

The City Manager requested, and was granted, unanimous consent, to present the next matter of business, which was not listed on the Council agenda - which matter the Manager explained:

RESOLUTION NO. 103307, recorded on Microfilm Roll No. 42, authorizing and empowering the Mayor and City Clerk to execute a deed quitclaiming to Vera Gruesel the Easterly 18.0 feet of the southerly 20.0 feet of Lot F Block 188 Mission Beach, authorizing and empowering the Property Supervisor to deliver said deed to Vera Gruesel upon delivery to The City of San Diego of a deed granting to the City additional portions of said Lots F and G Block 188 Mission Beach, needed for comfort station site, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

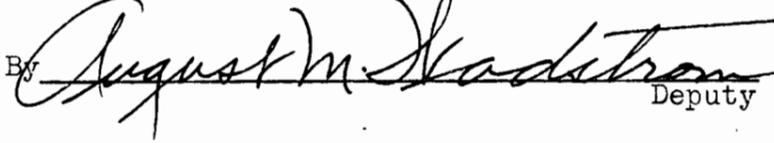
There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Godfrey, at the hour of 11:19 o'clock A.M.

The Mayor announced that the Council would stay in the Council Chambers, and go into Conference immediately - to be followed by a regularly scheduled Conference this afternoon.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, August 9,
1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:04 o'clock A.M.

Present--Councilmen Swan, Schneider, Dail, Godfrey, Mayor Butler
Absent---Councilmen Wincote, Kerrigan
Clerk----Fred W. Sick

Claim of Mary Marcella McLemore, 4644 Calle Tinto, in the sum of \$41.78, for damage to automobile by City sprinkling truck, was presented.

RESOLUTION NO. 103308, recorded on Microfilm Roll No. 42, referring claim of Mary Marcella McLemore to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Claim of Fanny Jessop Sherman, 3118 McCall Street, San Diego 6, in the sum of \$23.70, for damage to clothing resulting in fall when she became stuck in wet hot tar while crossing 7th and C Streets, was presented.

RESOLUTION NO. 103309, recorded on Microfilm Roll No. 42, referring claim of Fanny Jseeop Sherman to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Amended claim of The Pacific Telephone and Telegraph Company, 740 South Olive Street, Los Angeles 55 (Case No. 27785), in the sum of \$155.31 - original claim was in the sum of \$225.00 - for damage to property in front of 2751 West Canon Street caused by operations of the Harbor Department, was presented.

RESOLUTION NO. 103310, recorded on Microfilm Roll No. 42, referring amended claim of The Pacific Telephone and Telegraph Company to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Claim of Casa de Manana, La Jolla, by Col. Henry R. Dutton, Vice President and General Manager, in the sum of \$200.98, for damage in water lines through breaking of water main by City Electrical Department, was presented.

RESOLUTION NO. 103311, recorded on Microfilm Roll No. 42, referring claim of Casa de Manana to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

* Communication from the City Manager reporting on application of Greene-Haldeman Company, 2100 So. Figueroa Street, Los Angeles, by George H. Harger, stating that the Chief of Police has investigated and recommends against the granting for the several reasons set forth therein, concurring in the Chief's recommendation and returning the same for filing, was presented, for permission to operate 60-20 U drive automobiles for hire.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said matter was ordered filed.

Communication from the Planning Commission, signed by the Asst. Planning Director, recommending approval of the Final Map of Burnett Addition, was presented.

RESOLUTION NO. 103312, adopting Map of Burnett Addition, being a subdivision of portion of Block 495 Old San Diego, together with portion of Conde Street closed to public use by Resolution No. 34024, accepting on behalf of the public the unnamed easements shown thereon for public purposes, and dedicating the same to the public use, directing the City Clerk to endorse upon said map as and for the act of the Council that said unnamed easements are accepted on behalf of the public, and directing him to transmit said map to the Clerk of the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Councilmen Wincote and Kerrigan entered the meeting at this time.

Communication from the Planning Commission, continued until this time from the meeting of July 31, 1951, reporting on request from Mrs. Julia Nagem for approval on a plan which does not comply with the approval granted by the Council under Resolution No. 102393, which overruled the Zoning Committee in granting permission to make an addition to the non-conforming store building at 3595 Arizona Street, denied by the Committee because it had disapproved the original request, was presented.

Councilman Schneider made a verbal report, in which he told the Council that he had viewed the property and recommended granting of the request.

RESOLUTION NO. 103313, recorded on Microfilm Roll No. 42, amending Resolution No. 102393, which was a Resolution of the Council overruling the decision of the Zoning Committee denial of request for variance to permit an addition to a non-conforming store building at 3595 Arizona Street in zone R-2 and which said Resolution granted permission as requested, by permitting another addition to said building in the form of a 13' x 13' triangle marked with an 'X' on the plan attached to Document No. 436546, thereby squaring out the Arizona Street facing of said existing store building, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

* At this time Councilman Swan referred back to the Manager's report on application Greene-Haldeman Company for permission to operate U drive automobiles for hire. The City Manager made a verbal report, reading from a copy of his written report to the Council.

There was no further action.

Communication from the Planning Commission, signed by the Asst. Planning Director, relative to required highways and rights of way in connection with the proposed annexation of Lots 72 and 78 of Rancho Mission, lying northerly of Montgomery Field, set out in considerable detail, was presented.

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

Communication from Will C. Crawford, Superintendent of Schools, relative to need for land by the San Diego Unified School District for school sites at a cost which does not exceed the present value of land, in connection with consideration for annexing to the City of lands located north and east of Montgomery Field, stating that no direct assurance has been received from the owners they were willing to agree to purchase at market value prior to annexation, although such a statement had been made verbally at a Council conference, and thanking the Council for its efforts in that direction, was presented.

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

Communication from Pacific Indemnity Company, dated August 3, 1951, signed by J. M. MacConnell, recommending denial of claim of A. Phillip Martin and Nada Martin, was presented.

RESOLUTION NO. 103314, recorded on Microfilm Roll No. 42, denying claim of A. Phillip Martin and Nada Martin, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from Pacific Indemnity Company, dated August 3, 1951, signed by J. M. MacConnell, recommending denial of claim of Bess Gilbert, inasmuch as there was no negligence on the part of the City of San Diego or any of its employees in connection with minor damage to her property, was presented.

RESOLUTION NO. 103315, recorded on Microfilm Roll No. 42, denying claim of Miss Bess Gilbert, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103316, recorded on Microfilm Roll No. 42, authorizing and directing the Purchasing Agent to advertise and sell surplus equipment and machinery now stored at the Chollas Station, no longer desirable for use or retention by The City; as more particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103317, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager, for and on behalf of The City of San Diego, to execute an agreement with the Sweetwater Fruit Company, modifying agreement heretofore executed on November 24, 1941, by changing portion of said contract which described land in which four residences entitled to receive water for domestic purposes from Otay Pipe Line under and pursuant to a contract between said Company and the City, executed July 8, 1929, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103318, recorded on Microfilm Roll No. 42, releasing Pacific Employers, Inc. for any and all obligation which has resulted or may result from failure of George McManness to comply with his contract with The City of San Diego, in which he agreed to complete improvements in Trojan Heights Subdivision, said contract having been executed on December 30, 1947, in file in the office of the City Clerk as Document No. 381251, said obligations being secured by Bond No. B-15041 issued by Pacific Employers, Inc., as surety, on condition that said Pacific Employers, Inc. pay to The City the sum of \$500.00, being the principal amount of the bond, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the principal has failed to perform the improvements required under said bond, and that neither the surety nor the City is unable to locate him.

RESOLUTION NO. 103319, recorded on Microfilm Roll No. 42, waiving provisions of Section 222 of Ordinance No. 11648 (Plumbing Ordinance) relative to installation of sanitary facilities in the building to be constructed at Horton's Plaza on Broadway between 3rd & 4th Avenues, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted. (Although the Resolution does not state, said building is being constructed by the City of San Diego as an information center for men and women of the armed services).

RESOLUTION NO. 103320, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego with Mrs. Lucille Cahill extending for one year, to and including July 31, 1952, concession agreement, on file in the office of the City Clerk as Document No. 423608, under which agreement the concessionaire is permitted to operate a miniature auto ride in Balboa Park, at a rental of \$15.00 per month, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103321, recorded on Microfilm Roll No. 42, approving Change Order No. 1, dated July 26, 1951, heretofore filed with the City Clerk as Document No. 437024, and which was issued in connection with contract with Carroll and Foster for installation of Jamacha Road 12" Cast Iron Pipe Line, which contract is contained in Document No. 435478 on file in the office of the City Clerk, amounting to increase in contract price of \$194.43, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103322, recorded on Microfilm Roll No. 42, approving change order No. 6, for extension of 10 days' time the C. A. Larsen Construction Company contract, dated August 8, 1951 (date of Larsen's request) to and including August 17, 1951, heretofore filed with the City Clerk as Document No. 437025 in which to complete contract for construction of Pacific Beach Branch Library, said contract contained in Document No. 430663 on file in the office the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103323, recorded on Microfilm Roll No. 42, abandoning easement for public utilities over the northerly 5 feet of the easterly 111.17 feet of Lot 1234 (excepting therefrom the northerly 1 foot of the easterly 101.17) and the southerly 4 feet of the westerly 10 feet of Lot 1235 of Talmadge Park Estates Unit #3, authorizing and directing the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of, The City of San Diego, a quitclaim deed quitclaiming said easement to Anna K. Sanders, the owner of the servient tenant over which said easement ran, authorizing and directing the City Clerk to deliver said quitclaim deed to the Supervisor of Properties to be recorded and then delivered to said Anna K. Sanders, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the various interested City departments state that there is no need for such easement and no objection to its vacation, and that the Telephone company made a similar report.

RESOLUTION NO. 103324, recorded on Microfilm Roll No. 42, accepting deed of Security Trust & Savings Bank of San Diego, bearing date May 27, 1951, conveying easement and right of way for water main purposes in portion of Lots 123, 106, 107, 108, 76, 77, 69, 68, 67, 66 and 65 Euclid Manor, being 30-foot easement shown on Sheets 2 and 3 of Map of Euclid Manor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103325, recorded on Microfilm Roll No. 42, accepting deed of Marshall H. Carver and Myrtle B. Carver, bearing date July 26, 1951, conveying easement and right of way for sewer purposes in portions of Lots 43 and 44 Block 24 Ocean Beach, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103326, recorded on Microfilm Roll No. 42, accepting deed of W. Shelby Hill and G. Joanne Hill, bearing date July 6, 1951, conveying Lots 18 to 21 inclusive Block 1 Vernon Park, and portions of Lots 14 to 17 inclusive said Block, authorizing and directing the City Clerk to transmit said Deed, together with a certified copy of said Resolution to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103327, recorded on Microfilm Roll No. 42, accepting subordination agreement, executed by Harry W. Snyder, beneficiary, and Security Trust and Savings Bank of San Diego, trustee, bearing date July 23, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of parcel of land conveyed to Amos Cendali, Sr., Tina Cendali, Amos Cendale, Jr. and Josephine Cendali on August 14, 1948, and recorded in Book 2919 Page 490 of Official Records in the Office of the Recorder of San Diego County, said parcel being portion of the Northwest Quarter of Section 34 Township 16 South, Range 2 West, Rancho Ex-Mission Segregated Interest, to the right of way and easement for street purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103328, recorded on Microfilm Roll No. 42, accepting deed of Charles E. Bignell, Wilda E. Bignell, Thomas A. Bignell, Gladys E. Bignell, Royal C. Main, Jr. and Geraldine V. Main, bearing date July 9, 1951, conveying easement and right of way for street purposes in portion of Lot A Pueblo Lot 285, setting aside and dedicating the same to the public use as and for a public street, and naming the same Cushman Place, authorizing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103329, recorded on Microfilm Roll No. 42, accepting deed of Amos Cendali, Sr., Tina Cendali, Amos Cendali, Jr. and Josephine Cendali, bearing date July 20, 1951, conveying an easement and right of way for street purposes in a parcel of land conveyed to grantors by deed of August 14, 1948, recorded in the Office of the Recorder of San Diego County in Book 2919 Page 490 Official Records, being described therein as a portion of the Northwest Quarter of Section 34, Township 16 South, Range 2 West, Rancho Ex-Mission Segregated Interest, setting aside and dedicating the same to the public use as and for a public street, and naming the same 54th Street, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103330, recorded on Microfilm Roll No. 42, accepting deed of Milton P. Sessions and Otilie Sessions, bearing date May 9, 1951, conveying an easement and right of way for storm drain purposes in portion of Acre Lot 51 Pacific Beach, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4882 (New Series), recorded on Microfilm Roll No. 42, amending Section 5 of Ordinance No. 817 (New Series) (Water Department Regulations) adopted January 28, 1936, and repealing Ordinance No. 4500 (New Series) adopted August 15, 1950, having to do with "Rule III Cost of Water Service Connection and Meter Installations, and setting out the schedule of charges for installation and perpetual maintenance of water meters and service connections, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to the final reading of such ordinance, a written or printed copy thereof was furnished to each member of the Council.

