

REGULAR MEETING

Regular Meeting of the Council, Tuesday, October 7, 1952.

A Regular Meeting of the Council of The City of San Diego, California, was held this date, and was called to order by Vice Mayor Franklin Swan, at the hour of 10:07 o'clock A.M.

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

In the absence of the Mayor from the City, Vice Mayor Swan acted as Chairman.

The Minutes of the Regular Meetings of Tuesday, September 30, 1952, and of Thursday, October 2, 1952, were approved on motion of Councilman Wincote, seconded by Councilman Wincote, without reading.

They were then signed by the Vice Mayor.

At this time, the Vice Mayor presented service awards to the following City employees for their long service with the City of San Diego:

Miss Henrietta Aillaud, Nurse, City Health Department - 30 years;
Walter Lee Martin, Member of the Customer Service Section, Water Accounting Division - 25 years.

The hour of 10:00 o'clock A.M. having arrived, the time set for the receiving bids under Specification No. 260 for the Slope and Embankment Protection, Wabash Boulevard, Section "A", the Clerk reported reported that 6 bids had been received, which bids were presented to the Council.

Upon 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 seven thousand dollars, which bid was given Document No. 456859;
The bid of Sim J. Harris Company, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of ten per cent of the amount bid, which bid was given Document No. 456860;

The bid of Trepte Construction Company, Inc., accompanied by bond written by Fire Association of Philadelphia in the sum of ten percent of amount bid, which bid was given Document No. 456861;

The bid of Walter H. Barber, an individual, 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. 456862;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of seven thousand and five hundred and no/100 dollars, which bid was given Document No. 456863;

The bid of R. E. Hazard Contracting Company, a California corporation, which bid was given Document No. 456864.

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 hearing on the Street Superintendent's Assessment No. 2080 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 41 Ocean Beach, and Ebers Street, within the limits and as particularly described in Resolution of Intention No. 104264, the Clerk reported that no written appeals had been received.

RESOLUTION NO. 108635, recorded on Microfilm Roll No. 55, confirming and approving the Street Superintendent's Assessment No. 2080 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 41 Ocean Beach, and Ebers Street, within the limits and as particularly described in Resolution of Intention No. 104264; authorizing and directing the Street Superintendent to attach his warrant there to and issue the same in the manner and form provided law, and record the same in his office, 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 the Street Superintendent's Assessment No. 2079 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Palermo Drive and Alcott Street, within the limits and as particularly described in Resolution of Intention No. 104266, the

Clerk reported that written appeals had been received from Burrell R. Hatcher and from Mildred B. Dettweiler, Wm. E. Dettweiler, Jr., Norma B. Gellens, Milton J. Gellens, Bee Cohen, Sam Cohen, which appeals were presented to the Council.

The City Engineer made a verbal report at this time and said that there was a 15% protest by area, and that all were about the cost.

The following persons appeared, to make verbal appeals:

Wm. Dettweiler said that there must be something wrong, inasmuch as he had put in his own sewer.

The City Engineer told of the large lot involved.

Councilman Kerrigan spoke, and told about the area assessments.

Burrell R. Hatcher asked about the difference.

The City Engineer explained relative to the assessments on the large area.

A conference was had between the City Engineer and property owners over a map which the City Engineer showed.

Councilman Godfrey wanted to know about the relation of area and frontage, and the benefits to the protestants.

The City Attorney spoke about the protest, and said that they had been filed after the district had been formed whereas they should have come in earlier and not at this time.

Councilman Wincote spoke about the assessment having to be paid, inasmuch as the work has been done - under contract.

Milton J. Gellens appeared, but did not speak at this time.

Mildred Dettweiler appeared, but did not speak at this time.

The City Engineer said that the bid was 17.6% under his estimate.

Mr. Dettweiler said that he does not use the street, and said that another direct-frontage lot is only \$200.00.

The City Engineer showed the assessment roll.

He told of the spread of the assessment, and explained to the appellants regarding the spread.

Inasmuch as the meeting was getting out of hand, the Vice Mayor called it to order.

The Engineer made a further report upon questions based upon a hypothetical case based upon future improvement of Poinsettia.

Mrs. Dettweiler spoke about the drainage, and said that there is a problem in that regard at the end of the street.

RESOLUTION NO. 108636, recorded on Microfilm Roll No. 5, overruling and denying the appeal of Burrell R. Hatcher, the appeal of Mildred B. Dettweiler and others, overruling and denying all other appeals, from the Street Superintendent's Assessment No. 2079, 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.

RESOLUTION NO. 108637, recorded on Microfilm Roll No. 55, referring to the City Manager the matter of drainage at the corner of Poinsettia Drive and Alcott Street, in connection with the Assessment No. 2079 made to cover the costs and expenses of the improvement of Palermo Drive and Alcott Street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, being the continued hearing for the improvement by paving and otherwise improving of Ninth Avenue, within the limits and as particularly described in Resolution of Intention No. 104664 - Street Superintendent's Assessment No. 2078 - the matter of hearing having been closed so far as verbal protests was concerned was brought up.

Councilman Dail spoke about the inequitable assessments.

The City Attorney advised reference to the City Engineer of the Assessment Roll.

RESOLUTION NO. 108638, recorded on Microfilm Roll No. 55, referring to the City Engineer and the Street Assessment for consideration, the recommendation relative to costs of increased assessment on Lot 19; continuing the hearing on Assessment No. 2078 for one week from this date, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time to which the continued hearing for the improvement of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street and Public Right of Way had been set over, the matter was brought up again. There was no discussion.

RESOLUTION NO. 108639, recorded on Microfilm Roll No. 55, continuing the hearing on the Street Superintendent's Assessment No. 2077 made to cover the expenses of 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 until the hour of 10:00 o'clock A.M., Tuesday, October 7, 1952, 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 the continued hearing on Resolution of Intention No. 108135, for the paving and otherwise improving of Central Avenue, Public Right of Way and Thorn Street, the City Engineer told of an additional 12.1% protest. He pointed out, again, that it was a combined job.

Asked about the original petitions, the Engineer said it was 60.7% on Central Avenue and 75.0% on Thorn Street.

The City Attorney told about frontage petitions, and area assessment districts - based upon Council ruling. He told of spread to be made. He said that it is a confusing matter, and that the two do not agree.

Councilman Wincote said that the fault lies with the City in its combining of petitions.

The City Attorney said that there is nothing with which to make comparison, after they are combined.

Councilman Wincote observed that in combining the petitions and jobs results in trouble almost every time.

Councilman Dail said that it is not possible to tell what will happen until protests come in, later.

Councilman Kerrigan moved to refer the matter to the City Attorney for the proper Resolution.

Mrs. Scott spoke at this time, and said that she was in favor of the work, and pointed out that she had been at the Council meeting at its last hearing on the improvement with a large delegation which was also in favor of the improvement.

Mrs. Hanson, 3135 Central, asked to see the petition. She told of Mrs. Snorey who said that her name should not appear on a protest.

The Clerk checked the protests, and said that Mrs. Snorey's name did not appear as a protestant.

RESOLUTION NO. 108640, recorded on Microfilm Roll No. 55, overruling and denying the protests of Marie S. Mathers, M. R. Dontigny, Chas. B. Rathbun, John W. Wallace and others, overruling and denying all other protests, for the paving and otherwise improving of Central Avenue, Public Right of Way and Thorn Street, within the limits and as particularly described in Resolution of Intention No. 108135, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

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

The Vice Mayor explained that the next two matters would have to be held over for one week, inasmuch as 6 votes of the Council are needed to adopt the Resolution of Feasibility - the next step. When asked about the effect of the action, several persons who were in the audience in favor of the improvement, were told that it was just a jurisdictional step, and that the necessary Resolution would probably be adopted when enough members were present.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 108280 of Preliminary Determination for the paving and otherwise improving of Beta Street, 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 filed.

RESOLUTION NO. 108641, recorded on Microfilm Roll No. 55, continuing the hearing on the proposed improvement of Beta Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 108280, until the hour of 10:00 o'clock A.M., of Tuesday, October 14, 1952, 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. 108281 of Preliminary Determination for installation of sewers in Old San Diego, J. P. Jones Subdivision, Pueblo Lot 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reinert's Subdivision, Addition to Silver Terrace, Amended Map of Silver Terrace and certain Pueblo Lands (described in detail in the Resolution and in the Notice), 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 filed.

RESOLUTION NO. 108642, recorded on Microfilm Roll No. 55, continuing the hearing on the proposed improvement of Old San Diego, J. P. Jones Subdivision, Pueblo Lot 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reiner's Subdivision, Addition to Silver Terrace, Amended Map of Silver Terrace and Certain Pueblo Lands, by installing sewer system within the limits and as particularly described in Resolution of Preliminary Determination No. 108281, until the hour of 10:00 o'clock A.M., Tuesday, October 14, 1952, 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 the proposed 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, 1952 to and including September 14, 1953, 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. 108643, recorded on Microfilm Roll No. 54, confirming the proposed assessment for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, contained in Engineer's Report and Assessment filed in the office of the City Clerk August 29, 1952, adopting as a whole said report, 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 the proposed Ordinance incorporating portion of Lot 16 C. W. Seaman's Subdivision, Lots 1 to 4 Furlow Heights Unit No. 3 into "R-2" Zone, and repealing Ordinance No. 184 (New Series)

insofar as the same conflicts, the Clerk reported that no written protests had been received.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said proposed hearing was continued until the hour of 10:00 o'clock A.M., Tuesday, October 14, 1952.

The petition and communication relative to the Alley in portion of Block 51 City Heights, asking for hearing in connection with the proposed improvement at private contract, was brought up at this time.

Said petition and communication had been referred to the City Attorney for report at this meeting, as to the status of the matter and the legal rights. He did not present a written report, however, but handed back the documents during the meeting. It was presumed that he would make a verbal report, if called for but did not.

The Clerk reported that no protests on either side of the issue had been filed up until this time.

The Vice Mayor asked if anyone interested was present to be heard.

No one appeared to be heard, verbally, and no written petitions were filed. The City Attorney asked that it be stated in the record that there were no written petitions for or against the petition, and that no one appeared.

(Later on in the meeting - after the matter had been disposed of - L. S. Rickard, 3831 - 41st Street appeared, together with another unidentified man, but the subject was not brought up again).

On motion of Councilman Kerrigan, seconded by Councilman Dail, the matter was ordered filed.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on petition for grading, paving and constructing a cut-off wall in the Alley in Block 51 City Heights, between the south line of University Avenue and a line parallel to and distant 175 feet southerly by private contract, was presented. Said communication recommended that the work be done under City inspection, according to plans and specifications filed October 1 1952 under Document No. 456641; that all the work including preparation of plans and specifications, and inspection be done at no cost to the City.

RESOLUTION NO. 108644, recorded on Microfilm Roll No. 55, granting permission to L. C. and Darline Wiese, Guaranty Chevrolet Company and University Avenue Church of the Nazarene to grade, pave and otherwise improve the Alley in Block 51 City Heights, between the south line of University Avenue and a line parallel to and distant 175 feet southerly therefrom, 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. 456641, on the conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Councilman Charles C. Dail requested, and was granted unanimous consent to present the next matter, not listed on the Council's agenda, and upon which nothing had been filed.

Councilman Dail referred to a delegation from South 36th Street, between Boston Avenue and Acacia Street, present in connection with establishing the grade of the street, and establishing of its width - although narrow.

Lloyd Caudle, 1237 South 36th Street, spoke. He referred to a petition for survey. He said that the Assistant City Engineer would not consider it, inasmuch as the proposed street would be less than 50 feet. He said that there were legal obstacles which would prevent establishment of the street at a usual width, and told the Council that the Assistant Engineer had said that he would throw the petition in the waste basket.

The City Attorney, speaking on the matter, told the Council that a street would have to be dedicated to a certain width.

Councilman Dail said that property owners want action.

RESOLUTION NO. 108645, recorded on Microfilm Roll No. 55, referring to the City Manager and to the City Attorney the verbal presentation made at this meeting by Lloyd Caudle, 1237 South 36th Street, under unanimous consent granted to Councilman Charles C. Dail inasmuch as there was nothing before the Council on the agenda, the matter of establishing the grade and width of South 36th Street between Boston Avenue and Acacia Street, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

After adoption of said Resolution, the City Manager said that the City does not usually establish grades on other than normal streets.

Application of Joe W. Saunders, 5040 Noeline, Encino, California - Western Automobile Company operating under the trade name of Saunders Drive It Yourself - for permission to operate six automobiles for hire without driver, was presented.

Attached to the application were several documents relative to the application, together with note requesting their return.

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

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing one Asphalt Distributing unit, stating that only one bid had been received: from Advance Body & Tank, Inc., Los Angeles. The report, said, among other things, that while specifications were descriptive of a unit manufactured by said company, specification advised prospective bidders that they were not intended to be restrictive, and bids proposing to furnish similar equipment designed to properly accomplish the spraying of road oil would be considered. Specifications, it said, had been furnished to 8 bidders, although a sole bid was received.

The report recommended award, plus an additional heating unit.