The City Manager requested, and was granted, unanimous consent to present the next matter of business, not listed on the Council's agenda, upon which he made a brief verbal report:

RESOLUTION NO. 103331, recorded on Microfilm Roll No. 42, authorizing the City Manager to enter into a lease for and on behalf of The City of San Diego with Mr. Dean H. Hansen for the operation of a restaurant on Santa Clara Point for a term of five years, beginning August 1, 1951 and ending July 31, 1956, together with the right of an option for an additional five years, rental to be 4 per cent of the gross sales per month, with a minimum of \$2400 per year on said restaurant, and 10 per cent per month of the gross sales on the snack bar and upon such further terms and conditions as the City Manager shall deem proper, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council at this time, the meeting was adjourned at the hour of 10:11 o'clock A.M.

The following items were listed on the agenda as having been referred to the City Manager by the City Clerk:

Communication from Mrs. M. H. Reiman urging adoption of a "dog leash law";

Communication from Mrs. W. W. Goodman for information regarding tree trimming regulations, complaining about trees on adjoining property, and pointing out the need for "traffic light" at a point on Highway 101.

John D. Butler

Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By *August M. Hadstone*

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, August 14,
1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:08 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler
Absent---Councilman Dail
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, August 7, 1951, and of Thursday, August 9, 1951, were presented to the Council by the Clerk
On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

At this time Mayor Butler awarded service emblems to the following City Employees:
Floyd Strachan, Registered Sanitarian in the Department of Public Health - 25 years;
Albert J. Ford, Construction and Maintenance Foreman in the Division of Streets, Public Works Department - 25 years;

Arthur W. Hill, Construction and Maintenance General Foreman in the Division of Streets, Public Works Department - 25 years;
Fernando Dailey, Refuse Crew Leadman in the Division of Refuse Collection, Public Works Department - 30 years.

Councilman Dail entered the meeting at this time.

A majority of the members of the Council executed undertaking for street lighting, at this time, with San Diego Gas & Electric Company, for:
El Cajon Boulevard Lighting District No. 2;
Presidio Hills Lighting District No. 1;
Crown Point Lighting District No. 1.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of 59th Street and Kenwood Street; within the limits and as particularly described in Resolution of Intention No. 102545, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$1600.00, which bid was given Document No. 437218;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1600.00, which bid was given Document No. 437219;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$1600, which bid was given Document No. 437220;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1700.00, which bid was given Document No. 437221;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1500.00, which bid was given Document No. 437222.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the paving and otherwise improving of Riley Street, within the limits and as particularly described in Resolution of Intention No. 102629, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$600.00, which bid was given Document No. 437223;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$600.00, which bid was given Document No. 437224;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1,000.00, which bid was given Document No. 437225;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$650.00, which bid was given Document No. 437226;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$500.00, which bid was given Document No. 437227.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1951, to and including April 30, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion duly made and seconded, said bid was opened and publicly declared.

Said bid was as follows:

The bid of San Diego Gas & Electric Company accompanied by certified check in the sum of \$20.40 written by San Diego Trust & Savings Bank, which bid was given Document No. 437228.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said bid was referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 103047 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 149 University Heights, within the limits and as particularly

described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 103332, recorded on Microfilm Roll No. 42, determining that the proposed paving and otherwise improving of the Alley in Block 149 University Heights, within the limits and as particularly described in Resolution of Preliminary Determination No. 103047, is feasible and that the lands to be assessed therefor will be able to carry the burden of proposed assessment, and finding and determining that public convenience and necessity require the proposed improvements, that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 102943, for the paving and otherwise improving of portion of Dodson Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2019 made to cover the cost and expenses of the paving and otherwise improving of Emerald Street, within the limits and as particularly described in Resolution of Intention No. 100058, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 103333, recorded on Microfilm Roll No. 42, confirming and approving the Street Superintendent's Assessment No. 2019 made to cover the cost and expenses of the paving and otherwise improving of Emerald Street, within the limits and as particularly described in Resolution of Intention No. 100058, authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, and to record the same in his office, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2020 made to cover the cost and expenses of the paving and otherwise improving of Landis Street, Roselawn Avenue and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 99970, the Clerk reported that written appeals had been received from Mrs. Mittie L. Butler, George C. Anderson, Wm. & Anna Gray, Caroline & David E. Roosevelt, Josiah Decrevel, Mr. & Mrs. Phren Sonier, Birdie E. McBride, Mrs. Raymond A. Knoll and Raymond A. Knoll, Elmer & Roberta Woehl, which appeals were presented to the Council by the Clerk.

The City Engineer reported a 7.9% protest, and reported briefly on each of them.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 103334, recorded on Microfilm Roll No. 42, overruling and denying the appeals of George C. Anderson, W. K. Gray and Anna Gray, Caroline Roosevelt and David E. Roosevelt, Mrs. Mittie L. Butler, Mr. and Mrs. Phren Sonier, Birdie McBride, Mrs. Raymond A. Knoll & Raymond A. Knoll, Elmer Woehl and Roberta Woehl, overruling and denying all other appeals, from the Street Superintendent's Assessment No. 2020 made to cover the costs and expenses of the work of paving and otherwise improving of Landis Street, Roselawn Avenue and Public Right of Way, within the limits and as particularly described in Resolution of Intention, confirming and approving said Assessment, directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Schneider, seconded by the Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the "Engineer's Report and Assessment for Mission Beach Lighting District No. 1", for the furnishing of electric current for the lighting of the street lamps located in said District (covering proposed assessment of four-fifths of the costs and expenses thereof), the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

RESOLUTION NO. 103335, recorded on Microfilm Roll No. 42, confirming the Engineer's Report and Assessment for Mission Beach Lighting District No. 1, filed in the office of the City Clerk July 6, 1951, as a whole, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of O. D. Arnold from the decision of the Zoning Committee in denying application of O. D. and Ethel Arnold for zone variance to permit off-sale liquor store at 1962 - 54th Street, in Zone R-C; a report from the Zoning Committee, signed by P. Q. Burton, Senior Planning Technician, was presented and read.

Said report stated the appeal arose from the Committee's policy of denying permission to conduct liquor sales, either "on" or "off" sale, in R-C Zone, prohibited in said zone by Ordinance, reporting that the store was open for business before the lessee applied for a City license and found that a license could not be approved, reporting also that the Committee could not find and that the owner did not allege any unusual circumstances and that owner did not claim any property right was involved, said decision having been unanimous.

The Mayor inquired if any interested affected property owners were present who desired to be heard.

O. D. Arnold spoke. He said that he had built 450 homes in the area, and that 120 more are to be built. He said that there are no accommodations, such as applied for, within 1-1/2 miles. He said that he had spent \$60,000.00 in the business district. He pointed out that property across the street is in the County, and that it will probably be placed in a C Zone - which would permit sale of liquor.

Councilman Dail said that the neighborhood does not permit a liquor store, and said that the liquor dealer had moved in without knowing that it was not permitted in R-C Zone. He said he thought that "he was entitled to it".

The Planning Director made a verbal report and said, in answer to a question from Councilman Wincote, that no application for C Zone had been made. He said that the situation differed from the Dennstedt property referred to by Mr. Dail. He pointed out that there are advantages to the neighborhood of having R-C Zone instead of C. At the request of Councilman Swan, Planning Director Rick reviewed the permitted business in R-C - liquor being not among them.

Mr. Arnold told the Council of the types of business now in, and those that are planned.

Mr. Rick said that there would be no buffer zone between the liquor store and residences, if permitted.

Mrs. Arthur H. Johnson, 1987 - 54th Street, who resides across from the requested liquor store, spoke. She spoke in protest against liquor sales, and presented a written petition of objection. There are, she said, "7 children within a stone's throw of the building. Residents are awakened, now, she said, by drunks who constitute a neighborhood nuisance.

RESOLUTION NO. 103336, recorded on Microfilm Roll No. 42, denying the appeal of O. D. Arnold and Ethel Arnold, 4150 Palisades Drive, from the Zoning Committee decision in denying application to operate an off-sale liquor store in existing building at 1962 - 54th Street, on portion of Lot 17 Rancho Mission, sustaining said decision, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on appeal of Dorothy F. Trevor from the decision of the Zoning Committee in denying her application for variance to permit construction of a residence, making a total of four units, on Lots 21 and 22 Block 7 La Jolla Strand, at the southwest corner of Gravilla Street and Electric Avenue, in R-2 Zone, the report from the Zoning Committee, signed by P. Q. Burton, Senior Planning Technician, was presented and read.

Said report stated that no unusual circumstances were involved and no property right infringed upon sufficient to justify variance, that the vacant backyard was overgrown with weeds but did not constitute a valid reason for granting the variance, and that the Committee suggested that a request to rezone the area would be the only way to get the requested R-4 use.

Dorothy F. Trevor, 7447 Hillside Drive, La Jolla, Box 657, the appellant, spoke. She showed photographs of the property and surrounding area, which were not filed with the Clerk.

The Mayor left the meeting at this time, and Vice Mayor Chester E. Schneider assumed the duties of Chairman.

The Planning Director spoke, and outlined rights in Zone R-2, and stated that buildings had been placed across property lines.

Councilman Dail was excused from the meeting at this time.

The appellant spoke again. She said that there are 3 units on 2 lots, now and that there is room for a 4th unit. She said she would build a single-car garage, if the Council desired, and cut down the size of the proposed 4th unit, on the additional 35 feet.

Councilman Dail returned to the meeting.

The Vice Mayor spoke about the congestion observed that there would be congestion of cars in the street, if garage space for 3 cars were not constructed.

Miss Trevor said that she cannot afford to construct a 3-car garage with apartment above, as Mr. Rick thought she might.

The Mayor returned to the meeting at this time.

Mr. Rick said that space for parking is needed, whether in the form of garages or not. He said that possibly the apartment could be built above one of the existing garages, leaving space to park cars.

Councilman Wincote moved to sustain the appeal, "provided that construction is redesigned to conform to the area, and re-arrangement for parking of cars on the property". There was no second at this time.

More discussion followed, leading to the following Resolution.

RESOLUTION NO. 103337, recorded on Microfilm Roll No. 42, referring back to the Planning Commission and Zoning Committee, for re-consideration on revised plan, the appeal of Dorothy F. Trevor, 7447 Hillside Drive, La Jolla, Box 657, from the Zoning

Committee's decision in denying application for variance to the provisions of Ordinance No. 13294 to permit construction of a residence - making a total of four units on a lot - being Lots 21 and 22 Block 7 La Jolla Strand, at the southwest corner of Gravilla Street and Electric Avenue, in Zone R-2, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Councilman Kerrigan requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

Mr. Kerrigan presented petition from Crest View Trailer Park, signed by Ethel M. Ruegg, Co-owner and manager, 5430 University Avenue, and petition signed by all the residents of said Trailer Park, protesting operation of top soils and fill dirt business by C. W. McGrath at the northeast corner of 54th Street and University Avenue, resulting in nuisance from the blowing of dirt throughout the Park, which petitions ask for abatement of the nuisance.

The Mayor suggested reference of the matter to the City Manager and to the City Attorney for investigation.

George B. Hoffman asked to be heard. He told the Council that he has lived at the Crest View Trailer Park for 1-1/2 years, and told of the different categories of such parks, stating that this is the finest in the City. Many residents, he said, have had large homes elsewhere and had moved their trailers at the Crest View. He said that the dust, which is a great nuisance to the entire neighborhood, even blows over to the Rest Haven Home. He said that the condition has been going on about 6 months. He said that the owner of the property under discussion had promised not to store top soil, but is doing so to the annoyance of the surrounding area. Speaking again of the quality of the trailer park, Mr. Hoffman said that the average investment there is \$8,000.00 in each of the trailers.

On motion of Councilman Kerrigan, seconded by Councilman Swan, the matter was referred to the City Manager and to the City Attorney.

Petition of John D. Lyerly, Real Estate Broker, 1026 Prospect Street, La Jolla, requesting sale at public auction of portion of the City-owned Pueblo Lot 1288, at 2509 Ardath Road, La Jolla, being a 100' x 150' of land together with house, was presented. A \$60.00 certified check was deposited, as required by ordinance, and an agreement made on the petition to bid not less than \$17,500.00 for the property. Mr. Lyerly, signer of the petition as broker, did not reveal the name of his client, was referred to the City Manager.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of concrete work on the Fresh Water Backflow Protection Unit at the Sewage Treatment Works, recommending award to H. H. Peterson, the low bidder - there were 2 bids - was presented.

RESOLUTION NO. 103338, recorded on Microfilm Roll No. 42, accepting bid of H. H. Peterson for construction of concrete work of the fresh water backflow protection unit, Sewage Treatment Works, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of electrical work of the fresh water backflow protection unit at the Sewage Treatment Works, recommending award to California Electric Works, the sole bidder, was presented.

RESOLUTION NO. 103339, recorded on Microfilm Roll No. 42, accepting bid of California Electric Works for the construction of the electrical work of the fresh water backflow protection unit, Sewage Treatment Works, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of water service line to the fresh water backflow protection unit at the Sewage Treatment Works, recommending award to Walter H. Barber, the low bidder - there were 2 bids - was presented.

RESOLUTION NO. 103340, recorded on Microfilm Roll No. 42, accepting bid of Walter H. Barber for construction of the water service line to the fresh water backflow protection unit, Sewage Treatment Works, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of Sewer Outfall in Lots 2 and 3 Marcellena Tract, Montezuma Road, Littlerock Road, et al., to serve Alvarado Subdivision, recommending award to H. R. Breeden, the low bidder - there were 3 bids - was presented.

RESOLUTION NO. 103341, recorded on Microfilm Roll No. 42, accepting bid of H. R. Breeden for construction of Sewer Outfall in Lots 2 and 3 Marcellena Tract, Montezuma Road, Littlerock Road, et al., to serve Alvarado Subdivision, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of 5 Sewer Crossings across Torrey Pines Road between Viking Way and Ardath Road, recommending award to H. H. Peterson, the low bidder - there were 4 bids - was presented.

RESOLUTION NO. 103342, recorded on Microfilm Roll No. 42, accepting bid of H. H. Peterson for construction of 5 Sewer Crossings across Torrey Pines Road between Viking Way and Ardath Road, awarding contract and directing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on call for bids for the landscaping of Kellogg Park, La Jolla, stating that 6 prospective bidders were notified or had taken out bid forms, but no bids were received, stating also that specifications have been revised by the City Engineer, recommending re-advertising in accordance with new specifications, was presented.

RESOLUTION NO. 103343, recorded on Microfilm Roll No. 42, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for landscaping the areas east and west of center block parking area at Kellogg Park, in La Jolla, including the planting of palms in the parking area, in accordance with Document No. 437152, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for 5 truck chassis and cabs with bodies as specified, 1 Jeep, 4 special service bodies, and 1-wheel tractor with skip loader, for the Public Works Department, was presented.

RESOLUTION NO. 103344, recorded on Microfilm Roll No. 42, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of 5 Truck Chassis and Cabs with bodies as specified, 1 Jeep, 4 Special Service Bodies, and 1 Wheel Tractor with Skip Loader, for the Public Works Department, in accordance with Document No. 437154, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103345, recorded on Microfilm Roll No. 42, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the installation of 54th Street 12" asbestos cement pipe line from El Cajon Boulevard to Orange Avenue, including a section on Orange Avenue, and from Chollas Station Road to Euclid Avenue, in accordance with Document No. 437157, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103346, recorded on Microfilm Roll No. 42, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the installation of rest rooms for Santa Clara Restaurant, Santa Clara Point, Mission Beach, in accordance with Document No. 437159, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the City Manager reporting on communication from Richard Everding, 4111 Delta Street, for repairs to said street between 41st and 42nd Streets, stating that repairs have been completed, and recommending filing, was presented.

On motion of Councilman Swan, seconded by Councilman Kerrigan, the matter was ordered filed.

Communication from the City Manager reporting on communication from Mrs. W. W. Goodman, 7916 Paseo del Ocaso, La Jolla, relative to trimming of trees on private property, and need for traffic signal on Highway 101 at Miramar Road, was presented. Said report transmitted copy of his reply stating that the Street Trees Division will trim the trees if in violation of required clearance on public thoroughfare, and that the matter of the signal is under jurisdiction of the Division of Highways which division is making a study of the matter.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from the City Manager reporting on communication from Mrs. M. H. Reiman, 5958 Trojan Avenue, in support of adoption of a dog leash law, was presented. Transmitted was a copy of his reply stating that a proposed new dog ordinance is being typed and will be ready for presentation to the Council soon, which proposed ordinance contains such a provision.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from the City Manager recommending installation of 7 600-candle power overhead street lights, was presented.

RESOLUTION NO. 103347, recorded on Microfilm Roll No. 42, authorizing and directing the San Diego Gas & Electric Company to install a 600-candle power overhead street light at each of the following locations:

Benecia Street at Gaines Street;
Colusa Street at Gaines Street;
Dawes Street at Diamond Street;
South end of 33rd Street, south of Martin Street;
Doig Street, East of 69th Street, Pole JP176729;
Curlew Street at Kalmia Street;
Ocean Front Street, at Del Mar Avenue, Pole 4963 Del Mar;

was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the City Manager making a detailed report on the petition of Ocean Beach property owners for extension of the Seawall at Ocean Beach from Santa Monica Avenue to Silver Spray Hotel, was presented. The report states that the City Manager has written to Col. Kelton, of the Beach Erosion Board of the Army Engineers, for analysis and recommendation on corrective measures, and recommending that no work be undertaken until such a report has been received from Col. Kelton.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the matter was ordered filed.

(Ordinarily the Clerk's office would advise the petitioners of Council action, but was informed that the City Manager is following up the matter, and that further reports will be made - after which petitioners may be advised).

Communication from the Street Superintendent recommending granting petition for closing of Shafter Street, bearing the Assistant City Manager's signature of approval, was presented.

The matter had been before the Council at the meeting of July 26, and had been referred to him at his request.

RESOLUTION NO. 103348, recorded on Microfilm Roll No. 42, granting petition for closing Shafter Street from the northerly boundary of Carleton Street to the mean high tide line between Blocks 28 and 29 Roseville, contained in Document No. 432896, directing the City Engineer to furnish a description of the lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent recommending granting petition of the San Diego Unified School District, bearing the Assistant City Manager's signature of approval, for closing the south 50 feet of the Alley in Block 55 Morena Tract, the northerly 300 feet of which was closed in 1942, was presented.

RESOLUTION NO. 103349, recorded on Microfilm Roll No. 42, granting petition for closing of the south 50 feet of the Alley in Block 55 Morena Tract, contained in Document No. 435624, directing the City Engineer to furnish a description of the lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, recommending closing Cherry Street and Napa Street between the southeasterly line of Linda Vista Road and the northwesterly line of Riley Street, adjacent to Blocks 353, 354 and 355 Old San Diego, as petitioned for, stating that in the planning of the channelization for intersection of Linda Vista Road and relocated approach to the new Morena Boulevard Bridge, it is in the public interest to close Cherry Street, was presented.

RESOLUTION NO. 103350, recorded on Microfilm Roll No. 42, granting petition for closing Cherry Street and Napa Street between the southeasterly line of Linda Vista Road and the northwesterly line of Riley Street, contained in Document No. 435063, directing the City Engineer to furnish a description of the lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, recommending denial of petition for closing the easterly 20 feet of Ibis Street, between Upas and Walnut Streets, was presented. The report states that the Street can be improved, and that if it is, it should be to the full width, and that it is not in the public interest to close any portion thereof at this time.

RESOLUTION NO. 103351, recorded on Microfilm Roll No. 42, denying petition for closing of the easterly 20 feet of Ibis Street between Upas Street and Walnut Street, contained in Document No. 435567, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, recommending denial of petition for closing of the southwesterly 25 feet of Whitman Street adjacent to Block 549 Old San Diego, was presented. The report stated that the roadway between Witherby and Hortensia Streets should be improved to at least the width and standard of Aloha Street, which has a 20-foot roadway, and the petition seeks closing of portion which should be improved.

RESOLUTION NO. 103352, recorded on Microfilm Roll No. 42, denying petition for closing of the southwesterly 25 feet of Whitman Street adjacent to Block 549 Old San Diego, contained in Document No. 433144, was on motion of Councilman Kerrigan, seconded by

Councilman Dail, adopted.

Communication from San Diego County Probation Committee, dated August 6, 1951, signed by Mary A. Ward, Secretary, requesting that the Council act with dispatch to grant the request of the Board of Supervisors to set a reasonable price upon property owned by the City of San Diego, selected by the County Department of Public Works, as a site for a new Juvenile Hall, was presented.

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

Communication from Shoreline Planning Association of California, Incorporated, 506 Santa Monica Boulevard, Santa Monica, California, dated August 8, 1951, signed by Geoffrey F. Morgan, Executive Director, requesting that delegates to the convention to be held in Santa Barbara on September 14 and 15, 1951, be prepared to propose a list of names for election to the Board of Directors for the ensuing year, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said communication was referred to Councilman Swan.

Communication from Pacific Indemnity Company, dated August 8, 1951, signed by J. M. MacConnell, announcing that the claim of W. B. Musselman in the sum of \$20.00, for property damage at 5024 Windsor Drive, Pacific Beach, from water reservoir overflow, had been paid in said sum, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated August 8, 1951, signed by J. M. MacConnell, announcing that the claim of Pacific Telephone & Telegraph Co., in the sum of \$250.00 for property damage at 2901 Harbor Drive, had been paid in the sum of \$103.06, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated August 8, 1951, signed by J. M. MacConnell, reporting on claim of Arthur A. Phillips and James A. Phillips, by their Attorney, Richard F. Boyer, stating that an extensive investigation of accident had been made wherein it was not found that the injury to Arthur A. Phillips on City property on the easterly side of Girard Avenue near the southwesterly corner of the school grounds of the La Jolla Elementary School on April 12, 1951, was caused through negligence on the part of the City or any of its employees, and requesting denial thereof, was presented.

RESOLUTION NO. 103353, recorded on Microfilm Roll No. 42, denying claim of Arthur A. Phillips and James A. Phillips, 5524 Waverly Avenue, La Jolla, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103354, recorded on Microfilm Roll No. 42, directing notice of filing of assessment and of the time and place of hearing thereof - No. 2028 - made to cover the costs and expenses of the work done upon the paving and otherwise improving of Draper Avenue, within the limits and as particularly described in Resolution of Intention No. 100471, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 103355, recorded on Microfilm Roll No. 42, accepting bid of Daley Corporation, a corporation, and awarding contract, for the paving and otherwise improving of Jarvis Street and Scott Street, within the limits and as particularly described in Resolution of Intention No. 102546, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

A written report from the City Engineer stated that the low bid was 16.6% below the estimate.

RESOLUTION OF AWARD NO. 103356, recorded on Microfilm Roll No. 42, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for the paving and otherwise improving of the Alleys in Block 1 Ocean View and Block 1 Sunset Grove, and Brighton Avenue, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

A written report from the City Engineer stated that the low bid was 3% above the estimate.

RESOLUTION OF AWARD NO. 103357, recorded on Microfilm Roll No. 42, accepting bid of San Diego Gas & Electric Company, and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in Kensington Manor Lighting District No. 1, for a period of one year from and including May 1, 1951, to and including April 30, 1952, in accordance with the Engineer's Report and Assessment therefor, filed May 25, 1951, in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 103358, recorded on Microfilm Roll No. 42, accepting the bid of San Diego Gas & Electric Company, and awarding contract for the furnishing of electric current for the lighting of the ornamental street lights located in Montemar Lighting District No. 1, for a period of one year from and including December 16, 1950 to and including December 15, 1951, in accordance with the Engineer's Report and Assessment filed March 16, 1951, in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 103359, recorded on Microfilm Roll No. 42, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, in accordance with Engineer's Report and Assessment filed March 30, 1951 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 103360, recorded on Microfilm Roll No. 42, for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1950 to and including November 4, 1951, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 103361, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of Jewell Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103362, recorded on Microfilm Roll No. 42, ascertaining and declaring the wage scale for the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103363, recorded on Microfilm Roll No. 42, ascertaining and declaring the wage scale for the paving and otherwise improving of San Juan Place, the Alleys in Blocks 155, 159 and 160 Mission Beach, and Bayside Lane, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition for sewers in Homeland Villas and Eureka Lemon Tract, heretofore granted, by inclusion of a portion of Pueblo Lot 1788, was presented.

RESOLUTION NO. 103364, recorded on Microfilm Roll No. 42, adopting recommendation of the City Engineer to amend proceedings for improvement of Homeland Villas and Eureka Lemon Tract, under Document No. 437122, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending that proceedings be started to change property line grades on Talbot Street between the northwesterly line of Scott Street and the Mean High Tide Line of the Bay of San Diego, was presented.

RESOLUTION NO. 103365, recorded on Microfilm Roll No. 42, directing the City Engineer to furnish a description or map for the change of grade on Talbot Street, between the northwesterly line of Scott Street and the Mean High Tide Line of the Bay of San Diego, in accordance with recommendation filed in the office of the City Clerk under Document No. 437115, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting permission to make alterations in the pedestrian overcrossing across Washington Street at Vermont Street, by private contract under City inspection to plans and specifications filed under Document No. 436991 at no cost to the City of San Diego, was presented.

RESOLUTION NO. 103366, recorded on Microfilm Roll No. 42, granting permission to Stiles Clements Associated Architects & Engineers to make alterations in the pedestrian overcrossing across Washington Street at Vermont Street by private contract, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer under Document No. 436991 on file in the office of the City Clerk, on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103367, recorded on Microfilm Roll No. 42, granting revocable permit to F. L. Doyle, 4500 Ocean Boulevard, San Diego 9, to install and maintain one 550 gallon gasoline storage tank underneath the sidewalk at 1877 Moore Street, to replace old storage tank at said location, on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Manager recommending the granting of excess-width driveways on Chatsworth Blvd., between Voltaire & Zona Streets, for access to two double garages, to Sherman-Gray, Inc., was presented.

RESOLUTION NO. 103368, recorded on Microfilm Roll No. 42, granting permission to Sherman-Gray, Inc., 2311 Kettner Boulevard, San Diego 1, to remove two 22-foot sections of full height curb, separated by approximately 9 feet of full height curb, for installation of two driveways adjacent to Lot 27 Block E Las Lomas, to provide access to 2 double garages being constructed at 2312-14-16 and 2318 Chatsworth Boulevard, between Voltaire Street and Zona Street, in accordance with all rules, regulations and ordinances of The City governing the same, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition for installation of sewer in 54th Street northerly from Laurel Street to serve Lots 4 to 8 Block "I" Balboa Vista, by private contract, at no cost to the City, was presented.