RESOLUTION NO. 108646, recorded on Microfilm Roll No. 54, accepting bid of Advance Body & Tank, Inc., for the furnishing of one Asphalt Distributing Unit, plus an additional heating unit in connection therewith; awarding contract, and authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, reporting on bids for dredging of approximately 5900 cubic yards of material at the Foot of Talbot Street, in the Municipal Yacht Harbor for the Harbor Department, stating that two bids had been received, was presented. The report stated that the Harbor Department estimate for the work was 86¢ per cubic yard with maximum of \$1.000. It said, further, that the low bid of San Francisco Bridge Company at \$1.235 per cubic yard was believed to be excessive, and rejection of bids was recommended. The report stated that work would be postponed until such time as it is believed more favorable bids can be secured.

RESOLUTION NO. 108647, recorded on Microfilm Roll No. 55, rejecting all bids received September 18, 1952, by the Purchasing Agent, for dredging approximately 5900 cubic yards of material at the foot of Talbot Street in the Municipal Yacht Harbor, 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 received for cleaning and painting of the First Avenue Bridge which had been received and read by the City Clerk at the Council Meeting of September 23, 1952, was presented. Said communication recommended acceptance of the low bid of George C. Punton, Chula Vista, California - 3 bids had been received.

RESOLUTION NO. 108648, recorded on Microfilm Roll No. 54, accepting bid of George C. Punton for Cleaning and Painting of the First Avenue Bridge; awarding contract, authorizing and instructing the City Manager to enter into and execute contract therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, reporting on bids for construction of pavement, curbs and walks for roadways in the non-scheduled Flight Area, Lindbergh Field, for the Harbor Department - recommending award to V. R. Dennis Construction Company, the low bidder of 4 bids received, was presented.

RESOLUTION NO. 108649, recorded on Microfilm Roll No. 55, accepting bid of V. R. Dennis Construction Company for the construction of pavement, curbs and walks for roadways in the non-scheduled Flight Area, Lindbergh Field, for the Harbor Department; awarding contract and authorizing a majority of the members of the Harbor Commission to enter into and execute contract, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the furnishing of one Power Lawn Mower, for the Park Department, recommending award to Yazoo Sales Company of San Diego - there were 3 bidders, was presented.

RESOLUTION NO. 108650, recorded on Microfilm Roll No. 55, accepting bid of Yazoo Sales Company for furnishing one Power Lawn Mower, Toro Triplex; awarding contract and authorizing and instructing the City Manager to enter into and 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 bids received for construction of a Storm Drain and Retaining Wall at the southerly end of Mission Boulevard, was presented. It stated that there were 2 bidders. It said, further, that the high bid was \$21,314.00, the low bid \$8,949.00. The report pointed out that although the low bid is approximately \$12,000 less than the second bid received, the bid is 78.9% above the estimate. It said, further, that the City Engineer stated that the bid was high because of underground water which would have to be contended with during construction. The communication recommended award to the low bidder.

RESOLUTION NO. 108651, recorded on Microfilm Roll No. 55, accepting bid of Pace Construction Company for construction of Storm Drain and Retaining Wall at the southerly end of Mission Boulevard; awarding contract and authorizing and instructing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108652, recorded on Microfilm Roll No. 55, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of 3 pump its and approximately 1 mile of sanitary sewer at the foot of Byron Street and on Shelter Island, bearing official Document No. 456769, referring to the prevailing rate of per diem wages, 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.

RESOLUTION NO. 108653, recorded on Microfilm Roll No. 55, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for small water main replacements in various locations, Group II, 1952-53, bearing official Document No. 456768, referring to the prevailing rate of per diem wages, 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 Street Superintendent, bearing the Assistant City Manager's signature of approval, and the City Manager's stamp of approval, recommending closing of portion of Mira Monte Plaza - which had been before the Council on September 30, 1952, and continued until this date, was brought up again.

The City Manager made a verbal report in which he asked that the matter be referred to Council Conference.

RESOLUTION NO. 108654, recorded on Microfilm Roll No. 55, referring petition for closing portion of Mira Monte Plaza, together with recommendation of the Street Superintendent, to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from San Diego Municipal Employees' Association, dated October 3, 1952, signed by Ellen M. Murray, President, requesting that the Association be kept informed of developments in connection with a proposed study of the possibility of changing the status of the Personnel Director, and of merging certain City and County Civil Service functions, was presented. The communication referred to its previously-filed letter which was to have been referred to a conference meeting. It said that the meeting had apparently be held, but that the Association remains in the position of hoping that more information be made available which will indicate what is hoped to be accomplished by the two proposals under discussion. The communication said that it is difficult for members to understand why some sort of preliminary study would not be made with the staff and facilities available in the City and County, to explore the possible advantages and disadvantages, before the discussion progresses to considering a study by an organization located in Chicago.

RESOLUTION NO. 108655, recorded on Microfilm Roll No. 55, referring communication from the San Diego Municipal Employees' Association, on the proposed study of the possibility of changing the status of the Personnel Director, and of merging certain City and County Civil Service functions, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Old San Diego Chamber of Commerce, dated September 30, 1952, signed by George M. Foxworthy, President, regarding the erection of a new flag pole at the Old San Diego Plaza, as a Veteran's Memorial, was presented. The communication submitted sketches and said that the Chamber has \$550.00 to be applied on the project, provided it meets with Council approval. A reply was requested.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the communication and accompanying sketch were referred to the City Manager.

A memo from the Council Secretary, addressed to Councilman Swan, listed on the agenda for this meeting, was presented. It was a telephone complaint from Mrs. Helen Russell relative to vaccinating a dog, etc., at the City Pound, and placed on the agenda upon request of Mr. Swan.

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

RESOLUTION ORDERING WORK NO. 108656, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of Landis Street, within the limits and as particularly described in Resolution of Intention No. 108055, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 108657, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of Roswell Street, Hilltop Drive, Selma Place, Creston Drive and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108056, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 108658, recorded on Microfilm Roll No. 55, for installation of sewer mains in Sunset Street, Juan Street, Gaines Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108057, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108659, recorded on Microfilm Roll No. 55, directing Notice Inviting Sealed Proposals for the furnishing of electric current for the lighting of the ornamental street lights located in Pacific Beach Lighting District No. 1, in accordance with plans and specifications contained in report of the City Engineer filed August 1, 1952 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108660, recorded on Microfilm Roll No. 55; declaring it to be the intention of the Council to change the grade of Adams Avenue in accordance with Map showing the official property line grades signed by A. K. Fogg, City Engineer, and filed under Document No. 455770 in the office of the City Clerk September 16, 1952, declaring that the grades between the points shown on said map shall have a uniform ascent and descent, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108661, recorded on Microfilm Roll No. 55, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 3 Ocean View, and Block 6 Ocean Beach Park, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108662, recorded on Microfilm Roll No. 55, approving diagram of the property affected or benefited by the work of improvement to be done on paving and otherwise improving of the Alley in Block 19 Ocean Beach, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 106115, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108663, recorded on Microfilm Roll No. 55, approving diagram of the property affected or benefited by the work of improvement to be done on paving Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in Resolution of Intention No. 103448, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108664, recorded on Microfilm Roll No. 55, approving diagram of the property affected or benefited by the work of improvement to be done on paving and otherwise improving of Thomas Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 104665, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108665, recorded on Microfilm Roll No. 55, 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 Brighton Avenue, Cape May Avenue and the Alley in Block 77 Ocean Beach, as particularly described in Resolution of Intention No. 107163, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108666, recorded on Microfilm Roll No. 55, granting petition contained in Document No. 455971 for the paving and otherwise improving of portions of Haller Street and Redwood 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 grading, paving, and installation of curbs, sidewalks, sewer laterals and water services if required, in said streets, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108667, recorded on Microfilm Roll No. 55, granting petition contained in Document No. 456570 requesting that property line grades be changed on Monmouth Drive, between Jewell Street and Collingwood Drive, directing the City Engineer to furnish a description for the change of property line grades and establishment of curb locations thereon, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108668, recorded on Microfilm Roll No. 55, granting petition of property owners, on file in the office of the City Clerk under Document No. 456109, for improvement of portion of the Alley in Block A Redland Gardens by Private Contract - to Monsignor Francis C. Ott - to be done in accordance with the plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed with the City Clerk under Document No. 456132, on conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108669, recorded on Microfilm Roll No. 55, determining that all space in the south-central portion of the City-County Administration Building shall

remain County space; all other space in the south half of said basement shall be City space except for approximately 1900 square feet in the southwest corner which shall remain as County space; that the Resolution shall be of no force and effect unless and until the terms and provisions shall have been approved by the Board of Supervisors of the County of San Diego by appropriate legislative action, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution points out that the County Welfare Department has vacated the major portion of said space; that the Administration Building Control Committee has made a recommendation for re-allocation of the vacated space in accordance with said resolution; also it stated that Section 2 Subsection 5 of County Ordinance No. 822 (New Series) ratified and accepted by City Ordinance No. 3972 (New Series), authorizes revision of allocated space by concurrent resolution.

RESOLUTION NO. 108670, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to do all the work in connection with the replacement of inadequate lighting fixtures in the City Blacksmith Shop, Steam Cleaning Room and Motor Repair Section by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 108671, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to do all the work in connection with the transfer of 38 meters to new services and the connection of the same to property pipes on Sycamore Drive, from Tulip Street to Tuberosa Street, and on Sycamore Drive, from Snowdrop Street to Hollywood Park, the transfer of 40 meters to new services and connection to property pipes on Sumac Drive from Juniper Street to Fairmount Avenue, transfer of 50 meters to new services and connection of the same to property pipes on Mollie Street, from Linda Vista Road to Lauretta Street, and on Lauretta Street from Mollie Street to Goshen Street, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution states that the Water Department, Division of Distribution, has recommended the transfer of meters to new services and connection of the same to property pipes, as outlined; 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. 108672, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to do all the work necessary in connection with the repair of the newly constructed Garbage Hopper located at 1790 Water Street, and the removal of the old hopper from the present site, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution states that the City Manager has recommended certain repair work on the newly constructed Hopper and the removal of the old Hopper from the present site; that he 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. 108673, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to do all the work in connection with the installation of 156.4 feet of 18" Centrifugal concrete pipe storm drain on Lot 3 Block 9 Valencia Park Unit No. 1, by appropriate City forces, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution states that the City Manager has recommended said installation as shown on the City Engineer's Drawing No. 4622-B; that he 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. 108674, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to do all the work in connection with the replacement of the wooden light standards at the University Heights Playground, with metal light standards, by appropriate City forces, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution states that the City Manager has recommended said replacement; that he 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. 108675, recorded on Microfilm Roll No. 55, authorizing the Purchasing Agent to arrange for the rental of a tractor bulldozer for a period of sixty days, at the lowest price obtainable, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution states that the Director of Public Works has advised the Purchasing Agent that it will be necessary to rent a heavy duty tractor for use at the Arizona Street and Chollas sanitary fills pending purchase of an additional bulldozer; that it is estimated that the purchase and delivery of a new bulldozer will require 30 to 60 days, that it will be in the interests of the City to rent the same for the period of 60 days in order to do the work.

RESOLUTION NO. 108676, recorded on Microfilm Roll No. 55, cancelling that certain lease agreement filed in the office of the City Clerk as Document No. 450078 by and between Century Mill and Lumber Company and The City of San Diego, leasing to said Company a portion of Block 168 of Middletown, cancellation effective November 1 1952, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution states that pursuant to Resolution No. 106860 The City entered into said lease, that it has been mutually agreed that it be cancelled, and that said cancellation has been recommended by the City Manager.

Accompanying said Resolution was communication from the Property Supervisor, bearing the City Manager's stamp of approval which stated that the Company has requested the City to cancel the lease which would run til July 1, 1953, at \$50.00 per month. (It a parcel of land, being an abandoned former right of way). The recommendation states that a different method of operation is to be used, and recommends cancellation.

RESOLUTION NO. 108677, recorded on Microfilm Roll No. 55, withdrawing and cancelling application of Francis McCormick, E. J. Hornung and C. Guy Selleck, Jr., co-partners, doing business as Checker Cab Company - Lo-Fare Cab Company; authorizing the City Treasurer to issue new licenses to Francis McCormick, E. J. Hornung and C. Guy Selleck, Jr., as individuals, for the operation of taxicabs for the period ending June 30, 1953, without payment of fees therefor, also approving the same in accordance with the San Diego Municipal Code for transfer of certificate of Public Convenience and Necessity, as individuals, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

The next matter, which had been before the Council previously, under unanimous consent granted to the Assistant City Manager, was presented again.

RESOLUTION NO. 108678, recorded on Microfilm Roll No. 55, declaring that the sewage collection system to be installed by the lessees (Marian Purdy and Lyla Witcher - portion of Mission Bay lands known as De Anza Point Tourist Area, executed May 18, 1951, contained in Document No. 433606 on file in the office of the City Clerk) under the terms and provisions of the lease extending from the pumping station to be constructed, erected and maintained by The City of San Diego immediately adjacent to leased area to and including the wye connections to which soil or waste lines from individual trailers or buildings to be located on the leased premises shall be connected, shall be installed under the direct supervision and inspection of the City Engineer, who is authorized to inspect and approve or reject the plans and specifications for said sewage collection system to be installed by the lessees, and who shall also recommend to the Council the kind and types of materials to be used by the lessees, including the kind of sewer pipe, joints, valves, and other fittings and equipment, and for such inspection of the work of installation as shall be necessary to construct, install and complete a sewer collection system which shall be suitable for the sanitary disposal of sewage and refuse from the leased area, provided that in all other respects the work necessary to be performed by the lessees in order to connect individual trailers or buildings by soil or waste lines running from the individual trailers or buildings to the wye connections shall be in strict conformance with and pursuant to all of the terms and conditions of the Plumbing Code of The City of San Diego, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution, in the preamble, goes into the previously entered into lease, mentions that the lessees are obligated to install sanitary sewage disposal for use of the area of land as a trailer park a sewage collection system; that the area covered by lease is land filled with dredged materials from Mission Bay, that because of the peculiar character of the soil constituting the filled land the installation and maintenance of a sewer system presents particular engineering problems involving construction and location so as to maintain a gravity flow, and presents problems with respect to materials to provide sanitary disposal of sewage and refuse, and that the Council is of the opinion that said work of installation should only be done under the direct supervision of the City Engineer to the extent as more particularly defined in the Resolution, and that the City Engineer should be authorized to recommend to the Council the types and kind of sewer pipe which should be installed in the area by the lessees.

RESOLUTION NO. 108679, recorded on Microfilm Roll No. 55, authorizing and directing the City Manager to make application to the Board of Supervisors of the County of San Diego, State of California, and to take all necessary steps to acquire from the State the lands more particularly set forth in said Resolution, being in First Addition to Pacific Beach Vista Tract, Morena Subdivision, Spring Garden Tract - which the City desires to acquire for public purposes, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108680, recorded on Microfilm Roll No. 55, granting permission to Mrs. Mary Ambrecht, 515 Woodman Avenue, San Diego 14 (Encanto PO) to connect a second residence, numbered 510 Woodman Avenue, to an existing sewer line serving 515 Woodman Avenue, for the reason that septic tank and cesspool at 510 Woodman Avenue, do not function properly, upon permission granted by approval of the City Engineer, Property Department, Department of Public Health and the City Manager, and on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said matter had been before the Council on September 30, at which time Mrs. Ambrecht explained the problem to the Council.

10

RESOLUTION NO. 108681, recorded on Microfilm Roll No. 55, granting permission to Mrs. Ethel M. Greene, 313 South Pardee Street, 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 a southerly direction, parallel to the easterly line of Lots 28 and 29 Block H Southlook Subdivision, to point of intersection with public sewer, permission granted upon approval of the City Engineer, Property Department, Department of Public Health and City Manager, and upon the conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108682, recorded on Microfilm Roll No. 55, approving request of Johnson-Western Constructors, contained in Change Order No. 3, for extension of 60 days, to and including October 8, 1952, dated September 11, 1952, heretofore filed with the City Clerk as Document No. 436884 - contract for construction of the Witherby Street Pump Station, contained in Document No. 449230 on file in the office of the City Clerk; extending the time of completion to October 8, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108683, recorded on Microfilm Roll No. 55, approving request of Johnson-Western Constructors, contained in Change Order No. 2, for extension of 120 days, to and including August 15, 1952, dated September 10, 1952, heretofore filed with the City Clerk as Document No. 456885 in which to complete contract for construction of Mission Beach Boulevard Storm Drain - contract contained in Document No. 446903 on file in the office of the City Clerk, extending completion to August 15, 1952; waiving provisions of the specifications with respect to liquidated damages, until the termination of the contract price as extended, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108684, recorded on Microfilm Roll No. 55, authorizing the City Auditor and Comptroller and Budget Officer from now on to honor requisitions and requests of the City Attorney for the expenditure of money in connection with the investigation and payment by the City Attorney for claims for property damage filed with the City Clerk under the provisions of the Public Liability Act of the State of California, said Resolution to become effective as of October 1, 1952, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution states that in the Annual Appropriation Ordinance adopted at the beginning of the fiscal year 1952-1953, moneys were appropriated for the purpose of enabling the City to investigate claims for damages to property up to but not in excess of \$5,000.00; that the Council has recently upon request of the City Attorney and City Manager transferred the responsibility for investing claims to the City Attorney's Office; that in the Annual Appropriation Ordinance for said fiscal year the moneys appropriated for said purpose were placed under the supervision, control and direction of the City Manager's Department, and in view of the recent action of the Council in imposing the responsibility for said investigations upon the City Attorney's Office it is necessary that said moneys be transferred from the Liability Insurance section of the Training and Safety Division to the City Attorney's Office.

RESOLUTION NO. 108685, recorded on Microfilm Roll No. 55, approving the claim of A. C. Garrison, on file in the office of the City Clerk under Document No. 455940 in the sum of \$30.00; directing the City Auditor to draw his warrant in favor of the claimant in the amount of \$30.00 in full payment of the claim, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108686, recorded on Microfilm Roll No. 55, denying claim of D. J. Weidman, on file in the office of the City Clerk under Document No. 456007, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108687, recorded on Microfilm Roll No. 55, authorizing and empowering the Mayor and the 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 Bonham Davis Large and Nawana P. Large, husband and wife, an easement and right of way for construction, maintenance and operation of a storm drain or drains and appurtenances, in portion of Lots 5 and 6 Block 5 Paradise Hills; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered to the grantees, upon receipt by the City of a deed for an easement for storm drain purposes on Lots 5 and 6 Block 5 Paradise Hills, as required by the City, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution states that the City is disous of acquiring an easement for storm drain purposes, that the Larges are willing to deed easement to the City in exchange for quitclaim deed from the City for storm drain easement owned by the City, that the value of the City easement as disclosed by the records of the City Auditor is \$10.00, and that the value of the easement to be granted to the City as determined by an appraisal made by a qualified real estate appraiser is \$10.00; that the City Manager has recommended said exchange be made.

RESOLUTION NO. 108688, recorded on Microfilm Roll No. 55, accepting deed of Bonham D. Large and Nowana P. Large, bearing date August 24, 1952, conveying an easement and right of way for storm drain purposes in portion of Lots 5 and 6 Block 5 Paradise Hills; 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 Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108689, recorded on Microfilm Roll No. 55, resolving that upon relinquishment by the California Highway Commission to the City of San Diego, The City agrees to accept and maintain, as part of the streets and highways of the City, that certain service road situated on the west side of Cabrillo Freeway from Olive Avenue northerly - being portions of Lots 72 and 78 of Rancho Mission, more particularly described in said Resolution - the total length of the parcel relinquished being 0.74 of a mile, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution states that the State of California in connection with the construction of Cabrillo Freeway, Road XI-SD-77-SD has constructed a service road on the west side of the Freeway from Olive Avenue northerly; that said service road should be part of the City Street Plan and the City of San Diego should have control of the connection of new City streets to said service road; that until the service road is relinquished by said Commission to the City, said service road will not be under the control of the City; that the Commission requires as a condition of relinquishment that the City of San Diego agree to accept and maintain the same.

ORDINANCE NO. 5339 (New Series), recorded on Microfilm Roll No. 55, appropriating the sum of \$39,500.00 from the Sewer Bond Fund (Account 713), for the purpose of providing funds for the construction of the Paradise Hills Sewage Pump Station, Pressure Line, Parshall Flume, Meter House and Appurtenances, 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, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, 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, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

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

ORDINANCE NO. 5340, (New Series), recorded on Microfilm Roll No. 55, appropriating the sum of \$20,000.00 out of the Capital Outlay Fund, for the purpose of providing funds in addition to funds heretofore appropriated by Ordinance No. 4948 (New Series), to cover the cost of the City's share of cooperative drainage projects for the balance of the Fiscal Year 1952-53, 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. Nays--Councilmen None. Absent--Councilman Schneider, 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, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

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

ORDINANCE NO. 5341 (New Series), recorded on Microfilm Roll No. 55, appropriating the sum of \$15,000.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds to cover work required in connection with improvements under the 1911 Street Improvement (Projects not named in the Ordinance), 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, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, 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, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

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

ORDINANCE NO. 5342 (New Series), recorded on Microfilm Roll No. 55, appropriating the sum of \$14,000.00 from the Capital Outlay Fund, for the purpose of providing funds to cover the costs of making street improvements on portions of Playa Del Norte, La Jolla Boulevard and Neptune Place, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, placed on its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, 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, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

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

12

ORDINANCE NO. 5343 (New Series), recorded on Microfilm Roll No. 55, appropriating the sum of \$2,000.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds to cover the costs of making repairs to the Garbage Hopper, Removal of the old Hopper, and the contract for the repair and relocation of the Garbage Weighing Scales, 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. Nays--Councilmen None. Absent--Councilman Schneider, 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, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilman Schneider, Mayor Butler.

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

The proposed Ordinance incorporating portions of Lots 37 and 40 Rancho Mission of The City of San Diego into "C" Zone and "CP" Zone, repealing Ordinance No. 5178 (New Series) insofar as the same conflicts, was presented.

The communication from the Planning Department, which had reported upon the original zoning petition, said that it was as the result of a request of the Ed Fletcher Co. to rezone a 5-acre parcel of land now in R-1, for establishing a small business center in connection with the Wherry Housing Project east of Linda Vista, now partly occupied and subdivided as "Cabillo Heights".

On motion of Councilman Kerrigan, seconded by Councilman Wincote, a hearing was set in said matter, and upon said proposed Ordinance, for the hour of 10:00 o'clock of Tuesday, October 21, 1952.

Communication from the Port Director submitting Resolution in connection with the proposed form of lease entered into between the Harbor Commission and Santiago F. Bracamonte covering Hangar No. 2 on Lindbergh Field, which had been before the Council on October 2, 1952, was considered again. The report went into detail on the proposal, shown in the Minutes of the 2nd.

RESOLUTION NO. 108690, recorded on Microfilm Roll No. 55, ratifying, confirming and approving Tidelands Lease, a copy of which is on file in the Office of the City Clerk as Document No. 456653, with Santiago F. Bracamonte, Lessee, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The lease was for a period of 5 years with no options to renew.

The following matters - none of which was listed on the Council's agenda for this meeting - were presented under unanimous consent granted by the Council:

Communication from the Planning Department, signed by the Assistant Planning Director, recommending approval of the Final Map of Lomita Villate No. 1, subject to final check by the City Engineer and the posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 108691, recorded on Microfilm Roll No. 55, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Lomita Homes, Inc., a corporation, subdividers, and the Union Title Insurance and Trust Company, a corporation, as trustee, for installation and completion of unfinished improvements and the setting of the monuments required for Lomita Village Unit No. 1 subdivision; 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 Dail, adopted.

RESOLUTION NO. 108692, recorded on Microfilm Roll No. 55, adopting Map of Lomita Village Unit No. 1, being all of Blocks "I" and "J" of Narragansett Heights, together with portion of San Felipe Street (formerly Coronado Avenue); accepting on behalf of the public Encinitas Avenue, San Felipe Street, Sunnyside Avenue, portions of Cardiff Street, San Vicente Street and Sweetwater Avenue, and unnamed easements for public purposes, 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, portions of streets 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 Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108693, recorded on Microfilm Roll No. 55, authorizing and directing the City Manager to enter into contract with the properly authorized agency representing the association of corporations - Lomita Homes, Inc., Cardiff Homes, Inc., and Sweetwater Homes, Inc., with respect to Lomita Village Subdivisions #1, #2, #3 and #4 - will agree to install at its own expense a water storage tank and feeder main connecting the proposed subdivisions, and within 35 days after the date of the completion of the tank and main upon receipt of money from the said City equal to 12.59% of the actual cost thereof will enter into a lease of the tank and main, giving to the City possession of the system to be used as part of the water system of the City, for a term of 4 years at an annual rental which shall be determined upon a percentage basis measured by the number of dwelling units constructed by the subdividers and connected to the City's water system during the first 2 years of the 4-year term of the lease, and as a part of the lease grant to the City an option allowing the City to purchase during the fifth year thereafter the entire feeder main, together with the water storage tank upon the payment to said subdividers of a sum equalling one-fifth of 58/27% of the actual cost of said feeder main and storage tank, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108694, recorded on Microfilm Roll No. 55, granting permission to Standard Oil Company of California (G. C. O. Perpall) 2351 Colton Avenue, San Diego, to install a 6" cast-iron sewer line on private property - sewer to run on a .5% grade to connect with an existing 6" Harbor Department lateral at Nugmeg and Pacific Highway, to serve property at 2830 Pacific Highway, pursuant to recommendation of the Properties Department and approval of the City Engineer, Director of Public Health, City Manager and Harbor Commission, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108695, recorded on Microfilm Roll No. 55, granting permission to The Scripps Metabolic Clinic (Louis C. Masten, Secretary-Treasurer), 476 Prospect Street, La Jolla, to connect a new system of floor drains in the excavated court area, through a running trap, self-primed (thus insuring said trap will not run dry), said system in all other respects to conform to the City's plumbing ordinance requirements; granted upon condition that isometric plans filed in the Office of the City Clerk bearing Document No. 456850 be attached to and made a part of the petition, and upon further condition that approval be given by the City Engineer, the Property Department, Department of Public Health and City Manager, upon condition set forth in the Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108696, recorded on Microfilm Roll No. 55, authorizing and directing the City Attorney and/or Assistant City Attorney, whenever necessary, to attend the meetings of the Legal Committee of the Colorado River Board, in connection with the case of the State of Arizona vs. the State of California, The City of San Diego, et al., held in Los Angeles; and to do any and all things necessary to protect the City in said litigation; authorizing the incurring of all expenses necessary in connection with said trips, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108697, recorded on Microfilm Roll No. 55, authorizing the City Auditor and Comptroller to make deductions from salaries or wages of City employees who authorize the same in writing, for the 1952 Community Chest Drive, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108698, recorded on Microfilm Roll No. 55, expressing thanks and appreciation for the work and untiring efforts of the members of the San Diego Municipal Employees' Association and the San Diego County Employees' Association and other officers and employees, which resulted in the tremendous success of the recent Open-House Program, and recommending that, should such program become a yearly event, consideration be given to conducting such program on Saturday in addition to the other days, for the purpose of making such exhibits available to school children and others on such day, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The City Manager read the proposed Resolution relative to the existing Ordinance for occupancy of buildings, and he read the report attached. The petition was from Geo. L. Barney Co., signed by B. R. Van Buskirk, and the report was from the City Planning Commission. The report stated that the Commission considered the request to raise percentage from 50 to 70 having in mind that furniture warehouse could use 100 percent of the building for storage and had voted 6 to 0 to recommend that a finding be made that the use by Samuel Whiteside Trust and George Whiteside (by Geo. L. Barney Co., property managers) that their Lots J, K and L Block 357 Horton's Addition at 431 Spruce Street for wholesale liquor distribution and storage is not more obnoxious or detrimental to the welfare of the community than other permitted uses in C Zone, provided storage of liquor occupies not more than 70 percent of the floor area of the building and that the loading and unloading is customarily done entirely within the building.