RESOLUTION NO. 103369, recorded on Microfilm Roll No. 42, granting property owner (Donald F. Morrison and Margaret E. Morrison) permission to install sewer in 54th Street northerly from Laurel Street to serve Lots 4 to 8 inclusive, Block "I" Balboa Vista, by private contract, in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 436909, at no cost to the City of San Diego, on conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 103370, recorded on Microfilm Roll No. 42, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract, for the paving and otherwise improving of Wightman Street, 38th Street and 41st Street, within the limits and as particularly described in Resolution of Intention No. 102547, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

A written report from the City Engineer stated that the low bid was 19.4% below the estimate.

RESOLUTION NO. 103371, recorded on Microfilm Roll No. 42, authorizing and directing the Property Supervisor to advertise for a period of at least 5 days in the official newspaper, the sale at public auction of Lots 13, 14, 15, 16, 17, 18, 19 Block 125 University Heights, said property no longer needed for City purposes, the property having been appraised by a qualified real appraiser at \$21,500.00, stating that the minimum amount which the Council will consider is \$21,500.00, reserving the right to reject any and all bids at said public auction, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103372, recorded on Microfilm Roll No. 42, directing the Supervisor of Properties to file a petition with the Board of Supervisors of the County of San Diego requesting that all taxes against land in portion of Goldfinch Street closed, in West Hollywood, in Pueblo Lots 196, 197, 1202 be cancelled, together with all penalties and other expenses in connected therewith, and that all deeds to the State for delinquent taxes be cancelled, authorizing and directing him to take whatever steps he may deem necessary otherwise to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103373, recorded on Microfilm Roll No. 42, approving Change Order No. 1, dated June 28, 1951, heretofore filed with the City Clerk as Document No. 437164, issued in connection with contract between The City of San Diego and Guy F. Atkinson for construction of Morena Boulevard Bridge, amounting to an increase in the contract price of approximately \$411.79, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103374, recorded on Microfilm Roll No. 42, approving Change Order No. 3, dated July 20, 1951, heretofore filed with the City Clerk as Document No. 437033, issued in connection with contract between The City of San Diego and Walter H. Barber for construction of the 42nd Street and University Avenue drain, amounting to an increase in contract price of \$600.00, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103375, recorded on Microfilm Roll No. 42, approving Change Order No. 52, dated July 31, 1951, heretofore filed with the City Clerk as Document No. 437166, issued in connection with contract between The City of San Diego and Daley Corporation for construction of Wabash Freeway, Section "A", on file in the office of the City Clerk, changes amounting to an increase in the contract price of \$139.00, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103376, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with construction and installation of the following facilities at the Chollas Storage Yard:

1. Furnishing and installing 1800 lineal feet of 5-foot Cyclone Steel Wire Fence with two gates;
2. Furnishing and installing approximately 500 lineal feet of 5-foot 5-strand barbed wire fence;
3. Constructing 480 lineal feet of Rail Pipe Racks;
4. Provide 3-foot wide paved gutter 500 feet long;
5. Grade 500 feet of 12-foot roadway;
6. Dismantle and move 30' x 50' Sheet Steel Building located at Kettner and Vine Street Yard, providing new concrete slab, toilet fixtures, partition and septic tank;
7. Provide electric power to building and yard; install lighting fixtures and connect to existing motors;
8. Grade and pave with Plant Mix 800 feet of 20-foot roadway;
9. Provide water line from Chollas Station or from closest source;

by appropriate City forces, in accordance with the City Manager's recommendation, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103377, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the replacement of the existing wooden steps with precast concrete steps and the replacement of the old wooden hand rail with steel pipe, of the inspection gallery stairway at Hodges Dam, by appropriate City forces, in accordance with the City Manager's recommendation, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

Prior to adoption of said Resolution, Councilman Swan asked about the purpose of the proposed improvements and their need, which matter was explained verbally by the City Manager.

RESOLUTION NO. 103378, recorded on Microfilm Roll No. 42, authorizing the City Manager to enter into a lease on behalf of The City of San Diego with Neil N. Russell and Rose M. Russell, Walter R. Reel and Madge Reel, for operation of a golf driving range on Block 13 Bayside, for a period of one year, beginning August 1, 1951, at a rental of \$35.00 per month payable in advance in the sum of \$210.00 on August 1, 1951, and \$210.00 on February 1, 1952, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103379, recorded on Microfilm Roll No. 42, authorizing A. E. Jansen, Chief of Police, and Captain W. P. Thien, of the Police Department, to attend the annual convention of the Peace Officers' Association of the State of California, to be held at Yosemite, California, September 6, 7 and 8, 1951, authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103380, recorded on Microfilm Roll No. 42, authorizing and empowering the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of, The City of San Diego, a deed quitclaiming to Air Parks, Incorporated, of a strip of land 50 feet in width over and across Lots 4, 5, 6, 10, 11, 15 and 16 of Pueblo Lot 1207, being portions of an easement and right of way conveyed to The City of San Diego by said Air Parks, Incorporated, in 1949, more particularly described in said Resolution, also authorizing and empowering the Mayor and City Clerk to execute for and on behalf of, and as the act and deed of, The City of San Diego, of portions of Pueblo Lots 1191 and 1195, being portions of an easement and right of way conveyed to The City of San Diego by the San Diego Urban Company, by said San Diego Urban Company in 1949; authorizing and empowering the Property Supervisor to deliver said deeds to the said Air Parks, Incorporated, and to said San Diego Urban Company upon deliver to The City of San Diego of deeds granting to the City of deeds granting easements needed for correct alignment of the Kearny Mesa Pipe Line, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City has heretofore acquired easements for the Kearny Mesa Pipe Line across portions of Pueblo Lots 1191 and 1195, portions of Lots 145, 146 and 144, South Avenue closed and Colonial Street closed, portions of Lots 4, 5, 6, 10, 11, 15, 16 and 3, if any, of Pueblo Lot 1207 and streets closed by Resolution No. 85183 adopted by the Council on February 14, 1947, which grants of easement contained errors in the description of easements, that said Air Parks, Incorporated, and San Diego Urban Company, owners of the property affected, are willing to grant to the City easements containing corrected descriptions in order to effect a property alignment of the pipe line, in exchange for the easements heretofore granted to the City, and that it appears to be to the best interests of the City to make said exchange.

ORDINANCE NO. 4883 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$16,000.00 from the Capital Outlay Fund for the construction and installation of facilities at the Chollas Storage Yard (authorized by Resolution No. 103376, adopted by the Council at this meeting), was on motion of Councilman Wincote, seconded by Councilman

Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--- Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4884 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$12,200.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of the concrete work of a fresh water backflow protection unit at the Sewage Treatment Plant (contract awarded by the Council this date), was on motion of Councilman Wincote, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4885 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$6,800.00 from the Capital Outlay Fund, for the purpose of providing funds for the installation of a water service line to the fresh water backflow protection unit at the Sewage Treatment Plant, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4886 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$3,500.00 from the Capital Outlay Fund, for the purpose of providing funds for installation of electrical work on the fresh water backflow protection unit at the Sewage Treatment Plant, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays-- Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4887 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$6,800.00 from the Capital Outlay Fund, for the purpose of providing funds for the construction of a sewer outfall in Lots 2 and 3 Marcellena Tract, Montezuma Road, Littlerock Road, et al., to serve Alvarado Subdivision, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4888 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$6,500.00 from the Capital Outlay Fund, for the purpose of providing funds for the construction of 5 sewer crossings across Torrey Pines Road, between Viking Way and Ardath Road, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4889 (New Series), recorded on Microfilm Roll No. 42, amending Ordinance No. 3788 (New Series) adopted June 22, 1948, by adding a new section thereto to be known and numbered as Section 4-1/2, having to do with making water main extensions for the benefit of areas of the City which have heretofore or hereafter been subdivided by means of conveyance, providing for service connections, etc., was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to the adoption of said Ordinance, both the Mayor and the City Manager

made verbal explanations.

Councilman Wincote said that he felt payment should be made on the balance, where deferred payments are arranged with the city. He said that the City will have paid cash for water meters, and that the purchasers should be required to pay interest thereon. Louis Karp, Deputy City Attorney, said that no such provision is made at the present time.

The City Manager said that he will make a report in the matter.
No action on the suggestion was taken.

ORDINANCE NO. 4890 (New Series), recorded on Microfilm Roll No. 42, changing the name of portions of Federal Boulevard to E Street and to F Street, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4891 (New Series), recorded on Microfilm Roll No. 42, dedicating portions of Block 1, Block 7, and Block 8 Haffenden's Sunnydale, Haffenden and High's Addition to Sunnydale as and for portions of public streets and/or highways, and naming the same Federal Boulevard and Wabash Boulevard, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 4892 (New Series), recorded on Microfilm Roll No. 42, dedicating public lands in portions of Pueblo Lots 1202 and 1203 as and for portions of public highways, and naming the same Linda Vista Road, East Tecolote Road, and Wellington Street; repealing all ordinances and parts of ordinances in conflict, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Godfrey, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Mayor Butler.

Prior to adoption of the Ordinance, Councilman Swan asked who names the streets.

Planning Director Glenn A. Rick replied that in the case of new subdivisions, the subdividers select the names, and that they are reviewed by the City as to their appropriateness and duplications.

Councilman Swan deplored the use of long names on Streets, which opinion was shared by Councilman Wincote. Mr. Wincote favored "short, snappy names". Mr. Swan thought the matter should be looked into, in Council Conference. No action, however, was taken on Mr. Swan's suggestion.

The City Manager requested, and was granted unanimous consent, to present the next matters of business, not listed on the Council's agenda:

RESOLUTION NO. 103381, recorded on Microfilm Roll No. 42, commending and praising the Junior Chamber of Commerce of San Diego for its active participation in the planning, promoting and staging of Harbor Days festivities, July 20, 21, 22, 1951, creating a tremendous amount of good will necessary to further development of commerce, navigation and fisheries of San Diego Harbor, expressing appreciation for the effort and expense said Junior Chamber of Commerce expended to make the Harbor Days a memorable event and a great inspiration to the citizens of San Diego; directing the City Clerk to forward a copy of said Resolution to said Junior Chamber, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103382, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the construction of an information center facility in Horton Plaza, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

ORDINANCE NO. 4893 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$1,950.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of an information center facility in Horton Plaza, was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

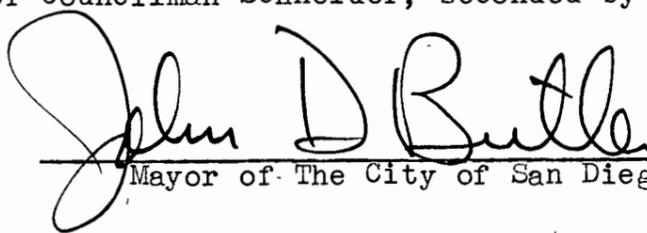
Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas---Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

RESOLUTION NO. 103383, recorded on Microfilm Roll No. 42, authorizing the City Attorney's Office to join with the other Southern California cities in making an appearance at the public hearing to be held in San Francisco on September 6, 1951, in reference to the Pacific Telephone & Telegraph Company's application for authority to increase rates, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

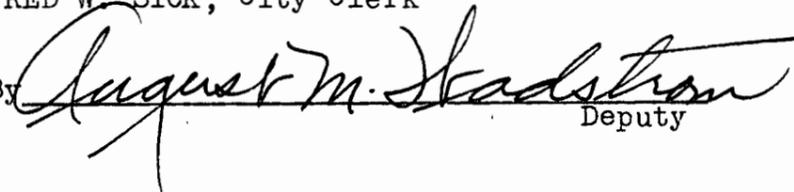
Petition for closing portion of the Alley in Block 13 of Las Alturas No. 4 was listed on the Agenda as information to the City Council that it had been referred directly to the City Manager.

The Mayor announced a 2:00 o'clock conference today, on the Capital Outlay program.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 11:28 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, August 16,
1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:06 o'clock A.M.

Present-Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Absent-None. Clerk--Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time to which the hearing had been continued on petition for the removal of setback from the easterly side of Pacific Highway, between West Washington Street and Witherby Street, by repeal of Ordinance No. 13031 and Ordinance No. 401 (New Series), the Mayor announced the purpose of the hearing. He asked if anyone was present to be heard.

E. E. Wallace, District Engineer, of the State Department of Highways, spoke. He reviewed the situation for the benefit of the Mayor, who had not been present at the beginning of the proceedings, and during several of the subsequent hearings. Mr. Wallace told the Council that 60,500 cars use Pacific Highway in a 24-hour period, and said that traffic there has increased 15% per year. He said that we are going to "have to do something" (to relieve the congestion). He told of plans for widening, moving over the center line, and an outer highway, which have been made. He said that the State has appropriated funds for rights of way, and has approved the plans. Some of the property, he said, has already been acquired. Mr. Wallace said that the State is acting in good faith, and prefers to avoid condemnation suits if possible. He requested the Council not to repeal the setback ordinances. Asked if all the property owners had been contacted, Mr. Wallace said that all excepted Consolidated Aircraft, Santa Fe, and Mr. Larson.

Mr. Kerrigan asked why get so excited about it, when we have the same setback on Fairmount Avenue and elsewhere in the City.