RESOLUTION NO. 108699, recorded on Microfilm Roll No. 55, making a finding that the use by Samuel Whiteside Trust and George Whiteside (by Geo. L. Barney Co., property managers) of the west 54 ft. of Lots J, K and L Block 357 Horton's Addition, at 431 Spruce Street, for wholesale liquor distribution and storage, is not more obnoxious or detrimental to the welfare of the particular community than other permitted uses in the C Zone, provided such storage of liquor occupies not over 70% of the floor area of the building, and that the loading and unloading is customarily done entirely within the building, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Councilman Dail wanted to protest a liquor license at 2604 - 5th Avenue, and said that it was not a proper location.

RESOLUTION NO. 108700, recorded on Microfilm Roll No. 55, authorizing the Mayor and the City Manager to execute and file with the State Board of Equalization a written protest against the issuance of an On-Sale General Liquor License to Albert W. Bennett for the premises located at 2604 Fifth Avenue, on the grounds that the premises are 452 feet from St. Paul's Episcopal Church, located at 2729 Fifth Avenue and 358 Feet from the San Diego Women's Club House, located at 2557 Fifth Avenue, where services of the Institute of Religious Science are regularly held; and on the further grounds that teen-age dances are regularly held at night at the San Diego Women's Club, in addition to the usual activities of women's organization; and, on the additional grounds that the application is also being protested by St. Paul's Episcopal Church, the Institute of Religious Science, San Diego

14
Women's Club and Dr. Frank M. Lowe of 2555 Fifth Avenue as a citizen and clergyman, and its issuance would be contrary to the public welfare and morals of the community, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Councilman Dail spoke about protests which had been made in the past relative to the issuance of liquor license in the proximity of schools and churches. He thought the Council should look into that matter, as a general policy.

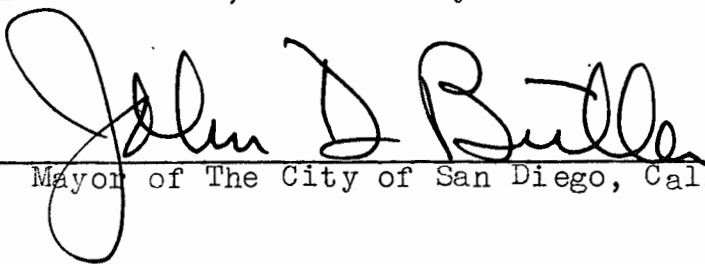
RESOLUTION NO. 108701, recorded on Microfilm Roll No. 55, requesting the City Manager to make a written report on the issuance of liquor licenses in the proximity of schools and churches, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

The matter of the petition of property owners, which had been listed on the agenda and upon which no one appeared, requesting hearing on the proposed paving of a portion of the Alley in Block 51 City Heights by private contract, was brought up again.

It was pointed out to L. S. Rickard, the main backer of the petition for the hearing and the chief proponent of the objections for paving of portion of the alley in said block, that Resolution for the private contract, has already been adopted.

There was considerable discussion between members of the Council and Mr. Rickard. Mr. Rickard was informed that proper action had been taken in granting the request for paving by private contract.

There being no further business to come before the Council at this time, the Council adjourned on motion of Councilman Wincote, seconded by Councilman Kerrigan, at the hour of 11:16 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, October 9, 1952.

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, Godfrey,
Mayor Butler.

Absent---Councilmen None.
Clerk----Fred W. Sick.

At this time a majority of the members of the Council executed the following undertakings for street lights, with San Diego Gas & Electric Company:

Five Points Lighting District No. 1 - one year from and including August 5, 1952, to and including August 4, 1953;
University Avenue Lighting District No. 1 - one year from and including August 7, 1952 to and including August 6, 1953;
Ocean Beach Lighting District No. 1 - one year from and including August 14, 1952 to and including August 13, 1953.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Wylie W. Evans from the decision of the Zoning Committee in denying permission to Mrs. Wylie W. Evans for erection of a double-faced sign on center pole with a 2-foot setback, on Lots 12, 13 and 14 Block La Jolla Park, at 321 Coast Boulevard, in Zone R-4, a report from the Zoning Committee, signed by D. E. South, Senior Planning Technician, was presented and read. The last paragraph of the report, regarding the location of the sign beyond the setback line in a residential zone, and a policy set up by the Planning Commission in January 1951 that all signs in C and M Zones in La Jolla area be restricted to the fact of buildings, and that the sign proposed would be in a more restricted zone, and that it was denied for construction thereof by a vote of 3-0, was re-read at the request of Councilman Wincote.

After hearing the report and the last paragraph re-read, Councilman Wincote objected, and said that the ruling was inconsistent and not in accordance with agreement.

The Mayor said that he was advised by Douglas Deaper, of the City Attorney's Office, that the City Attorney questions the decisions made.

Councilman Kerrigan reviewed the sign sections, particularly as they affected residence zones.

Councilman Wincote spoke again regarding the Planning Commission argument, and disagreed with the Commission regarding signs.

The Mayor pointed that the area in question is a residence zone.

Councilman Kerrigan said that the action was based upon a Planning Commission policy, and that the property owner has the right to appeal to the Council, as was being done in this case.

Councilman Schneider spoke, also, regarding signs, zoning and setbacks generally.

Letters on the subject from affected property owners were presented, and and read by the Clerk:

Dorothy W. McCulloch latter, for Ora W. Watrous, protesting the variance;
Bernie M. Wilmurt (Mrs. Wm. F.) letter of protest;

Willis M. Allen Company, by Kathryn T. Hosmer, agent for George N. Lynch, letter of protest;

*Casa de la Playa letter on behalf of Mr. and Mrs. Evans, the protestants, by Twila Jacobsen, Jgr.

Dave South, from the Planning Commission office, signer of the report, spoke for the Commission. He advised that a non-conforming use was sought in the area. He reviewed the sign section of the Zoning Ordinance. He then told about the sign in question, and of existing signs.

Twila Jacobsen, Manager of the Apartment building in question, told.

*The letter from the appellant, by Mrs. Jacobsen, was read at her request.

Asked when the matter had been started, Mrs. Jacobsen said about a year ago. She said that the place is being passed up due to lack of the sign.

Councilman Schneider asked about the rates charged at the Casa. Mrs. Jacobsen replied, and outlined them. Mr. Schneider said that the apartments are on a hotel rate basis.

Mayor Butler interrupted the conversation between Councilman Schneider and Mrs. Jacobsen. He said that the question would be determined upon its merits.

Mrs. Jacobsen referred to the small sign in existence, and said that the proposed sign was to be 2 feet behind the setback.

Kenneth R. Mitchell, representing Electrical Products Co., (Neon Sign Co.) spoke regarding the existing sign, and the proposed sign.

A conference, not reported, was held across the rail, between Councilman Swan and Mrs. Jacobsen.

Councilman Wincote asked Mr. South about the location of a stucco building. Mr. South said he could not answer definitely. Upon further questioning, Mr. South replied that there is a 15-foot setback line, but all buildings do not conform. He thought that the building in question would be back 8 feet.

Councilman Godfrey wondered if any thought had been given to the question

of modifying the proposal. He thought it might be changed, by attaching the sign to the building, or by a different setback. He expressed the belief that the request was extreme.

When asked how long the present owners had owned the property being discussed, Mrs. Jacobsen replied 3 years. She told of pilfering which had gone on in front of the building. She said that the sign would help light up the front and obviate the pilfering. It was her contention that others have signs, out, and some are much larger. She said that they are now attracting business.

Mr. Mitchell showed a sample of a non-illuminated sign to be used, and said that it is a modern style, upon which only "No Vacancy" would be in Neon lighting.

Councilman Wincote spoke of a large apartment house, not far away, and referred to its sign.

Councilman Godfrey expressed the belief that a softly-illuminated sign as shown would not be objectionable, if placed against the building. That is, it would not be objectionable to the tenants of the building, who might otherwise find fault from sign illumination.

Councilman Wincote wanted an answer to his question as to the setback, or about conforming.

The Mayor announced that enough had been heard on the subject, and said that the hearing would be closed at this time.

During further discussion, it was moved to close the hearing, refer the matter to the City Attorney for ruling, and the question of the setback line of the building.

While the hearing had been closed, there was further discussion by interested parties.

Mr. Mitchell told the Council that the sign proposed would go in the center of the patio area, that the bottom of the sign would be about 6 feet from the ground.

Councilman Godfrey asked about the sign change, and wondered if it could be moved back from the spot proposed.

Mr. Mitchell said that people approaching, could not see the sign if it were back against the house.

Mrs. Jacobsen told of people who had been engaged to survey the situation on an expert basis. She said that they had reported that people driving through believe they are in a residence area, and that they turn off, rather than proceeding to the building in question. She said that a sign far enough out for them to see it, would bring them to the building.

Councilman Swan wondered about a sign being used on the roof.

Immediately, members of the Council and Mr. South said that signs on a roof would not be permitted.

Mrs. Jacobsen said she has to do something, even if the sign is not approved.

Councilman Godfrey spoke about the sign on the Casa La Jolla, but said that he does not like the one proposed.

It was moved to continue the hearing one week; the Planning Commission was directed to look into the matter of Signs; the City Attorney to rule on the rights involved, which motion was seconded by Councilman Godfrey. (Motion was by Councilman Schneider).

Before the roll could be called, Councilman Godfrey spoke further, and suggested modification of the sign, and requested answers on questions relative to the proposal.

The motion was amended by the addition of the matter of changing of the proposals of the sign for the building, by Councilman Godfrey, seconded by Councilman Swan, and added to that was the matter of continuing the hearing one week from this date.

The Mayor expressed the belief that the building in question might be marginal property. He said he thought that it might need different advertising than what is

Mrs. Jacobsen said, upon questioned, that the property is not set up for a month by month basis for rentals.

Councilman Kerrigan revised signs permitted in Zone R-4.

Councilman Schneider said that sufficient time had been given.

The Roll was called, at this time, on the motion as amended - rather than on the amendment followed by the original motion, resulting in

RESOLUTION NO. 108702, recorded on Microfilm Roll No. 55, continuing the hearing on appeal of Wylie M. Evans from decision of the Zoning Committee in denying permission to Mrs. Wylie W. Evans for a double-faced sign on center pole with 2-foot setback on Lots 12, 13, 14 Block 16 La Jolla Park at 321 Coast Boulevard, until the meeting of October 16, 1952; directing the Planning Commission to look into the matter of Signs; requesting the City Attorney to rule on the rights involved; also amending the matter of the sign relative to its modification, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The continued matter of the appeal of D. N. Charleson from the decision of the Zoning Committee and the Planning Commission rescinding Resolution which granted the right to divide portion of Pueblo Lot 1288 into 4 parcels, on conditions relative to Ardath Road, was brought up at this time.

The Resolution prepared, after having been referred to the City Manager and City Attorney, was presented and read.

RESOLUTION NO. 108703, recorded on Microfilm Roll No. 55, granting the appeal of D. N. Charleson (by William F. Reed, Attorney in Fact, 524 San Diego Trust and Savings Building, San Diego) from the decision of the Zoning Committee in denying petition for zone variance, overruling the Zoning Committee Resolution No. 6788 (Application No. 10630, dated April 28, 1952, filed May 21, 1952), subject to the following conditions:

1. That D. N. Charleson sell to The City of San Diego, the land required for Ardath Road, as shown on City Engineer's Drawing 8560-L at the appraised price, as set by Hotchkiss and Anewalt, appraisers;
2. D. N. Charleson to enter into water main extension contract with the City, providing for payment by him of his share of the cost of the installation of an 8" water main on Ardath Road, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The original variance attached a condition stating that Mr. Charleson should grant to the City a 40 foot strip of land on the boundary of the property adjoining Ardath Road.

The appeal of Charles H. Foote from decision of the Zoning Committee for permission to Charles H. and Trudye L. Foote, purchaser, and Dr. Sam Fogel, owner, to divide portion of Pueblo Lot 1288 on Ardath Road, which had been before the Council previously, considered, was brought up again.

The City Manager explained that it was the same situation as the Charleson appeal considered just ahead of it, and suggested adoption of the Resolution submitted.

RESOLUTION NO. 108704, recorded on Microfilm Roll No. 55, granting appeal of Charles H. Foote, 7355 Fay Avenue, La Jolla, from the decision of the Zoning Committee denying petition for zone variance; overruling Zoning Committee Resolution No. 6768 (Application No. 10933, referring to a portion of Pueblo Lot 1288 on Ardath Road), subject to the following conditions:

1. That Charles H. Foote sell to The City of San Diego, the land required for Ardath Road, as shown on City Engineer's Drawing 8560-L, at the appraised price as set by Hotchkiss & Anawant, Appraisers;
2. That Charles H. Foote enter into water main extension contract with the City, providing for the payment by him of his share of the cost of the installation of an 8" water main on Ardath Road, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from Earl G. Dobbins, Commander, CEC, USN, Asst. District Public Works Officer, by direction of the District Public Works Officer, for the placing of a portion of "Bay View Hills" - which property if and when acquired, is planned to be leased to private interests for construction and maintenance of a housing project for military and other personnel - into Zone R-4, was presented.

Councilman Schneider moved to refer the matter to the City Planning Commission, which motion was seconded by Councilman Kerrigan.

There was some discussion, resulting in reconsideration of the motion, made by Councilman Wincote, seconded by Councilman Kerrigan.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was referred to the City Manager, for report to the Council in Conference.

Prior to taking the vote on the motion, which carried, the Assistant Planning Director, said that a free zoning permit is sought, to avoid the payment of the customary fees.

* RESOLUTIONS NOS. 108705 & 108706 are shown later. - page 22.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for the wrecking and removal of Incinerator Structures and Former Officers' Club Building and Former Enlisted Men's Club Building, located in the former Camp Callan Area, received by the Purchasing Agent on September 24, 1952, from 5 bidders, was presented. The communication recommended award to Lucas Wrecking & Salvage Company of Hawthorne, California on one item for wrecking and removal of the incinerator structure, at \$2,450.00; also award to Ace House Moving & Construction Company of San Diego, for removal of the former Officers' Club and former Enlisted Men's Club Buildings, \$600.00 each building to be paid to the City. The report stated that the combined bids are 37.5% below the City Engineer's estimate. It said, further, that it will be necessary to appropriate \$2,450.00 to pay the cost of wrecking and removing the incinerator plus the cost of advertising and minor extras as may be necessary.

RESOLUTION NO. 108707, accepting Bid of Lucas Wrecking & Salvage Company on item one, for wrecking and removal of the incinerator structure in the former Camp Callan area; awarding contract and authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108708, recorded on Microfilm Roll No. 55, accepting bid of Ace House Moving & Construction Company, items two and three, for removal of the former Officers' Club and former Enlisted Men's Club Buildings, located in the former Camp Callan Area; awarding contract and authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract with said Company, 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 reconstruction of safety lighting system on Pacific Highway, Cedar Street to Broadway, received by the Purchasing Agent October 1, 1952, from two bidders, recommending award to Ets-Hokin & Galvin, low bidder, was presented. The report stated that said bid was 2.7% below the City Engineer's estimate.

RESOLUTION NO. 108709, recorded on Microfilm Roll No. 55, accepting bid of Ets-Hokin & Galvin for reconstruction of safety lighting system on Pacific Highway, Cedar Street to Broadway; awarding contract and authorizing and instructing the City Engineer 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 received for Improvement of East Tecolote Road westerly from Linda Vista Road; Wellington Street, southerly from East Tecolote Road; Linda Vista Road at East Tecolote Road, and Ashford Street at East Tecolote Road, received by the Purchasing Agent September 24, 1952, from 5 bidders, was presented. Said communication recommended award to Griffith Company, the low bidder, at \$87,975.55. The report stated, further, that the Engineer's estimate for the work was \$90,000.00. It said, further, that according to agreement filed in the Office of the City Clerk, the San Diego Unified School District has agreed to pay \$35,000 toward the cost of the improvement; funds to cover the balance of approximately \$53,000 plus engineering, etc., estimated at \$5,000. should be appropriated.

RESOLUTION NO. 108710, recorded on Microfilm Roll No. 55, accepting bid of

18
Griffith Company for the improvement of East Tecolote Road westerly from Linda Vista Road; Wellington Street southerly from East Tecolote Road; Linda Vista Road at East Tecolote Road, and Ashford Street at East Tecolote Road, for the \$87,975.55; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Manager, reporting on petition for annexation of portion of Lot 78 Rancho Mission and portions of New Riverside and The Highlands, concurring in recommendation of the Planning Commission that the area be annexed to the City subject to conditions outlined in the communication from the Assistant Planning Director dated September 11, 1952, attached thereto, was presented.

RESOLUTION NO. 108711, recorded on Microfilm Roll No. 55, giving notice of the proposed Annexation to The City of San Diego of all of Lots 25 to 28, inclusive; all of Lots 33, 34, 35, 37, 38; all of Lots 46 to 49 inclusive; portions of Lots 20 to 22, inclusive; 29 to 32, inclusive, and portions of Lots 36, 43 and 44 of The Highlands; all of Lots 2 to 6 inclusive, and portions of Lots 8, 9, 10, 11, 12 and 13 of New Riverside; all of Orcutt's Subdivision of Lot 1 of New Riverside; portion of Lot 78 Rancho Mission of San Diego, in the County of San Diego - to be known as "Highlands-New Riverside Tract", was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Attorney, transmitting an opinion written to him by Shelley J. Higgins, Assistant City Attorney, in the matter of the legality of use of the City streets by San Diego & Arizona Railway Company and by San Diego & Southeastern Railway Company, and outlining Ordinances on said franchise; stating that the Council may, if it sees fit so to do, require the operating railroads in the City without a permit or a franchise of the City, to apply for such permit or franchise or cease doing business, was presented.

RESOLUTION NO. 108712, recorded on Microfilm Roll No. 55, referring communication from the City Attorney submitting report on the legality of use of the City streets by San Diego & Eastern Railway Company, filed in the office of the City Clerk under Document No. 456919, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Department, signed by the Assistant Planning Director, reporting on petition for changing the names of 56th Street and 56th Place in Collwood Terrace No. 2, to Dorothy Way, recommending preparation of the necessary Ordinance thereon, was presented.

RESOLUTION NO. 108713, recorded on Microfilm Roll No. 55, granting petition for changing the names of 56th Street and 56th Place in Woolwood Terrace No. 2, to Dorothy Way, as recommended by the City Planning Commission; requesting the City Attorney to prepare and present the necessary ordinance to affect such change of name, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from M. K. Fleming, Jr., Rear Admiral, USN, retired, referring to the news reports for interpretations of his previous letter to the Council relative to Civil Defense, and again setting forth his views, was presented.

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

Communication from San Diego County Veterinary Medical Association, dated October 6, 1952, signed by R. J. McFarland, President - 3621 Jewell Street, San Diego 9 - referring to the proposed consolidation of the City-County Health Departments and requesting that a member of the veterinary profession be appointed as a member of the Board of Health, was presented. The communication stated that the Association is in favor of the Health Department consolidation and is anxious to do its part in rendering a community service; also that there are many animal borne diseases which are transmissible to man, and that a well trained veterinarian is thoroughly familiar with such diseases and could render considerable assistance to the Board of Health in advisory capacity. It said, also, that the Association would assist in recommending a veterinarian and respectfully requested that the matter be given due consideration.

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

Communication from Pacific Indemnity Company, dated Sept. 29, 1952, signed by J. M. MacConnell, advising that claim case of J. W. Ruane had been closed by cancellation on September 23, 1952, was presented.

RESOLUTION NO. 108714, recorded on Microfilm Roll No. 55, denying claim of Joseph W. Ruane, 906 42nd Street, San Diego, filed in the office of the City Clerk under Document No. 449292, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from the Harbor Department, signed by the Port Director, submitting form of lease with Shields B. Craft covering unimproved land westerly of Wake Boulevard on Lindbergh Field, for the purpose of conducting air freight and air passenger operations and the servicing, maintenance and repair of aircraft, was presented.

The report stated that the lease is for a term of 5 years with 3 5-year options to renew. It stated that the rental was established at 3¢ per square foot per year for land, plus landing fees based upon the number of landings and weights of planes using Lindbergh Field; under terms the Lessee being required to construct buildings, fences and other improvements, including landscaping, at a cost of approximately \$30,000.00. It stated, further, that other terms and conditions conform in all respects to established Harbor Commission policy.

Carl Reupsch, of the Harbor Department, explained the matter, along the lines of the Resolution which was submitted.

RESOLUTION NO. 108715, recorded on Microfilm Roll No. 55, ratifying, confirming and approving tidelands lease with Shields B. Craft, an individual, for a period of 5 years, with 3 5-year options to renew, 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. 456929, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Harbor Department, signed by the Port Director, submitting Resolution authorizing work by appropriate City forces - Harbor Development Series 18,000, Fund 511 - removal of existing material and grading the area on Harbor Drive in front of the Ryan Aeronautical Company, at a total cost of \$2,000.00, was presented. The communication stated that a study of the job has been made and it is the Commission's belief that the work can be accomplished in said manner to the best advantage of the City of San Diego.

Carl Reupsch explained the matter

Councilman Swan wondered if the work proposed was not already well under way.

Mr. Reupsch replied that no work has been done, and the project not started. It was concluded that Councilman Swan was referring to another project.

RESOLUTION NO. 108716, recorded on Microfilm Roll No. 55, authorizing and empowering the Port Director to do all the work in connection with the removal of material and grading the area on Harbor Drive in front of the Ryan Aeronautical Company by the City, by appropriate City forces, in accordance with recommendation of the Port Director, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from J. R. Lester Boyle, transmitting four copies of the plans and specifications for the Kearny Mesa Improvement District, together with original tracings of the plans, was presented. The communication stated that one copy of the plans had been delivered to the City Engineer and one copy to the Water Department. In addition, suggested form of resolutions were transmitted requesting Council approval of the plans, specifications and plat of the assessment district.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said matter was referred to the City Manager. (The City Clerk took a copy of said plans to the City Manager, for his information).

Communication from A.W.C. Plumbing & Heating Co., 4230 Midway Dr., signed by Curtis A. Holder, requesting revision of Resolution No. 180398 granting permission to run sewer line outside the property line to serve property at 5080 Cass St., asking for a change to read "outside the sidewalk" because of information from the City Engineer's Department, was presented.

Said communication was read.

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

Communication from L. S. Rickard, dated October 8, 1952, requesting hearing relative to the paving of portion of the Alley in Block 51 City Heights which had been before the Council on October 7 (and granted that date), was presented. The communication said that he could not appear at the meeting of that date (he did appear, after his matter had been considered, which matter also asked for a hearing), and it said that resulting from sickness, difficulty in getting off from work and absence in military service his co-petitioners were not able to be present. It said, further, that there is additional information to be presented, as well as exhibits.

Mr. Rickard spoke about his request for hearing, on previous petitions.

Members of the Council said that Mr. Rickard had been heard.

Mr. Rickard countered, by saying that no hearing had been set.

Further discussion took place between Mr. Rickard and Councilmen, at which time Mr. Rickard said he was not prepared at this time.

The Mayor said that a motion to file was in order.

Councilman said that that property owners in the other half of the alley (other than for the portion granted under private contract) might be affected. He thought it might be well for others to look at the Alley, as he had. He expressed the belief that other property owners should be given the opportunity to be heard.

Councilman Wincote pointed out that the private contract had already been granted.

Councilman Godfrey said that Mr. Rickard was at fault by not being here. He expressed it by saying that "The Horse is out of the barn now".

Upon being asked, Douglas Deaper, of the City Attorney's Office, said that all the legal requirements had been met.

Councilman Schneider said that Mr. Rickard has been heard.

Councilman Wincote pointed out that a hearing, if set by the Council, would be a gesture only.

Councilman Dail moved to file the petition, which motion was seconded by Councilman Schneider.