Mr. Wincote wondered if Mr. Kerrigan did not consider the matter unfair, to which Mr. Kerrigan replied that he did not.

Councilman Kerrigan moved to file the matter, which motion was seconded by Councilman Schneider.

Before the roll was called, Councilman Wincote said he thought the hearing might well be continued for another 90 days - without hurting anybody.

Asked if he believed further continuances would hurt the State, Mr. Wallace replied that it would not, but said that repeated delays of action led to uncertainty.

RESOLUTION NO. 103384, recorded on Microfilm Roll No. 42, filing the petition for repeal of Ordinances Nos. 13031 and 4011N. Saefor removal of the existing setback from the easterly side of Pacific Highway, between West Washington Street and Witherby Street, together with the various reports and other documents connected therewith, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--Councilmen None.

Petition of Leo Phillip Vitello, 228 S. Ditmar Street, Oceanside, being an application for a cabaret license at the Bob Inn, 942 Columbia Street, was presented, together with recommendations for approval from the interested City departments.

RESOLUTION NO. 103385, recorded on Microfilm Roll No. 42, granting permission to Leo Vitello to conduct a cabaret with paid entertainment at the Bob Inn, 942 Columbia Street, where liquor is sold but no dancing conducted, subject to regular license fee and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Petition of Mission Beach Coaster Company, dated Aug. 2, 1951, signed by Lorenze W. Barney, president, requesting a new lease - the present lease expires January 2, 1952 - was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said petition was referred to the City Manager.

Claim of Maurice Holtzman, 4822 Rolando Boulevard, San Diego 15, California, in the sum of \$4.21, for damage to his automobile by a City Refuse Department truck, was presented.

RESOLUTION NO. 103386, recorded on Microfilm Roll No. 42, referring claim of Maurice Holtzmann to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Claim of Mrs. Katherine D. Whitacre, 3612 - 36th Street, San Diego 4, California, in the estimated sums of \$42.47 or \$49.55, for damage to pickup truck by a City Refuse Department truck, was presented.

RESOLUTION NO. 103387, recorded on Microfilm Roll No. 42, referring claim of Mrs. Katherine D. Whitacre to the Pacific Indemnity Company, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, presenting for Council two Tideland Leases and two Agreements for Amendment of Tideland Lease, was presented. They covered the following:

Lease with Tom Kim Lai, for 5 years with 3 5-year options, on G Street Pier, for operation of a restaurant - rental at 3% of gross receipts, or \$60. per month, subject to review every 2-1/2 years during the term and options - approximately \$15,000. to be expended by the Lessee;

Lease with United States Government, 20,960 sq. ft. on second deck of Broadway Pier, to be used by the Navy, for 1 year beginning July 1, 1951 with 4 1-year options to renew - rental \$628.80 per month - 6,288 sq. ft. cancellable in the event that an ocean going passenger line establishes San Diego as a port of call;

Agreements for Amendment of Lease covering Star and Crescent Oil Company on G Street Pier and Pan-Pacific Fisheries, Inc. on G Street Pier - delete land to provide for sidewalks in accordance with development of pier and increases water areas slightly as consideration so no change is made in rental.

Carl F. Reupsch, representing the Harbor Department, reported verbally on the last two of the leases - those on the G Street Pier - at the request of Councilman Schneider, who asked for details.

RESOLUTION NO. 103388, recorded on Microfilm Roll No. 42, ratifying, confirming and approving tidelands lease with the United States Navy, a copy of which is on file in the office of the City Clerk as Document No. 437243, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103389, recorded on Microfilm Roll No. 42, ratifying, confirming and approving tidelands lease with Tom Kim Lai, a copy of which is on file in the office of the City Clerk as Document No. 437244, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103390, recorded on Microfilm Roll No. 42, ratifying, confirming and approving Agreement for Amendment to a Tidelands Lease with Pan Pacific Fisheries, Inc., a copy of which is on file in the office of the City Clerk as Document No. 437246, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103391, recorded on Microfilm Roll No. 42, ratifying, confirming and approving Agreement for Amendment to a Tidelands Lease with Star and Crescent Oil Company, a copy of which is on file in the office of the City Clerk as Document No. 437248, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, requesting authorization to improve the interior of the former Biloxi School Building, Lindbergh Field, by City forces, at a cost of \$1800.00, was presented.

RESOLUTION NO. 103392, recorded on Microfilm Roll No. 42, authorizing and empowering the Port Director to do all the work in connection with improvements to the interior of the former Biloxi School Building on Lindbergh Field, by appropriate City forces, in accordance with the Port Director's recommendation, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Said Resolution recites that the Port Director has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103393, recorded on Microfilm Roll No. 42, accepting bid of Rogers Construction Company and awarding contract for construction of Lakeside Pumping Plant and Appurtenant Work, authorizing and empowering the City Manager to execute the same upon execution of said contract, and upon execution, delivery, filing and approval of the bonds required thereunder, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, recommending purchase of pipe from the American Pipe and Construction Company for 60" concrete drain from the east line of 20th Street to the east line of 19th Street, south of Commercial Avenue, available through said Company, due to additional expense and delay for bidding, was presented.

RESOLUTION NO. 103394, recorded on Microfilm Roll No. 42, authorizing and directing the Purchasing Agent to purchase from the American Pipe & Construction Company 76 lineal feet of 60" concrete pipe, for use in connection with storm drain project between the east line of 20th Street and the east line of 19th Street, without advertising for bids, at a cost not to exceed the sum of \$1,113.92 including sales tax, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on sale of University Heights Filter Plant Structure, stating that there sealed bids from 5 bidders, and reporting that the structure was sold to W. D. Hall Company, El Cajon, the high bidder, for \$3,200.00, and that the funds have been deposited to the credit of the proper accounts by the Water Accounting Office, was presented.

On motion of Councilman Swan, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from the City Planning Director setting forth a Resolution adopted by the Planning Commission, relative to the severe burden on the 3 members of the Commission who serve as the Zoning Committee, reporting that the City Attorney's Office has stated that all members may serve inasmuch as the Zoning Committee is a de facto committee whose decisions are subject to appeal of the Council, resolving that all members of the Commission are ex officio members of the Committee, that 3 members shall constitute a quorum, that a quorum may act as a Zoning Committee and all actions regardless of name under which they may be taken shall be deemed official acts of the Commission in such cases as the vote of a quorum is sufficient, that it shall not be construed to authorize or ratify action taken by 3 members in cases in which a vote of more than 3 members is required, advising that the Commission has been informed by the Attorney's Office that the solution is satisfactory and may serve until such time as the Council authorizes revision of the Charter at which time an entirely new set-up will be provided, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, the matter was ordered filed.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on the appeal of Mr. and Mrs. J. L. Hudson relative to action of the Planning Commission in requiring the granting of an easement for the widening of Euclid Avenue in connection with zone variance, reporting that the Zoning Commission at its regular meeting on August 8 granted the zone variance request with the proviso that the Hudsons remove any construction permitted under the variance when the original zone variance expires, if said resolution is not renewed or extended - the resolution dated January 14, 1948, will expire in 1953 - and recommending that a written agreement be signed, notarized and recorded before the variance becomes effective, was presented.

Mrs. J. L. Hudson appeared, but did not speak at this time.

At the request of Councilman Dail, the report was read to the Council.

Mrs. Hudson spoke, and although she said that the requirement seemed like a small matter, she and her husband had signed and filed the agreement, and that they are now satisfied.

Councilman Dail wondered if the signed agreement would prejudice any application for extension on a variance.

The Planning Director said that a conditional variance could be granted.

RESOLUTION NO. 103395, recorded on Microfilm Roll No. 42, sustaining the appeal of Jesse L. Hudson and Minnie M. Hudson from the decision of the Zoning Committee in requiring an easement for the widening of Euclid Avenue, in connection with variance to the provisions of Ordinance No. 116 New Series, to permit erection of a 672 square foot lath house addition and 128 square foot storage room addition to the existing lath house to be used in connection with retail sales of plants and nursery stock on Lots 8 and 9 Block 2 Beverly Subdivision, at 1115 1/2 Euclid Avenue, in Zone R-2, overruling said decision, on condition that a signed, notarized and recorded agreement be filed with the City Clerk specifying that any construction permitted hereunder be removed when the original zone variance (Resolution No. 2799) expires if said Resolution is not renewed or extended, being January 14, 1953,

before the variance becomes effective, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The Hudson matter had been before the Council on the meetings of May 17, 1951, June 17, 1951, June 19, 1951, as well as on this date.

Communication from San Diego City Schools, dated August 9, 1951, signed by Will C. Crawford, Superintendent of Schools, submitting copies of a Resolution passed by the Board of Education on August 7, 1951, indicating willingness to participate in the improvement of Jewell Street between the south line of Pacific Beach Drive and the north line of Fortuna Avenue, Second Fortuna Park Addition, to the amount of \$7398.75, for benefits from the paving, although it was felt that there would be no benefit derived from the water main development, and taking said method to indicate the extent to which the Board of Education wishes to contribute, was presented.

Councilman Kerrigan felt that the matter should be filed, and that it would be taken care in the regular case of the proceedings.

Louis Karp, Deputy City Attorney, indicated that it would be well to refer the matter to the City Manager so that he would be apprized of the Board's views, in directing the City Engineer to prepare the Assessment.

On motion of Councilman Godfrey, seconded by Councilman Dail, the matter was referred to the City Manager.

Communication from the Board of Trustees, Police & Fire Retirement System, dated August 14, 1951, signed by S. H. Shawver, Secretary, stating that the Board has placed Billy G. Wright, Police Dept., on a disability pension effective August 26, 1951, requesting that the proposed ordinance as ordered for preparation by Resolution No. 102403 dated May 24, 1951, be made and passed as an emergency in order that Mr. Wright will not be penalized by losing one year's sick leave with pay, was presented.

There was brief discussion in the matter, during which Deputy City Attorney Louis Karp told the Council that the City Attorney is preparing the Ordinance for presentation to the Council.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said matter was referred to the City Attorney.

Communication from the Public Utilities Commission, State of California, signed by Peter E. Mitchell, Commissioner, dated August 9, 1951, announcing hearing in San Francisco on September 6, 1951, on application of The Pacific Telephone and Telegraph Company for rate increase, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said matter was ordered filed.

Communication from George Gardner Dunne, 921 - 8th Street, Coronado, California, P.O. Box 251, relative to need for installation of a flag pole in Horton Plaza, lauding the flag, deploring lack on the part of citizens of its consciousness, offering to solicit funds to erect a flag pole and purchase flags therefor, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said matter was referred to the City Manager.

Communication from McKinley Civic Association, dated August 13, 1951, signed by Robert J. McPherson, president, requesting the burning off of vacant lots at owners' expense, and revision of existing ordinance or preparation of a more workable ordinance on the subject, was presented.

The communication mentioned the serious fire hazard to homes due to shortage of water through existence of dry grass.

Councilman Swan asked what is being done about the situation.

The City Manager made a verbal report in which he said that the Fire Department attempts to get brush cleared, to protect property. He said that a committee has been working on the matter for 2 or 3 years, have come to no agreement on a method. He said that the existing ordinance is unenforceable.

Mr. Swan asked for action to prevent further fires this year. He thought that perhaps the matter could be put into the "side yard" regulation ordinance.

The City Manager said that although several ordinances have been proposed there has been no agreement in the matter.

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

Communication from R. T. Young, 3724 Tennyson St., San Diego 7, stating that on the evening of July 4 firecrackers (prohibited by City Ordinance) were popping in his neighborhood but the police were conspicuous by their absence, and pointing out that the ordinance prohibiting smoking on buses might as well be repealed inasmuch as it is not enforced, was presented.

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

Communication from Mrs. Phyllis Lungwitz, 2345 W. Jewett St., San Diego 11, protesting proposed treatment of drinking water with fluorine or other substances, was presented. On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said communication was ordered filed.

Communication from Pacific Indemnity Company, dated August 10, 1941, signed by J. M. MacConnell, reporting on investigation of claim of O. W. Sandholm, stating that the City denies liability and that the file had been closed, was presented. On motion of Councilman Godfrey, seconded by Councilman Schneider, the matter was ordered filed.

Communication from Pacific Indemnity Company, dated August 14, 1951, signed by J. M. MacConnell, reporting on claim of Helen D. Bohn in the sum of \$40.00, stating that the case had been closed by payment of \$20.00, was presented. On motion of Councilman Godfrey, seconded by Councilman Schneider, the matter was ordered filed.