Before the roll was called, Councilman Godfrey spoke about actions which

had been taken previously.

Councilman Schneider called for the question, but the roll was not called. The Mayor said that even if a protest were filed, the City has not the right to deny the granting of a private for the improvement, where the adjoining property owners would bear the expense.

The City Manager said that it is a question of policy.

Councilman Schneider said that granting the petition would hold up the project, even if property owners were ready to proceed with the private improvement.

The City Manager, said at this time, that when other work is done in the neighborhood, the dirt might be brought in to bring up the grade. He said that would be "in the course of time", and said again that if work were being done in the neighborhood. He emphasized that it might take several years.

The City Manager had brought in a new thought, here, Councilman Godfrey said. Councilman Godfrey told Mr. Rickard that it was possible that the fill might be provided by the City.

The roll was called at this time, and the petition was ordered filed.

(Councilman Godfrey stayed after the meeting, and explained the situation to Mr. Rickard).

A proposed Resolution relative to Proposition 10 in the forthcoming election, was presented. The Resolution said, among other things, that Proposition No. 10 prenanently destroyed or severely damages a countless number of agencies whose only purpose is the advancement of good government and the public interes.

The proposed Resolution was amended, as approved in Council Conference, to say that the proposition would permanently destroy or severely damage a countless number of agences....and was unchanged, otherwise. The Mayor pointed out that "would" had been agreed upon.

Councilman Wincote disagreed with the wording, relative to the matter of agencies whose only purpose is the advancement of good government. He said that otherwise, the Resolution is all right.

RESOLUTION NO. 108717, recorded on Microfilm Roll No. 55, declaring that Proposition No. 10 was opposed because it would cause untold harm on the cities of California and their citizens and urged the electors of The City of San Diego to vote "No" on the proposition at the November 4, 1952, election - together with the change authorized - was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution said that No. 10 does not prohibit private interests from influencing legislation on a collective basis but only prohibits collective representation of public interests and agences. It said, also, that it would cause wasteful and extravagant expenditure of public funds to do individually what now may be economically achieved jointly by cities and other public agencies of California, including the state and its departments and agencies.

RESOLUTION NO. 108718, recorded on Microfilm Roll No. 55, authorizing the Property Supervisor to petition the Board of Supervisors of San Diego County for cancellation of taxes, penalties and deeds on property acquired by The City of San Diego for public purchases - in the Northwest Quarter of Lot 12 Horton's Addition, directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108719, recorded on Microfilm Roll No. 55, authorizing the Property Supervisor to petition the Board of Supervisors of San Diego County for cancellation of taxes, penalties and deeds on property acquired by The City of San Diego for public purposes - in Blocks 5, 6, 15 and 16 Crittenden's Addition, directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108720, recorded on Microfilm Roll No. 55, authorizing the Property Supervisor to petition the Board of Supervisors of The County of San Diego for cancellation of taxes, penalties and deeds on property acquired by The City of San Diego for public purchases - in portion of the unnumbered tract of land known as Neptunia Rupes, in First Addition to South La Jolla, directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108720, recorded on Microfilm Roll No. 55, authorizing the Property Supervisor to petition the Board of Supervisors of San Diego County for cancellation of taxes, penalties and deeds on property acquired by The City of San Diego for public purposes - portion of Lot 1 Block 381 of Old San Diego, directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108721, recorded on Microfilm Roll No. 55, authorizing the Property Supervisor to petition the Board of Supervisors of The County of San Diego for cancellation of taxes, penalties and deeds on property acquired by The City of San Diego for public purposes - in portion of Pueblo Lot 284, directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Councilman Dail spoke about the \$3,500,000.00 bond issue matter, which he proposed be endorsed by the Council, and mentioned failure to act. He asked that the Council endorse the measure, and made a motion to that effect, which motion was seconded by Councilman Wincote.

Councilman Dail added another idea having to do with endorsement of the proposed consolidation of the City and County Health Departments. Before the roll was called on the first motion, he moved to endorse that matter, also. That motion was seconded by Councilman Godfrey. The combined motions resulted in

RESOLUTION NO. 108723, Recorded on Microfilm Roll No. 55, requesting the City Attorney to prepare a Resolution for adoption of the Council, endorsing the City's \$3,500,000.00 bond issue, and the consolidation of the City and County Health Departments, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

The question of holding the regular meeting next Tuesday, came up.

There was discussion among members of the Council, and the Clerk reported that hearings had been set for that time.

No decision was reached.

RESOLUTION NO. 108724, recorded on Microfilm Roll No. 55, approving Change Order No. 3, dated September 19, 1952, heretofore filed with the City Clerk as Document No. 456952, issued in connection with the contract between The City and Beason & Taylor for construction of the Murray Canyon Trunk Sewer, contract contained in Document No. 447145 on file in the office of the City Clerk; changes amounting to an increase in the contract price of approximately \$1,495.00, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108725, recorded on Microfilm Roll No. 55, approving Change Order No. 1, dated September 30, 1952, filed with the City Clerk as Document No. 456954, issued in connection with contract between The City of San Diego and Bent Construction Company and Daley Corporation for construction of Sutherland Dam, contract contained in Document No. 452841 on file in the office of the City Clerk; changes amounting to decrease of \$3500.00, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108726, recorded on Microfilm Roll No. 55, approving Change Order No. 2, dated September 22, 1952, heretofore filed with the City Clerk as Document No. 456956, issued in connection with contract between The City and Cox Brothers for construction of the Morena Bridge approaches, contract contained in Document No. 450409 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$55.00, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108727, recorded on Microfilm Roll No. 55, approving Change Order No. 3, dated September 22, 1952, heretofore filed with the City Clerk as Document No. 456958, issued in connection with contract between The City and Cox Brothers for the construction of the Morena Bridge approaches, contract contained in Document No. 450409 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$250.000, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108728, recorded on Microfilm Roll No. 55, approving Change Order No. 3, dated September 22, 1952, heretofore filed with the City Clerk as Document No. 456960, issued in connection with contract between The City and Johnson-Western Constructors for construction of the Witherby Street Pressure Sewer Replacement, contract contained in Document No. 449230 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$1,500.00, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108729, recorded on Microfilm Roll No. 55, approving request of Wulff Automatic Sprinkler Co., contained in Change Order No. 2, for extension of 60 days, to and including November 18, 1952, heretofore filed with the City Clerk as Document No. 456962, in which to complete contract for installation of Automatic Sprinklers south of Balboa Park Club, in Balboa Park, contract contained in Document No. 450579 on file in the office of the City Clerk, contract completion extended to November 18, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108730, recorded on Microfilm Roll No. 55, granting permission to Jane Cowan, 1290 Pennsylvania 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 a westerly direction, parallel to the southerly line of Pueblo Lot 1800 to point of intersection with public sewer in Riveria Drive, to serve property at 4102, 4104 and 4106 Haines Street; upon approval of the City Engineer, Property Department, Department of Public Health and City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

474

RESOLUTION 108731, recorded on Microfilm Roll No. 55, granting permission to Schirm Company, 841 Ducommun Street, Los Angeles, (Attention Louis Schirm, Jr., Care J. S. Schirm Company, 268 Fourth Avenue, San Diego 1) to install a 57-foot driveway on the northerly side of National Avenue, approximately between points 43 and 100 feet east of the east line of 13th Street; also 31-foot driveway on the south side of Imperial Avenue, approximately between points 65 and 96 feet east of the east line of 13th Street, adjacent to Lots A and B Block 153 Horton's Addition, subject to the various conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Said Resolution stated that the proposed driveways were for the purpose of providing access to drive-in case at intersection of 13th Street with National and Imperial Avenues.

RESOLUTION NO. 108732, recorded on Microfilm Roll No. 55, granting permission to The Union Ice Company, 145 West Market Street, to construct and maintain a 12-foot concrete loading platform adjacent to the property of said Company on Island Avenue, between Front and First Streets, to replace the platform now at said location, on the several conditions contained in said Resolution, including indemnity to the City of San Diego for loss or damage arising from or growing out of the construction and/or maintenance thereof, was on motion of Councilman Godfrey seconded by Councilman Wincote, adopted.

Said Resolution provided for revocation of the permit granted thereby.

RESOLUTION NO. 108733, recorded on Microfilm Roll No. 55, authorizing Robert L. Clayton, Dairy Inspector, to attend the convention of the California Association of Dairy and Milk Sanitarians, including the required refresher course, to be held in Long Beach, California, October 15, 16, 17, 1952; 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. 108705, recorded on Microfilm Roll No. 55, accepting bid of St. James-By-the-Sea Episcopal Church for land and buildings known as the La Jolla Town Council Building, more particularly described as Lots 36 to 40 inclusive Block 32 of La Jolla Park, at a minimum price of \$40,000; authorizing and empowering the Mayor and the 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 Rector, Wardens and Vestry of St. James-by-the-Sea Parish a Corporation said property; directing the City Clerk to deliver said deed to the Property Supervisor of the City with instructions that the same be delivered to the grantees thereof upon delivery to the City of the sum of \$40,000.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution stated that Resolution No. 108175 offered for sale said land and buildings at a minimum price of \$40,000.00, that said Church submitted bid through McNaught-Davis Company, broker for the bidder, at said minimum price; that McNaught-Davis Company, by letter dated October 3, 1952, waived any and all rights to any commission in connection with the sale of the aforementioned property.

RESOLUTION NO. 108706, recorded on Microfilm Roll No. 55, accepting deed of Amos Cendali, Sr., Tina Cendali, Amos Cendali, Jr., and Josephine Cendali, bearing date August 27, 1952, conveying easement and right of way for street purposes in portion of the west half of the northwest quarter of Section 34 Township 16 South Range 2 West S.B.B.M., setting aside and dedicating the same to the public use as and for a public street, and naming the same 53rd Street; authorizing and directing the City Clerk to file said deed for 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. 108734, recorded on Microfilm Roll No. 55, accepting quitclaim deed executed on the 29th day of September, 1952, by Lee and Leschorn, Inc., quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Huntington Park Unit No. 1, being all of portion of Northwest 1/4 of 1/4 Section 81 Rancho de la Nacion; authorizing and directing the City Clerk to file said deed together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108735, recorded on Microfilm Roll No. 55, accepting quitclaim deed executed on the 34th day of October, 1952, by Western Area Housing Company, quitclaiming water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without, the subdivision named Cabrillo Heights (being a portion of Lots 37 and 40 of the Rancho Mission of San Diego, in the County of San Diego, to-wit: the 24" feeder main northerly from Chester-ton Tank; thence 16" main east on to Magnolia Avenue; thence on to Hurlbut Street to Afton Road, as shown on drawings of The City of San Diego Nos. 1934-D to 1938-D inclusive; 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 Swan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5344 (New Series), recorded on Microfilm Roll No. 55, appropriating the sum of \$95,000.00 from the Capital Outlay Fund, for the purpose of providing funds for improvement of East Tecolote Road and Wellington 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, 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.

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

ORDINANCE NO. 5345 (New Series), recorded on Microfilm Roll No. 55, appropriating the sum of \$11,000.00 from the Traffic Safety Fund, for the purpose of providing funds for reconstruction of a safety lighting system on Pacific Highway between Cedar Street and Broadway, 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 Swan, 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 final reading of such Ordinance, a written or printed copy was furnished to each member of the Council.

ORDINANCE NO. 5346 (New Series), recorded on Microfilm Roll No. 55, appropriating the sum of \$2,700.00 from the Unappropriated Balance for the purpose of providing funds to cover the cost of the wrecking and removal of the incinerator structure in the Camp Callan Area; the former Enlisted Men's Club Building and the former Officers' Club Building, 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 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 the final reading of such Ordinance, a written or printed copy was furnished to each member of the Council.

ORDINANCE NO. 5347 (New Series), recorded on Microfilm Roll No. 55, establishing the grade of Sea Breeze Drive, between the southeasterly line of Allegheny Street and the northwesterly line of Potomac 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--Councilman 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 the final reading of such Ordinance, a written or printed copy was furnished to each member of the Council.

ORDINANCE NO. 5348 (New Series), recorded on Microfilm Roll No. 55, establishing the grade of Tulip Street between a line drawn northeasterly at right angles to the southwesterly line of Tulip Street from the point of intersection of said southwesterly line with the southerly line of Crenshaw Street and a line drawn from the northeasterly corner of Lot 27 Block 29 Lexington Park, to the intersection of the easterly line of Tulip Street with the southeasterly line of Sycamore Drive, 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 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.

Prior to the final reading of such Ordinance, a written or printed copy 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 was presented to the Council, he made a verbal explanation.

24

RESOLUTION NO. 108736, recorded on Microfilm Roll No. 55, authorizing and directing the City Manager to execute a contract with Witherbroco Inc., a corporation, for the installation and completion of the unfurnished improvements and the setting of the monuments required for Wisteria Heights; directing the City Engineer to present an ordinance establishing the official grades of all streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108737, recorded on Microfilm Roll No. 55, adopting map of Witeria Heights, being a subdivision of portion of Pueblo Lot 210, accepting on behalf of the public Wisteria Drive and unnamed easements for public purposes, declaring the same 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 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 Kerrigan, seconded by Councilman Schneider, adopted.