RESOLUTION NO. 103396, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager, for and on behalf of the City, to execute a lease with the San Diego Humane Society, for portions of Lots portions of Lots 11 to 17, inclusive, and Lots 22 to 29 inclusive, Block 1 Vernon Park, also Lots 18 to 21 inclusive, and the northeasterly 10 feet of Lots 14 to 17 inclusive, all in said Block 1, as more particularly described in said Resolution, for a term of 49 years, commencing on the first day of July 1, 1951, at a rental of \$65.00 per month, payable annually in advance, under terms and conditions set forth in said lease, a copy of which is filed in the office of the City Clerk as Document No. 437332, rescinding Resolution No. 103057 adopted July 17, 1951, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103397, recorded on Microfilm Roll No. 42, authorizing and directing the City Auditor and Comptroller to transfer the sum of \$100.00 from Office Maintenance and Support to Outlay, City Council Fund, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103398, recorded on Microfilm Roll No. 42, accepting subordination agreement, executed by Milton G. Bowles and Jewell B. Bowles, beneficiaries, and Southern Title & Trust Company, trustee, bearing date June 11, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 5 Block "L" Altadena, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103399, recorded on Microfilm Roll No. 42, accepting subordination agreement, executed by Albert Harutunian and Virginia Harutunian, beneficiaries, and Southern Title & Trust Company, trustee, bearing date May 17, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 1788, to the right of way and easement for sewer purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103400, recorded on Microfilm Roll No. 42, accepting subordination agreement, executed by Leona May Hearn, beneficiary, and Southern Title and Trust Company, trustee, bearing date July 25, 1951, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 4 Block "L" Altadena, to the right of way and easement for storm drain purposes heretofore conveyed to The City of San Diego, authorizing and directing the City Clerk to file said subordination agreement of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103401, recorded on Microfilm Roll No. 42, accepting deed of Robert R. Young and Jacqueline A. Young, bearing date August 8, 1951, conveying a portion of Lot 37 of The Highlands in the County of San Diego, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103402, recorded on Microfilm Roll No. 42, accepting deed of Glenn La Verne Heckerth and Lois Helen Heckerth, bearing date August 2, 1951, conveying a portion of Lot 10 Block 34 Lexington Park, setting aside and dedicating the same to the public use as and for a public street, and naming the same Poplar Street, authorizing and directing the City Clerk to transmit said deed, together with a certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103403, recorded on Microfilm Roll No. 42, accepting deed of Herbert G. Archibald and Lourie J. Archibald, bearing date May 4, 1951, conveying an easement and right of way for sewer purposes in portion of Pueblo Lot 1788, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103404, recorded on Microfilm Roll No. 42, accepting deed of Anna L. Harris, Charles G. Harris, John W. Harris and Richard P. Harris, bearing date May 16, 1951, conveying an easement and right of way for sewer purposes in portion of Lots 3 and 4 Block 1 Homeland Villas, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103405, recorded on Microfilm Roll No. 42, accepting deed of Guy C. Lichty and Fern G. Lichty, bearing date August 1, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 23 Rancho Mission of San Diego, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103406, recorded on Microfilm Roll No. 42, accepting deed of Vie N. Nancy, bearing date July 30, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 27 Block 3 Ocean Beach Park, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103407, recorded on Microfilm Roll No. 42, accepting deed of Robert K. Whitney and Dorothy E. Whitney, bearing date July 27, 1951, conveying an easement and right of way for sewer purposes in portion of Lot 462 Crown Point, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103408, recorded on Microfilm Roll No. 42, accepting deed of Otto Naffz and Annie Naffz, bearing date May 31, 1951, conveying an easement and right of way for storm drain purposes in portion of Lot 5 Block "L" Altadena, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103409, recorded on Microfilm Roll No. 42, accepting deed of The Roman Catholic Bishop of San Diego, a corporation sole, bearing date July 26, 1951, conveying an easement and right of way for storm drain purposes in portion of Lots 1, 2 and 12 Block 67 Sherman's Addition, authorizing and directing the City Clerk to file said deed of record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 103410, recorded on Microfilm Roll No. 42, accepting deed of Walter W. Whitlock, Florence E. Whitlock and Marguerite White Nettles, bearing date June 10, 1951, conveying an easement and right of way for storm drain in portion of Lot 4 Block "L" Altadena, authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

ORDINANCE NO. 4894 (New Series), recorded on Microfilm Roll No. 42, amending Section 164 of Ordinance No. 11648 (Plumbing Ordinance) approved March 28, 1928, relative to use of self-cleansing traps, and having to do with use of lighter weight materials if and in the event that the U.S.A. prohibits sale and use of traps of greater weight than 20-gauge if in the opinion of the Plumbing Inspector the use of lesser weight traps will not affect the public peace, health and safety of the people of The City of San Diego, said Ordinance to take effect and be in force from and after its passage, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None. Thereupon, on motion of Councilman Wincote, seconded by Councilman Godfrey, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4895 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$10,150.00 out of the Unappropriated Balance Fund for the purpose of providing funds for acquisition of Lots 18 to 21 inclusive and the northerly 10 feet of Lots 14 to 17 inclusive, all in Block 1 of Vernon Park, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4896 (New Series), recorded on Microfilm Roll No. 42, establishing the grade of 41st Street, between the south line of National Avenue and the south line of Newton Avenue, was on motion of Councilman Schneider, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

At the hour of 10:40 o'clock A.M., the Council took a recess on motion of Councilman Dail, seconded by Councilman Godfrey, until the hour of 11:10 o'clock A.M., this date.

Upon re-convening, at the hour of 12:06 o'clock Noon, the roll call showed the following:

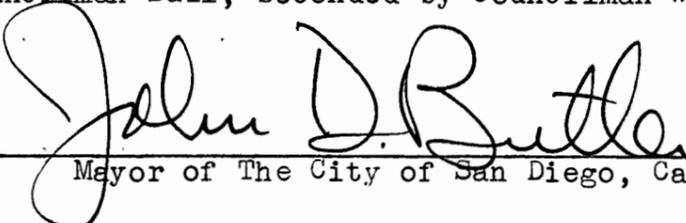
Present--Councilmen Swan, Wincote, Schneider, Dail, Mayor Butler.
Absent---Councilmen Kerrigan, Godfrey
Clerk----Fred W. Sick

RESOLUTION NO. 103411, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to enter into contract with the Vista Irrigation District, on behalf of The City of San Diego, wherein said District will agree to develop, pump and convey to The City of San Diego at the Hodges Reservoir surplus waters of the San Dieguito River in consideration for which said City will agree to authorize and direct the San Diego County Water Authority to release to the Vista Irrigation District an equivalent amount of water out of the City of San Diego's Colorado River entitlement, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

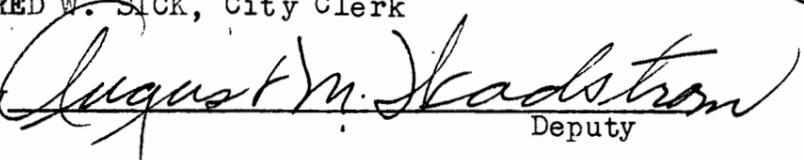
Said Resolution recites that the Vista Irrigation District has applied to The City for aid and assistance in supplying water and prolonged drouth in the County of San Diego, is unable to supply the present needs of the people within the district; that the district has made arrangements with owners of lands in said River basin to pump surplus water and is willing to deliver to the City surplus water without cost to the City provided that an equivalent amount is released in favor of the District from the Colorado River Aqueduct from the City's entitlement to Colorado River water; that it is the Council's opinion that the District should be accommodated in the interests of the public and particularly of The City of San Diego, and that the City should enter into such agreement.

The communication from the Mission Bay Advisory Committee, relative to its powers and authorities, which had been referred to Council Conference, was withdrawn therefrom and ordered filed.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Wincote, at the hour of 12:10 o'clock Noon.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, August 21, 1951

A Regular Meeting of the Council was held this date, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

Absent---Councilmen None.
Clerk----Fred W. Sick

The Minutes of the Regular Meetings of Tuesday, August 14, 1951, and of Thursday, August 16, 1951, were presented to the Council by the Clerk. On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved without reading, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 153 University Heights, within the limits and as particularly described in Resolution of Intention No. 102727, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion duly made and seconded, said bids were opened and publicly declared:

Said bids were as follows:

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company of New York in the sum of \$600.00, which bid was given Document No. 437494;

The bid of William M. Penick and Lloyd T. Penick, copartners doing business under the firm name of T. B. Penick & Sons, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$550.00, which bid was given Document No. 437495;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York, in the sum of \$600.00, which bid was given Document No. 437496.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Swan, said bids were referred to the City Manager and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 103048, for the paving and otherwise improving of 60th Street, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the proceedings were referred to the City Attorney for preparation and presentation of the next step.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2022 made to cover the costs and expenses of the work of paving and otherwise improving of Copley Avenue, within the limits and as particularly described in Resolution of Intention No. 99968, the Clerk reported that written appeals had been received from Mrs. Lillian M. Kirstrom, Mr. & Mrs. F. C. Cochrane, Mary E. Billings, C. B. Pollard, John and Ann Massi, Howard L. Leedem, James P. Crittenden, which appeals were presented to the Council.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard. However, before any appellants spoke, he asked the City Engineer to make a report.

The City Engineer made a verbal report in which he said that there was a 38.4% protest. He read his detailed answer to a protest received from C. B. Pollard, reviewed the bids and the assessment.

The following persons appeared to be heard, verbally:

James P. Crittenden spoke. He said that the property owners don't know how they are being assessed.

The Mayor replied to Mr. Crittenden's comments, and mentioned the items contained in the Engineer's letter.

Mr. Crittenden said that the condition at the end of the street is bad. The fence, he said, has been torn down, and a dirt ramp pulled over the curb, by the City.

The City Engineer said that some temporary work has been done by the Public Works Department, to provide access to the pumping station in the canyon.

Councilman Kerrigan pointed out that the assessment was made in the same manner as all other 1911 Act proceedings.

Mrs. Mary E. Billings, 3650 Copley Avenue, spoke regarding the assessment.

The Engineer said that Mrs. Billings' property had been billed for 30 feet only. He said that the dirt and filth referred to at the end of the street will be cleared away, and that the "runway" is temporary only.

Wm. P. Vigneault asked about the assessment.

The Mayor referred him to the City Engineer's office for a detailed report.

Mr. Vigneault said that would be satisfactory, inasmuch he wished only to know what had gone into making up the assessment.

Ada Kettunen said that the matter had been figured poorly, and was in error in that the figures differed from those given by the petition's circulator.

The Mayor pointed out that the City is not responsible for what any petition circulator may tell those whom he is attempting to get to sign.

RESOLUTION NO. 103412, recorded on Microfilm Roll No. 42, overruling and denying all written and verbal appeals from the City Engineer's Assessment No. 2022 made to cover the costs and expenses of the costs and expenses of the work of paving and otherwise improving of Copley Avenue, within the limits and as particularly described in Resolution of Intention No. 99968, confirming and approving the Street Superintendent's said assessment No. 2022, authorizing and directing him to attach his warrant thereto and issue the same in the manner and form provided by law, authorizing and directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2023 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 147 University Heights, the East and West Alley in Block 126 University Heights, within the limits and as particularly described in Resolution of Intention No. 99967, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

No one appeared to be heard, verbally, and no written appeals were presented.

RESOLUTION NO. 103413, recorded on Microfilm Roll No. 42, confirming and approving the Street Superintendent's Assessment No. 2023 made to cover the costs of the paving and otherwise improving of the Alley in Block 147 University Heights, the East and West Alley in Block 126 University Heights, and the North and South Alley in said Block 126 University Heights, within the limits and as particularly described in Resolution of Intention No. 99967, authorizing and directing him to attach his warrant thereto and issue the same in the manner and form provided by law, authorizing and directing him to record in his office said warrant, diagram and assessment, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2021 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 317 Reed and Daley's Addition, 29th Street, et al., within the limits and as particularly described in Resolution of Intention No. 100221, the Clerk reported that one written appeal had been received, from Mrs. Gertrude A. Towles, which appeal was presented.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Mrs. C. C. Patterson spoke. She asked about the assessment amount. She said she had been given the "run around". Her comment not being clear, the Mayor asked her to elaborate, and she admitted that she had filed no protests before the work was ordered and that she had made no inquiries after receiving notice of assessment, but that she had said she was not in favor of the work. There were no protests of record from Mrs. Patterson.

The Mayor reported, from the Clerk's file, that there was a 74.6% petition, and that the City follows the desires of such a large majority of the property owners, in ordering the work done and bids called for. He referred Mrs. Patterson to the City Engineer for a detailed report on her assessment.

RESOLUTION NO. 103414, overruling and denying the appeals of Mrs. Gertrude A. Towles and of Mrs. C. C. Patterson, from the Street Superintendent's Assessment No. 2021 made to cover the costs and expenses of the work of grading, paving and otherwise improving of the Alley in Block 317 Reed and Daley's Addition, 29th Street, et al., within the limits and as particularly described in Resolution of Intention No. 100221, overruling and denying all other appeals therefrom, confirming and approving said assessment, directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2024 made to cover the costs and expenses of the paving and otherwise improving of Felspar Street, within the limits and as particularly described in Resolution of Intention No. 99702, the Clerk reported that written appeal had been received from Ralph H. Lips and others protesting "protesting street assessment for the section of Felspar Street between Morrell and Noyes in Pacific Beach, as stated in notice of assessment", stating that they have already been assessed therefor, which appeal was presented.

The City Engineer reported a 9.6% protest, and said that many of the signers are not even being assessed.

Thereupon, the Mayor inquired if any interested affected property owners were present who desired to be heard.

Ralph H. Lips spoke. He said that the notices should have read "intersection assessment", and dwelt at some length along those lines, saying that the assessment for the street itself had been paid.

The City Engineer spoke regarding the intersection paving and assessment.

Mr. Lips said that protest is based solely upon the wording of the assessment notice.

The City Attorney reported on the spread of assessment for intersections, being for one half block each way therefrom, making the assessment applicable to one half of each of four blocks. The assessment and the notices thereon, he stated, were correctly made and worded.