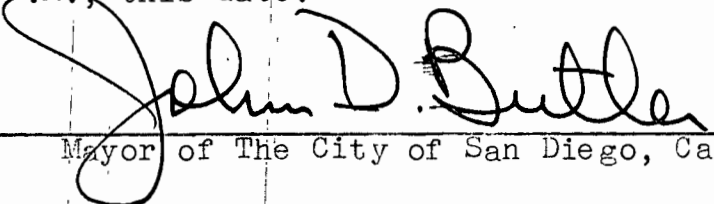
Accompanying Resolutions Nos. 108736 and 108737 was communication from the Planning Department, signed by the Assist. Planning Director, recommending action taken.

RESOLUTION NO. 108738, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego, with Western Area Housing Company, a corporation of 3360 Murray Ridge Road, San Diego 11, subdividers of subdivision known as Cabrillo Heights (Wherry) Subdivision, providing for installation of water mains and reimbursement by the City to the subdividers of \$30,280.55 for the difference in cost of installation between size of water mains required by the City and size required for the subdivision (the larger size mains being installed at the request of the City; \$25,615.15 to be paid by the City to said subdividers upon completion of the offsite portion of said water system upon execution and delivery to the City of a quitclaim deed conveying to the City all of the right, title and interest of the subdivider in and to said completed portion of the water distribution system in and to said Cabrillo Heights Subdivision; and the balance of said \$30,280.55 to be paid by the City to said subdivider upon execution and delivery to the City of a quitclaim deed conveying to the City all the right, title and interest of the said subdivider in and to the remaining and previously unconveyed portion of the water distribution system in said Cabrillo Heights (Wherry) Subdivision, was on of Councilman Kerrigan, seconded by Councilman Schneider, adopted.


The agenda listed communication from Emma Wells relative to defective sidewalk in front of her property as having been referred to the City Manager by the Clerk.

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.

Upon adjournment, it was announced that members of the Council would hold a Conference at the hour of 2:00 o'clock P.M., this date.


Mayor of The City of San Diego, California

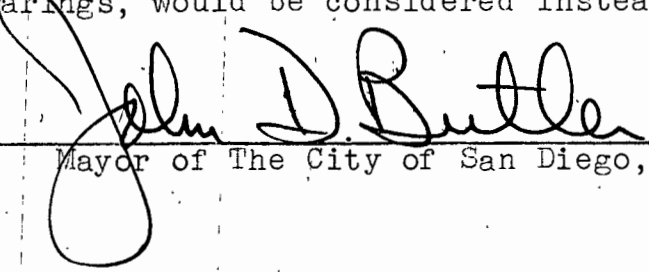
ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

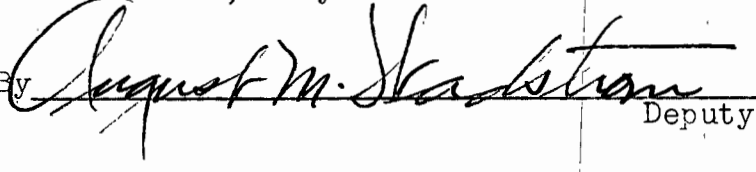
REGULAR MEETING

Chamber of the Council of The City of San Diego,
Tuesday, October 14, 1952

Councilman George Kerrigan appeared in the Council Chambers at the hour of 10:00 o'clock A.M., and announced that no meeting would be held this date, due to the annual meeting of the League of California Cities being held in San Diego. The matters scheduled for today, including bids and hearings, would be considered instead on Thursday October 16, 1952.


Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

REGULAR (ADJOURNED) MEETING

Chambers of the Council of The City of San Diego, California,
Thursday, October 16,
1952

The Regular Meeting, scheduled for Tuesday, October 14, 1952, was not held that date, and all matters to have been considered that date including bids and hearings, were brought up for action at this meeting.

The meeting was called to order at the hour of 10:06 o'clock A.M.

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

The Minutes of the Regular Meetings of Tuesday, October 7, 1952, and Thursday, October 9, 1952, 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.

Mayor Butler announced that the meeting originally to have been held on October 14, 1952, was not held due to the annual meeting of the League of California Cities being held in San Diego. All matters had been continued until this date for consideration.

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 paving and otherwise improving of Gresham Street and Oliver Avenue (the 14th was the date set in the notice), 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 \$7,000.00, which bid was given Document No. 457201;

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 \$8,000.00, which bid was given Document No. 457202;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$7,000.00, which bid was given Document No. 457203;

Councilman Wincote entered 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 \$6,500.00 dollars, which bid was given Document No. 457204.

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.

During the reading of the bids for the improving of Gresham Street and Oliver Avenue, Councilman Godfrey was excused from the meeting.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for installation of sewers in Nashville Street, Lapwaii Street, Western Street, La Salle Street and Jupiter Street, (the 14th was the date set in the notice) 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 Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of \$2700.00, which bid was given Document No. 457206;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of \$5,500.00, which bid was given Document No. 457205.

On motion of Councilman Swan, 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 receiving of bids for paving and otherwise improving of Roosevelt Avenue and Haines Street, (the 14th day of this month was set in the notice) the Clerk reported that 5 bids

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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 \$1,000.00, which bid was given Document No. 457207;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$750.00, which bid was given Document No. 457208;

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 \$900.00, which bid was given Document No. 457209;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$800.00, which bid was given Document No. 457210;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$800.00, which bid was given Document No. 457211.

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.

Councilman Godfrey returned to the meeting at this time.

Councilman Dail said that many people were present in connection with the hearing on the assessment for the improvement of Brooklyn Avenue, et al., which had been continued. He said that the Council had agreed to continue the matter until one week from this date. The hearing was brought up at this time, out of order.

Councilman Dail moved to continue the matter one week, for a conference with the Attorney and City Engineer in connection therewith, which motion was seconded by Councilman Wincote.

Councilman Dail and the Mayor both explained that the purpose of the proposed continuance was for the purpose of studying assessing methods.

RESOLUTION NO. 108739, recorded on Microfilm Roll No. 55, continuing the previously-continued hearing on the Street Superintendent's Assessment No. 2077 made to cover the expenses of 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, until the hour of 10:00 o'clock A.M., of Thursday, October 23, 1952; the City Attorney and City Engineer to confer with the Council on the matter of methods for re-assessing the improvement, 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 the hearing on Resolution of Intention No. 108279 (originally set for October 14, 1952), for the paving and otherwise improving of the Alley in Block 7 City Heights Annex No. 2, 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 filed.

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 the 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, 1952 to and including September 30, 1953, 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 filed.

RESOLUTION NO. 108740, recorded on Microfilm Roll No. 55, confirming and approving as a whole 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 Midway Drive and Rosecrans Street, within the limits and as particularly described in Resolution of Intention No. 108138, contained in the Engineer's Report and Assessment filed in the office of the City Clerk September 5, 1952, 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 the continued hearing on the Street Superintendent's Assessment No. 2078 made to cover the costs and expenses of the paving and otherwise improving of Ninth Avenue, within the limits and as particularly described in Resolution of Intention No. 104664 (the previously-continued hearing originally set for October 14), the Mayor declared the hearing closed.

The City Engineer made a verbal report on the proposed assessment amendment and read from a prepared statement on the subject, and told the Council that there would be both increases and reductions.

Mrs. Alta L. Burgert, spoke again regarding Mr. Anderson's assessment.

The City Engineer reviewed, again, relative to "the end lot", at the request of the Council. He referred to decreases of all but the Taylor property, which he said would be raised. He said that the assessment would entail a combination of frontage and area.

Councilman Godfrey said that it was fair, now.

RESOLUTION NO. 108741, recorded on Microfilm Roll No. 55, overruling and

denying the appeals of Alta L. Burgert and Wayne W. Anderson from the Street Superintendent's Assessment No. 2078 made to cover the expenses of the paving and otherwise improving of Ninth Avenue, within the limits and as particularly described in Resolution of Intention No. 104664, overruling and denying all other appeals thereon, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108742, recorded on Microfilm Roll No. 55, confirming the modified and corrected assessment, made by the Street Superintendent and numbered 2078, for the paving and otherwise improving of Ninth Avenue, within the limits and as particularly described in Resolution of Intention No. 104664, authorizing and directing said Street Superintendent to attach his warrant and issue the same in the manner and form provided by law; authorizing him to file in his office said warrant, diagram and assessment, 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 the continued hearing on Resolution No. 108280 of Preliminary Determination for the paving and otherwise improving of Beta Street, within the limits and as particularly described in said Resolution, the Clerk reported again that no written protests had been received.

The hearing had been set for October 7, 1952, continued until October 14 but inasmuch as no meeting was held that date, it was brought up again today.

RESOLUTION NO. 108743, recorded on Microfilm Roll No. 55, ascertaining that the proposed improvement of Beta Street, within the limits and as particularly described in Resolution No. 108280 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on Resolution No. 108281 of Preliminary Determination for the installation of sewers in Old San Diego, J. P. Jones Subdivision, Pueblo Lot 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reimer's Subdivision, Addition to Silver Terrace, Amended Map of Silver Terrace and certain Pueblo Lands, within the limits and as particularly described in said Resolution, the Clerk reported again that no written protests had been received.

The hearing had been set for October 7, 1952, continued until October 14 but inasmuch as no meeting was held that date, it was brought up again today.

RESOLUTION NO. 108744, recorded on Microfilm Roll No. 55, determining that the proposed improvement by installation of sewers in Old San Diego, J. P. Jones Subdivision, Pueblo Lot 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reimer's Subdivision, Addition to Silver Terrace, Amended Map of Silver Terrace and certain Pueblo Lands, 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 Wincote, seconded by Councilman Swan, adopted.

No protests were made when the Mayor inquired if any were present.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating Alvarado Unit No. 1 and Unit No. 2 into "R-1A" Zone, the Clerk reported that no protests had been received.

The hearing had been set for October 14, 1952, and continued to this meeting, inasmuch as the Council did not meet on the 14th.

ORDINANCE NO. 5349 (New Series), recorded on Microfilm Roll No. 55, incorporating Alvarado Unit No. 1 and Unit No. 2 into "R-1A" Zone, in accordance with recommendation of the City Planning Commission contained in Document No. 455604, 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 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.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portion of Lot 16 C. C. Seaman's Subdivision and Lots 1-4 inclusive Furlow Heights Unit No. 3 into "R-4" Zone, originally set for hearing on October 7, 1952, continued until October 14, 1952, and brought up at this meeting since the Council did not meet on October 14, the City Planning Director asked for another week.

On motion of Councilman Dail, seconded by Councilman Kerrigan, said hearing was continued until the hour of 10:00 o'clock A.M., Thursday, October 21, 1952.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, was presented. It stated that bids for furnishing 179 items of pipe and fittings were received on September 11, 1952, that subsequent to advertising the need for several additional large cast iron fittings for Linda Vista project was reported to the Purchasing Agent by the Water Department and that it is impractical to advertise for bids thereon inasmuch as they are required for installation at an early date. The report stated that the Purchasing Agent has secured informal bids from two firms who were low bidders on some of the items advertised and are able to meet delivery requirements. A Resolution

authorizing purchase from the Crane Co. on the basis of informal bids received without advertising, was submitted.

RESOLUTION NO. 108745, recorded on Microfilm Roll No. 55, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids, cross, bends, reducers, and short pattern sleeve, for use on a Linda Vista project, at a total price of \$2597.12 f.o.b. cars, San Diego, terms net 30 days, plus sales tax, delivery 30 days, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for improvement of Pepper Drive in Hollywood Park, stating that Sim J. Harris Company, the low bidder, is 23.1% above the estimate, was presented. It said, further, that the drive was paved on both sides of Hollywood Park under 1911 Improvement Act job, but said portion could not be included inasmuch it is a park road and not a dedicated street. The report stated that it is necessary to complete the paving of the Drive across Hollywood Park so that the street will not wash out during the rainy season, and it recommended award to Sim J. Harris Company.