RESOLUTION NO. 103415, recorded on Microfilm Roll No. 42, overruling and denying the appeal of Ralph H. Lips, et al, against the Street Superintendent's Assessment No. 2024 made to cover the costs and expenses of the work of paving and otherwise improving of Felspar Street, within the limits and as particularly described in Resolution of Intention No. 99702, overruling and denying all other appeals thereon, forming and approving said assessment, directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law, directing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed annexation of portions of Lots 66 and 67 of Rancho Mission of San Diego, and a portion of Lot "E" in portion of Lot 70 thereof, to be designated as "Southern Title & Trust Company Tract", the Clerk reported that no written protests had been received.

Thereupon, the Mayor inquired if any interested persons were present who desired to be heard.

No one appeared to be heard, verbally, and no written protests were presented.

ORDINANCE NO. 4897 (New Series), recorded on Microfilm Roll No. 42, approving the annexation to The City of San Diego of portions of Lots 66 and 67 of Rancho Mission of San Diego, and a portion of Lot "E" in a portion of Lot 70, of said Rancho Mission of San Diego, in the County of San Diego, State of California, designated as "Southern Title & Trust Company Tract", was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Petition of 8 Taxicab companies: San Diego Yellow Cabs, Inc.; Lo Fare Cab Company; La Jolla Cab Company; Tanner Greyline Cab Company; Checker Cab Company; Ocean Beach Cab Company requesting amendment to the Regulatory Taxicab Ordinance No. 2424 N.S., having to do with seat arrangement, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said petition was referred to the City Manager.

Councilman Wincote expressed the need for an early report, stating that the cab companies are ready to make some change-overs in their cabs, and want to be able to do the proposed work if permitted.

Claim of Marie Cox, 2820 - 6th Avenue, in the sum of \$12.50, for repair of glasses, broken in fall on sidewalk at the southwest corner of 5th Avenue and Laurel Street, was presented.

RESOLUTION NO. 103416, recorded on Microfilm Roll No. 42, referring claim of Marie Cox to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Frank R. George, 4968 Foothill Boulevard, in the sum of \$42.50, for property damage resulting from driverless City truck damaging his fence, was presented.

RESOLUTION NO. 103417, recorded on Microfilm Roll No. 42, referring claim of Frank R. George to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Mildred G. Schnell, 4605 - 49th Street, in the sum of \$152.00, for property damage resulting from backed-up sewer, was presented.

RESOLUTION NO. 103418, recorded on Microfilm Roll No. 42, referring claim of Mildred G. Schnell to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Claim of Louis Ropon, Ruth Ropon, Joyce Ropon, all of 3281 New Jersey Street, Lemon Grove, California, for "damages to property and injuries to persons", the nature of which is not clear from the notice, was presented.

RESOLUTION NO. 103419, recorded on Microfilm Roll No. 42, referring claim of Louis Ropon, Ruth Ropon, and Joyce Ropon to the Pacific Indemnity Company, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of Culverts in 62nd Street and in 63rd Street, northerly of Akins Avenue, recommending award to Walter H. Barber, the low bidder - 4 bids received - was presented.

RESOLUTION NO. 103420, recorded on Microfilm Roll No. 42, accepting bid of Walter H. Barber for the construction of culverts in 62nd Street and 63rd Street northerly

of Akins Avenue, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of Mesh Wire Fence along Wabash Boulevard, recommending award to The American Steel and Wire Company of New Jersey (Cyclone Fence Division), the low bidder - 3 bids received - was presented.

RESOLUTION NO. 103421, recorded on Microfilm Roll No. 42, accepting bid of The American Steel and Wire Company of New Jersey (Cyclone Fence Division) for the construction of a mesh wire fence along Wabash Boulevard, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In answer to question by Councilman Kerrigan, the City Engineer said funds will come from the Gas Tax Fund.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of three storm drains in Ingraham Street, recommending award to Pace Construction Company, the low bidder - 4 bids received - was presented.

RESOLUTION NO. 103422, recorded on Microfilm Roll No. 42, accepting bid of Pace Construction Company for construction of three storm drains in Ingraham Street, awarding contract and authorizing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing Clay Pipe and Accessories for the Public Works Department for a six months' period, was presented.

RESOLUTION NO. 103423, recorded on Microfilm Roll No. 42, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of Clay Pipe and Accessories for a six-months period beginning September 1, 1951, for the Public Works Department, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103424, recorded on Microfilm Roll No. 42, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for furnishing and installing traffic signals and safety lights on Broadway at Kettner Boulevard, State Street, First Avenue, and Twelfth Avenue, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the City Manager concurring in the recommendation of the Planning Director for granting petition to annex portions of Lots 75, 79 and all of 80 Las Alturas Villa Sites, was presented.

RESOLUTION NO. 103425, recorded on Microfilm Roll No. 42, referring the matter of the proposed annexation of all of Lot 80, and portions of Lots 75 and 79 Las Alturas Villa Sites to the City Attorney for preparation of the necessary papers, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager announcing appointees to the Board of Electrical Examiners and Appeals: E. T. Pridemore, Pacific Electric Company, 743 Columbia Street; L. C. McEntee, Electrical Division, Consolidated Vultee Aircraft Corporation, 3302 Pacific Highway; Glen Miller, State Theatre, 4712 El Cajon Blvd. (reappointment); Alvin Eaton, San Diego City Schools, 1262 - 16th Street (reappointment); was presented.

While a motion was made by Councilman Wincote and seconded by Councilman Godfrey to confirm the appointments, the Clerk did not write a Resolution therefor, inasmuch as such appointments do not need Council confirmation.

Communication from the City Manager reporting on communication from Mrs. John B. Anzer, Jr., touching on various subjects, including street names, the tunnel at Park Boulevard and El Cajon Boulevard, removal of a church directional sign, and transmitting copy of his reply to Mrs. Anzer, was presented.

On motion of Councilman Schneider, seconded by Councilman Dail, the matter was ordered filed.

Communication from the City Manager reporting on communication from L. A. Van Reed regarding fire hazard near the corner of Indiana and Robinson Streets, transmitting copy of his reply which states that the owner, Mrs. Eugena Daggett, is unable to clean off premises, but that she has a friend who will do the work for her as soon as he can, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the matter was ordered filed.

Communication from the City Manager reporting on petition of property owners for improvements on South 27th Street from Main Street to the closed Alley, to be shared by the City and the property owners, recommending denial thereof, was presented.

RESOLUTION NO. 103426, recorded on Microfilm Roll No. 42, denying petition for improvement of South 27th Street from Main Street to the closed Alley, contained in Document No. 436321, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's stamp of approval, and the City Manager's stamp of approval, reporting on petition of San Diego City Schools for closing portion of Emerald Street east of Haines Street, adjoining Pacific Beach Junior High School, was presented.

RESOLUTION NO. 103427, recorded on Microfilm Roll No. 42, granting petition for closing portion of Emerald Street, east of Haines Street, adjoining the Pacific Beach Junior High School, contained in Document No. 432356, as recommended by the Street Superintendent, directing the City Engineer to furnish a description of the lands to be affected and benefited by, and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission recommending granting suspension of 9 sections of the Subdivision Ordinance, in connection with Revised Tentative Map of Fairmount Park, was presented.

RESOLUTION NO. 103428, recorded on Microfilm Roll No. 42, suspending Sections 3G1 and 2, 3C, 3E5, 3I2, 3I1, 5C, 4A8 and 6 of the Subdivision Ordinance, insofar as they relate to the Revised Tentative Map of Fairmount Park, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission recommending approval of the Revised Tentative Map of Fairmount Park, between Wabash Freeway and Home Avenue, south of Lexington Park and north of Marilou Park, into 510 lots, subject to conditions (10 in number) set forth in detail, was presented.

RESOLUTION NO. 103429, recorded on Microfilm Roll No. 42, approving the Revised Tentative Map of Fairmount Park, a subdivision of portions of Lots 6, 7, 9 and 10 of Horton's Purchase, lying between Wabash Freeway and Home Avenue, south of Lexington Park and north of Marilou Park, into 510 lots, subject to conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission reporting on petition for establishment of Trailer Park District in vicinity of 35th Street and Wabash Boulevard, and recommending that a district be established for such purpose, was presented.

Councilman Kerrigan asked for a report in the matter, stating that it is in his Councilmanic district.

The Planning Director made a brief verbal report, and showed a map of the area, differing from that in the petition and also from the area upon which the hearing was held.

RESOLUTION NO. 103430, recorded on Microfilm Roll No. 42, referring to the City Attorney the report of the City Planning Director, dated 8-16-51, and bearing Document No. 437387, for the preparation of the necessary papers to establish a Trailer Park District in the vicinity of 35th Street and Wabash Boulevard, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission reporting on petition for establishment of a special building setback line on the westerly side of La Jolla Boulevard through Hermosa Terrace, recommending that such a line be established for masonry walls only, not to exceed 62" above the adjacent sidewalk grade, was presented.

Councilman Schneider asked for a report.

The Planning Director made a verbal report in which he told the Council that the property owners felt that the heavy traffic noises from the Boulevard were annoying, and that they had asked permission to erect the walls on a special setback to cut down the sound. He said that they would be concrete block walls, topped with brick, and that the line would be applicable to such walls only.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, the matter was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

The Planning Director told the Council that there had been no protests entered at the public hearing conducted by the Planning Commission.

Communication from the Planning Commission reporting on petition of Clairemont Land Company requesting change of name of Deerpark Street to Deerpark Drive, recommending granting, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission reporting on petition of Balboa University and other property owners requesting change in the name of Wilcox Street to Balboa University Drive or Balboa University Way, between Catalina Boulevard and the Balboa University, was presented. Said communication recommended that the request be not granted, but that the name be changed to Lomaland Drive, for various reasons stated, and pointed out that the applicants offer no objection to the change as recommended and that the various interested City departments concur in the recommendation.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance.

Communication from the Planning Commission reporting on petition of Florence L. Shaw and Robert C. Shaw, 3717 Ocean Front Walk, owners of property in P.L. 1122, requesting the naming of the Alley in Block 483 of Pueblo Lot 1122 "Falcon Place", and stating that the various City departments are opposed to the naming, it being a long-time policy of the City not to name alleys, was presented.

RESOLUTION NO. 103431, recorded on Microfilm Roll No. 42, denying petition to change the name of the Alley in Block 483 Subdivision of the east one-half of Pueblo Lot 1122 to Falcon Place, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from E. J. Beauregard, 4178 Illinois Street, submitting copy of a letter he had addressed to the City Manager, which he requested be read at this meeting, requesting use of Newtown Park for public paid parking, referring to other use of the park, waste of water therein, etc., was presented.

Councilman Schneider moved to refer the communication to the City Manager, which motion was seconded by Councilman Godfrey.

Councilman Swan thought the Council should know the contents of the letter, however, other members of the Council said that the letter would be studied by the Manager and that he would report back to the Council thereon.

The roll was called, and the matter referred to the City Manager.

Communication from Pacific Indemnity Company, dated August 10, 1951, signed by J. M. MacConnell, denying liability of O. W. Sandholm claim in the sum of \$5.00, and stating that the claim file had been closed, was presented.

RESOLUTION NO. 103432, recorded on Microfilm Roll No. 42, denying claim of O. W. Sandholm, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Mayor John D. Butler announcing that Dr. Jessie Ostrander and Dr. I. N. McCollom have resigned from the Psychology Commission, and submitting the names of Dr. Margaret Sand and Dr. Hilding B. Carlson to fill the vacancies, was presented.

RESOLUTION NO. 103433, recorded on Microfilm Roll No. 42, confirming appointment by the Mayor of Dr. Margaret Sand and Dr. Hilding B. Carlson, to fill the vacancies caused by resignation of Dr. Jessie Ostrander and Dr. I. N. McCollom, to the Psychology Commission, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103434, recorded on Microfilm Roll No. 42, directing notice of filing of the Street Superintendent's Assessment No. 2029 for the paving and otherwise improving of the Alley in Block 19 Fairmount Addition to City Heights and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 100056, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 103435, recorded on Microfilm Roll No. 42, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, for the paving and otherwise improving of 59th Street and Kenwood Street, within the limits and as particularly described in Resolution of Intention No. 102545, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

A written report made by the City Engineer stated that the low bid is 17% below the estimate.

RESOLUTION OF AWARD NO. 103436, recorded on Microfilm Roll No. 42, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract, for the paving and otherwise improving of Riley Street, within the limits and as particularly described in Resolution of Intention No. 102629, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

A written report made by the City Engineer stated that the low bid is 12.3% below the estimate.

RESOLUTION OF AWARD NO. 103437, recorded on Microfilm Roll No. 42, accepting bid of San Diego Gas & Electric Company, and awarding contract, for the furnishing of electric current for the lighting of the ornamental street lights located in Hermosa Lighting District No. 1, for a period of one year from and including May 1, 1951, to and including April 30, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103438, recorded on Microfilm Roll No. 42, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 5 Chester Park Addition, and Plat No. 2277 showing the exterior boundaries of the district to be included in the assessment for the work and improvement thereon, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103439, recorded on Microfilm Roll No. 42, approving plans, drawings, typical cross-sections, for the paving and otherwise improving of the Alleys in Blocks 13, 15, 16 Point Loma Heights, Wawona Drive and Poe Street, and Plat No. 2278 showing the exterior boundaries of the district to be included in the assessment for the work, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103440, recorded on Microfilm Roll No. 42, approving plans, drawings, typical cross-sections, for the installation of sewer mains in Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, Romero Drive, Public Rights of Way, and Plat No. 2226 showing the exterior boundaries of the district to be included in the assessment for the work, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 103441, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of Dodson Street, within the limits and as particularly described in Resolution of Intention No. 102943, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 103442, recorded on Microfilm Roll No. 42, for the furnishing of electric current and the maintenance of appliances and other electrical equipment, for the lighting of the street lamps in Mission Beach Lighting District No. 1, for a period of one year from and including May 15, 1951 to and including May 14, 1952, in accordance with Engineer's Report and Assessment therefor, filed July 6, 1951 in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103443, recorded on Microfilm Roll No. 42, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Lighting District No. 1, for a period of one year from and including January 1, 1951, to and including December 31, 1951, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 103444, recorded on Microfilm Roll No. 42, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1950, to and including November 4, 1951, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103445, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of portion of the Alley in Block 5 Chester Park Addition, within the limits and as particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103446, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of the Alley in Block 13, the North-easterly and Southwesterly Alleys in Blocks 15 and 16 all of Point Loma Heights, Wawona Drive, and Poe Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 103447, recorded on Microfilm Roll No. 42, for construction of sewer mains, connections, fittings and appurtenances, and manholes and appurtenances, in portions of Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, Romero Drive and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 103448, recorded on Microfilm Roll No. 42, for the paving and otherwise improvement of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 103449, recorded on Microfilm Roll No. 42, for the paving and otherwise improving of San Juan Place, the Alleys in Blocks 155, 159 and 160 Mission Beach, and Bayside Lane, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103450, recorded on Microfilm Roll No. 42, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 149 University Heights, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103451, recorded on Microfilm Roll No. 42, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alleys in Blocks 197, 196, 195, 194, 198, 199, 200 and 201 Mission Beach, within the limits and as particularly described in Resolution of Intention No. 99701, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103452, recorded on Microfilm Roll No. 42, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Jewell Street, within the limits and as particularly described in Resolution of Intention No. 102051, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 103453, recorded on Microfilm Roll No. 42, adopting recommendation of the City Engineer filed in the office of the City Clerk on August 15, 1951, under Document No. 437261, to amend proceedings for improvement of the Alley in Block 3 Wilshire Place, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103454, recorded on Microfilm Roll No. 42, granting petition for the paving and otherwise improving of Gresham Street, directing the City Engineer to furnish a description of the assessment district and a plat showing the exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending installation of 5 overhead street lights, was presented.

RESOLUTION NO. 103455, recorded on Microfilm Roll No. 42, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- 70th Street at Mohawk Street;
- 72nd Street at Mohawk Street;
- 72nd Street at Saranac Street;
- Avalon Drive near Summit Place (near Lot 20 or 22);
- Arcadia Drive at Avalon Drive (at Lot 30 or 31);

was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending installation of 10 overhead street lights, was presented.

RESOLUTION NO. 103456, recorded on Microfilm Roll No. 42, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- Gresham Street at Hornblend Street;
- Gresham Street at Thomas Street;
- Gresham Street at Oliver Street;
- Haines Street at Hornblend Street;
- Haines Street at Thomas Street;
- Haines Street at Oliver Street;
- Lamont Street at Fortuna Street;
- Lamont Street at Roosevelt Street;
- Sequoia at Chico Street;
- Shasta Street at Chico Street;

was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Manager recommending installation of 13 overhead street lights, was presented.

RESOLUTION NO. 103457, recorded on Microfilm Roll No. 42, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- 55th Street at Hardy Street;
- 55th Street at Lindo Paseo;
- Hardy Avenue approximately 600 feet east of 55th Street;
- Lindo Paseo, approximately 600 feet east of 55th Street;
- Cherokee Street at Orange Avenue;
- Seabreeze Drive at Albemarle Street;
- Seabreeze Drive at Alleghany Street;
- Seabreeze Drive at Cumberland Street;
- Seabreeze Drive at Lauder Street;
- Seabreeze Drive at Potomac Street;
- Seabreeze Drive at Schuyler Street;
- Rancho Drive at Alleghany Street;
- 42nd Street at Gamma Street;

was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 103458, recorded on Microfilm Roll No. 42, authorizing and directing the City Manager to make application, for and on behalf of the City of San Diego, to the Board of Supervisors of the County of San Diego, and to take all steps necessary to acquire from the State of California, tax-deeded Lot 19 Block 189 City Heights (Map No. 1007), was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103459, recorded on Microfilm Roll No. 42, authorizing and directing the City Manager to make application, for and on behalf of the City of San Diego, to the Board of Supervisors of the County of San Diego, and to take all steps necessary to acquire from the State of California, tax-deeded Lot 20 Encanto Park-Addition to Encanto, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103460, recorded on Microfilm Roll No. 42, authorizing and directing the Supervisor of Properties to advertise for sale at public auction of portion of Lot 19 Block 16 Point Loma Heights, as petitioned for by Lee E. Mattei, 3714 Lotus Drive, said property no longer needed for City purposes, stating that the market value thereof as determined by a qualified real estate appraiser is the sum of \$1000.00, that the Council will consider said sum as the minimum amount for the sale, reserving the right to reject any and all bids, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103461, recorded on Microfilm Roll No. 42, authorizing and directing the Supervisor of Properties to advertise for sale at public auction of portions of Lots 20, 21 and 22 Block 17 Point Loma Heights, as petitioned for by Donald C. Harder, 2031 Chatsworth Boulevard, said property no longer needed for City purposes, stating that the market value thereof as determined by a qualified real estate appraiser is the sum of \$1000.00, that the Council will consider said sum as the minimum amount for the sale, reserving the right to reject any and all bids, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 103462, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the salvaging of 340 feet of six-inch A.C. and 410 feet of six-inch C.I. water main, and the installation of 750 feet of 12-inch A.C. water main in Byron Street, from Shafter Street to Rosecrans Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103463, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the salvaging or abandonment of 780 feet of two-inch W.I. pipe and the installation of 780 feet of six-inch water main and one fire hydrant in Hanover Street, from Roswell Street to Geneva Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103464, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the installation of 605 feet of eight-inch water main and 2 six-inch fire hydrants in Venice Street, from Brighton Avenue to Muir Avenue, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103465, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work necessary for the completion of a fresh water backflow protection unit at the Sewage Treatment Plant, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103466, recorded on Microfilm Roll No. 42, authorizing and empowering the City Manager to do all the work in connection with the installation of a paging system in the Central Police Station, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman

Wincote, adopted.

Said Resolution recites that the City Manager has submitted estimates for said work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 103467, recorded on Microfilm Roll No. 42, authorizing and directing the City Auditor, Personnel Director, City Manager and City Clerk to change their records with respect to the compensation attached to the office of Assistant Chief of Police from Standard Rate No. 25 to Standard Rate No. 26, and that commencing July 1, 1951, the rate of pay attached to said office shall be Standard Rate No. 26, directing the City Auditor and Personnel Director in preparation and approval of any payroll providing for payment to any retired officer or employee who has been retired with the rank of Assistant Chief of Police, shall provide that from July 1, 1951, said retired officer or employee shall receive the compensation due said retired officer measured by the Standard Rate No. 26 in lieu and place of Standard Rate No. 25, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution states that in drafting and preparing Ordinance No. 4821 (New Series) establishing schedule of compensation for officers and employees in the Classified Service, the Standard Rate Number provided for the office of Assistant Chief of Police was inadvertently and mistakenly fixed at Rate No. 25 when it should have been fixed at Rate No. 26, and should be corrected.

Councilman Schneider asked for information on the subject, prior to passage of said Resolution. The City Manager made a verbal explanation, along the lines of statement set forth in the Resolution.

RESOLUTION NO. 103468, recorded on Microfilm Roll No. 42, approving Change Order No. 1, dated August 3, 1951, heretofore filed with the City Clerk as Document No. 437534, issued in connection with contract between The City and Pipe Linings, Inc., for cleaning and cement mortar lining of the Torrey Pines Road 16" Cast Iron Pipe Line, and which contract is contained in Document No. 436768 on file in the office of the City Clerk, changes amounting to increase in contract price of approximately \$3000.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103469, recorded on Microfilm Roll No. 42, granting permission to Adelia Crabtree and Oris L. Crabtree to install a 4 inch cast iron sewer line to run north and south across Van Nuys Street, between Lot 84 Block 3 and Lot 71 Block 4 in First Addition to Pacific Vista Tract, to serve construction at 962 Van Nuys Avenue, on conditions and under specifications set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 103470, recorded on Microfilm Roll No. 42, authorizing the City Manager to name and appoint not to exceed 20 officers and employees of The City of San Diego to attend the annual meeting of the League of California Cities, to be held in San Francisco, October 15 to 17, 1951, authorizing the incurring of all expenses necessary in sending said officers and employees to said annual meeting, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 4898 (New Series), recorded on Microfilm Roll No. 42, providing for the payment of a sum of money equal to his full salary for a period not to exceed one year to those members of the Police and Fire Retirement System entitled to the benefits of Section 163 of Article X of the Charter of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays---Councilmen None. Absent--Councilmen None.

Prior to adoption of said Ordinance the City Manager gave a verbal explanation of its provisions.

ORDINANCE NO. 4899 (New Series), recorded on Microfilm Roll No. 42, amending Ordinance No. 10792 approved December 1, 1926, by adding a new section thereto to be numbered Section 5.1, providing accidental disability and accidental death benefits for certain City employees; and repealing Ordinance No. 4622 (New Series), adopted December 5, 1950 - police officers, firemen or lifeguards performing lifeguard service - was on motion of Councilman Wincote, seconded by Councilman Godfrey, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Swan, seconded by Councilman Wincote, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Prior to adoption of said Ordinance the City Manager gave a verbal explanation of its provisions.

ORDINANCE NO. 4900 (New Series), recorded on Microfilm Roll No. 42, appropriating the sum of \$20,600.00 from the Capital Outlay Fund for the purpose of providing funds for completing construction of a fresh water backflow protection unit at the Sewage Treatment Plant, was on motion of Councilman Wincote, seconded by Councilman Schneider, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Schneider, seconded by Councilman Kerrigan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4901 (New Series), recorded on Microfilm Roll No. 42, changing the names of portions of Bancroft Street, 33rd Street, 34th Street, Pickwick Street, E Street, F Street and G Street to Federal Boulevard, and naming portions of the Alleys in Blocks 127 and 128 Choate's Addition and the Alley in Block 144 Choate's Addition, Federal Boulevard, was on motion of Councilman Schneider, seconded by Councilman Wincote, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Schneider, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 4902 (New Series), recorded on Microfilm Roll No. 42, changing the names of portions of B Street, C Street, Broadway, Pickwick Street, Federal Boulevard, 35th Street and 36th Street to Wabash Boulevard, and naming a portion of the Alleys in Blocks 7, 8, and 8 Haffenden and High's Addition To Sunnysdale, Wabash Boulevard, was on motion of Councilman Schneider, seconded by Councilman Swan, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Thereupon, on motion of Councilman Wincote, seconded by Councilman Swan, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The Council's agenda having been completed, the Mayor inquired if anyone in the Council Chamber had any matters to bring before the Council.

The following persons appeared, and were heard:

Pat McFadden, 4041 Alabama Street, referred to improvements being made in his alley (the Block and Subdivision of which were not identified by him), and told of cuts and fills. The fence, he said, will be taken out, if necessary. Also, Mr. McFadden said that there are 2 foot cuts at garages, necessitating helicopters to get in and out.

The Mayor announced that the matter would be referred to the City Engineer, but no motion to that effect was made.

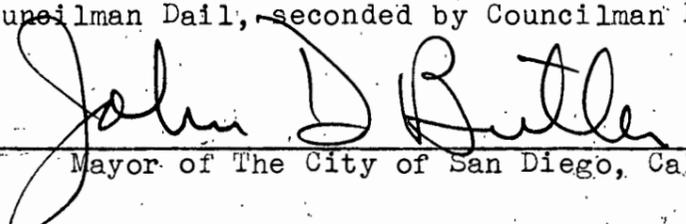
Elmer Hartman spoke regarding traffic on 32nd Street, north of National Avenue. He said that the City should buy property to straighten out a bend, that it is in a hollow and could be acquired cheaply.

Councilman Dail told Mr. Hartman that the question is on the agenda for future action, and that the matter is receiving the City's attention.

No action was taken.

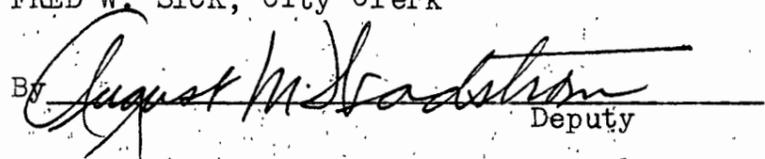
A notation was made on the agenda that communication from Walter M. McKellar offering to exchange property in Ocean Vista Addition for City-owned land, etc., had been referred to the City Manager by the City Clerk to expedite action.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Kerrigan, at the hour of 11:10 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:

FRED W. SICK, City Clerk

By 
Deputy