RESOLUTION NO. 108746, recorded on Microfilm Roll No. 55, accepting bid of Sim J. Harris Company for improvement of Pepper Drive in Hollywood Park, awarding contract and authorizing and instructing the City Manager to execute the same, 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 18 items of cast iron cement-lined pipe and 161 items of cast iron water pipe fittings, received from 7 bidders, was presented. The report stated that American Cast Iron Pipe Co. bid could not be considered, to to demand for award on all items on which it bid, and the award was rendered impossible due to the fact that the company was not low on a number of items; also, it said, delivery schedule failed to meet the City's requirements on certain fittings. The report said, further, that the bid of the U. S. Pipe and Foundry Co. was low on a large portion of the fittings, but was unable to furnish complete delivery under 180 days, and that it is therefore necessary to make awards to other bidders at slightly higher prices to meet delivery requirements on several items. It submitted Resolutions making awards, as follows:

RESOLUTION NO. 108747, recorded on Microfilm Roll No. 55, accepting bid of Pacific States Cast Iron Pipe Company for furnishing Cast Iron Pipe, as particularly set out in the Resolution, authorizing and instructing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108748, recorded on Microfilm Roll No. 55, accepting bid of Mission Pipe and Supply Company for the furnishing of Cast Iron Pipe Fittings, as particularly set out in the Resolution, authorizing and instructing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108749, recorded on Microfilm Roll No. 55, accepting bid of Crane Company for the furnishing of Cast Iron Pipe Fittings, as particularly set out in the Resolution, authorizing and instructing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108750, recorded on Microfilm Roll No. 55, accepting bid of U. S. Pipe and Foundry Company for the furnishing of Cast Iron Pipe and Fittings, as particularly set out in the Resolution, authorizing and instructing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108751, recorded on Microfilm Roll No. 55, accepting bid of National Steel and Shipbuilding Corporation for the furnishing of Cast Iron Pipe Fittings, as particularly set out in the Resolution, authorizing and instructing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108752, recorded on Microfilm Roll No. 55, accepting bid of Standard Iron Works for the furnishing of Cast Iron Pipe Fittings, as particularly set out in the Resolution, authorizing and instructing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing the Purchasing Agent to advertise for bids for furnishing Clay Sewer Pipe, Fittings and Couplings, for a period of 6 months beginning November 1, 1952, in accordance with Specifications bearing Document No. 457020 on file in the office of the City Clerk, was presented.

RESOLUTION NO. 108753, recorded on Microfilm Roll No. 55, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of Clay Sewer Pipe, Fittings and Couplings, for a period of 6 months beginning November 1, 1952, in accordance with Specifications on file in the office of the City Clerk, 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 bulk Ferric Sulphate for a period of 6 months beginning November 1, 1952, in accordance with Specifications bearing Document No. 457023 on file in the office of the City Clerk, was presented.

RESOLUTION NO. 108754, recorded on Microfilm Roll No. 55, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City's requirements of bulk Ferric Sulfate for a period of 6 months beginning November 1, 1952, in accordance with Specifications on file in the office of the City Clerk, 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 20 4-door sedans for the Police Department, in accordance with specifications bearing Document No. 457026 on file in the Office of the City Clerk, was presented.

RESOLUTION NO. 108755, recorded on Microfilm Roll No. 55, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of 20 4-door sedans for the Police Department, in accordance with Specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108756, recorded on Microfilm Roll No. 55, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Imperial Avenue between the northerly prolongation of the easterly line of the Alley in Block M Tract No. 2 of Alta Vista Suburb, and the southerly prolongation of the easterly line of 49th Street, filed in the office of the City Clerk under official Document No. 456996; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Gould Hardware & Machinery Company, dated October 6, 1952, signed by E. B. Gould, relative to the implied liquidating of businesses in advertisements where businesses are not liquidated, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said communication was referred to the file having to do with the proposed Ordinance regulating the various kinds of sales.

Communication Immanuel Baptist Church, 3239 Mission Boulevard, dated October 8, 1952, signed by Claude L. Cudebec, recommending adoption of an Off-Street Parking Ordinance, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said matter was referred to the "Off-Street Parking file.

RESOLUTION NO. 108757, recorded on Microfilm Roll No. 55, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alleys in Blocks 246, 243, 244, 242, 241, 238 Mission Beach, and Mission Boulevard, under Document No. 456841; approving Plat No. 2362 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108758, recorded on Microfilm Roll No. 55, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Arista Street, under Document No. 456843; approving Plat No. 2368 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 Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108759, recorded on Microfilm Roll No. 55, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Birch Street; under Document No. 456839; approving Plat No. 2378 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 Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 108760, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of the Alley in Block 3 West Teralta, within the limits and as particularly described in Resolution of Intention No. 108052, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 108761, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of Bancroft Street, within the limits and as particularly described in Resolution of Intention No. 108053, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 108762, recorded on Microfilm Roll No. 55, for installation of sewers in Catocin Drive, La Dorna Street and Montezuma Road, within the limits and as particularly described in Resolution of Intention No. 108054, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 108763, recorded on Microfilm Roll No. 55, for the closing of portion of Viola Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING IMPROVEMENT NO. 108764, recorded on Microfilm Roll No. 55, for the furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, in accordance with report of the City Engineer filed in the office of the City Clerk August 29, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 108765, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of the Alley in Block 3 Ocean View, and Block 6 Ocean Beach Park, 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. 108766, recorded on Microfilm Roll No. 55, 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, 1952 to and including November 4, 1953, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 108767, recorded on Microfilm Roll No. 55, for the furnishing of electric current for the lighting of the ornamental street lights located in Logan Avenue Lighting District Number One, for a period of one year from and including November 16, 1952, to and including November 15, 1953, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 108768, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of the Alleys in Blocks 246, 243, 244, 242, 241 and 238 Mission Beach, and Mission Boulevard, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 108769, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of Arista Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 108770, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of Birch Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108771, recorded on Microfilm Roll No. 55, adopting recommendation of the City Engineer filed in the office of the City Clerk October 7, 1952, under Document No. 456849; authorizing the City Engineer to amend proceedings for said improvement in accordance with the recommendation, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108772, recorded on Microfilm Roll No. 55, granting petition contained in Document No. 456786 for the paving and otherwise improving of the Alley in Block 80 City Heights; directing the City Engineer to furnish a diagram 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 Godfrey, adopted.

RESOLUTION NO. 108773, recorded on Microfilm Roll No. 55, granting petition for the paving and otherwise improving of portions of Morrell Street and Fortuna Avenue, contained in Document No. 456476; 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; further directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 105933 for the improvement of Honeycutt Street and Morrell Street, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108774, recorded on Microfilm Roll No. 55, granting permission to Bessie L. Muehling to grade, pave and otherwise improve portion of the Alley in Block 221 Pacific Beach, by private contract; said work to be done in accordance with the plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 455106, on conditions contained in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108775, recorded on Microfilm Roll No. 55, granting permission to the Department of the U. S. Navy, represented by the District Public Works Officer, Eleventh Naval District, to install sewers by private contract in portion of Catalina Boulevard; said work to be done in accordance with the plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the office of the City Clerk under Document No. 456787, on conditions contained in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108776, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to do all the work necessary in connection with the replacement of 25 obsolete motorcycle-type receivers in City automobiles, by appropriate City forces, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

The resolution recites that the City Manager has recommended replacement, that he 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. 108777, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to do all the work necessary in connection with the installation of a public address paging system at the Police Station, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

The resolution recites that the City Manager has recommended said installation, that he 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. 108778, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to do all the work in connection with the revision and reconstruction of the public address system at the 20th and B Streets City Yards, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

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

RESOLUTION NO. 108779, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to do all the work in connection with the installation of two-way radios in three lifeguard jeeps belonging to the City, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

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

RESOLUTION NO. 108780, recorded on Microfilm Roll No. 55, approving Change Order No. 2 dated October 26, 1952, heretofore filed with the City Clerk as Document No. 457053, issued in connection with the contract with Bent Construction Company and Daley Corporation for construction of Sutherland Dam, contract contained in Document No. 452841 on file in the office of the City Clerk, changes amounting to an increase in the contract price of \$75.00, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108781, recorded on Microfilm Roll No. 55, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

- 53rd Street, north of Shelby Street;
- Ogden Street, at Wightman Street; and at Shiloh Street;
- St. James Place, at Lyndon Road;
- 55th Street, at Orange Avenue;
- Texas Street, at Lincoln Avenue,

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

RESOLUTION NO. 108782, recorded on Microfilm Roll No. 55, 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 Block 45 Sellar's Addition, more particularly set forth in said Resolution (filed under the Certificate of Title with the Registrar of Land Titles), requesting that all taxes of record against said property, together with all penalties and other expenses be cancelled, 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 cancellation of taxes and deeds, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108783, recorded on Microfilm Roll No. 55, 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 City Gardens, Bayside, Old San Diego, more particularly set forth in said Resolution, requesting that all taxes of record against said property, together with all penalties and other expenses be cancelled, 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 cancellation of taxes and deeds, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from San Diego-California Club, dated October 9, 1952, signed by T. F. Bomar, Managing Director, attaching triplicate copies of an advertising bill in the amount of \$5,229.04, covering advertising contracted for, chargeable against the appropriation made to said Club, was presented.

RESOLUTION NO. 108784, recorded on Microfilm Roll No. 55, referring to the City Attorney for an opinion on the requested payment of the bill submitted by the San Diego-California Club, dated October 9, 1952, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108785, recorded on Microfilm Roll No. 55, authorizing Philip T. Lowlor, Budget Officer, and Blake Ross, Planning Technician, to attend the annual conference of the Western Government Research Association, to be held in Sacramento, California, October 23 and 24, 1952; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108786, recorded on Microfilm Roll No. 55, denying claim of J. R. Le Page, on file in the office of the City Clerk under Document No. 456459, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108787, recorded on Microfilm Roll No. 55, denying claim of Ira Williams, on file in the office of the City Clerk under Document No. 456144, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108788, recorded on Microfilm Roll No. 55, accepting subordination agreement, executed by Bank of America, beneficiary, and Corporation of America, trustee, bearing date September 30, 1952, wherein said parties subordinate all their right, title and interest in and to portion of Lot 3 Block 9 Valencia Park 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108789, recorded on Microfilm Roll No. 55, accepting subordination agreement, executed by Hubert Kenyon, Dorothy Kenyon and May M. Grube, beneficiaries and Union Title Insurance and Trust Company, trustee, bearing date September 8, 1952, wherein said parties subordinate all right, title and interest in and to portion of Lot 36 La Mesa Colony, to the right of way and easement for storm drain purposes heretofore conveyed; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108790, recorded on Microfilm Roll No. 55, accepting deed of Carlos Tavares, Marjorie Claire Tavares, Robert F. Driver and Fredericka B. Drive, bearing date September 16, 1952, conveying an easement and right of way for street purposes in portion of Pueblo Lot 1257, setting aside and dedicating the same to the public use as and for a public street, and naming the same El Camino Del Canon; 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. 108791, recorded on Microfilm Roll No. 55, accepting deed of Irmalyn L. Pearce and Wesley T. Pearce, bearing date September 24, 1952, conveying an easement and right of way for public street purposes in 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 Schneider, adopted.

RESOLUTION NO. 108792, recorded on Microfilm Roll No. 55, accepting deed of Agnes M. Allen, bearing date September 20, 1952, conveying an easement and right of way for storm drain purposes in portion of Lot 4 Pueblo Lot 1174; 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. 108793, recorded on Microfilm Roll No. 55, accepting deed of Hiram J. Danuser and Madeline H. Danuser, bearing date August 12, 1952, conveying an easement and right of way for storm drain purposes in portion of Lot 36 La Mesa Colony; 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. 108794, recorded on Microfilm Roll No. 55, accepting deed of Walter W. Mullaney and Doris Adeline Mullaney, bearing date August 24, 1952, conveying an easement and right of way for storm drain purposes in portion of Lot 3 Block 9 Valencia Park Unit No. 1; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108795, recorded on Microfilm Roll No. 55, accepting deed of Irmalyn L. Pearce and Wesley T. Pearce, bearing date September 24, 1952; conveying an easement and right of way for storm drain purposes in portion of Pueblo Lot 1119; 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.

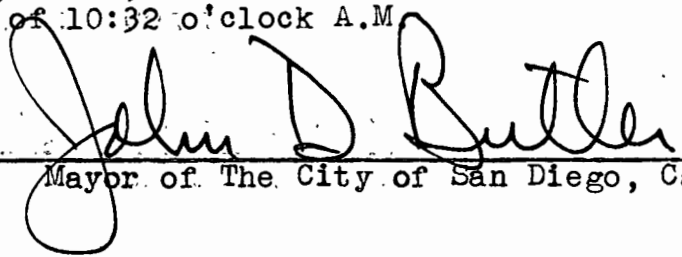
ORDINANCE NO. 5350 (New Series), appropriating \$6,700.00 from the Capital Outlay Fund for providing funds for paving and other permanent improvements on Pepper Drive, in Hollywood Park, was on motion of Councilman Godfrey, seconded by Councilman Dail, placed on its final passage at its first reading, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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.

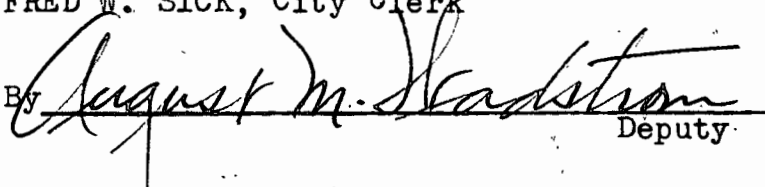
Prior to the final reading, a written or printed copy was furnished to each member of the Council.

Listed on the Agenda as having been referred to the City Manager by the City Clerk, was a petition of residents for a boulevard stop at Fern Street, making a boulevard stop at both Cedar and Fern Streets.

There being no further business to come before the Council at this time, said Regular (Adjourned) Meeting, was adjourned, on motion of Councilman Schneider, seconded by Councilman Wincote, at the hour of 10:32 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, October 16, 1952

A Regular Meeting of the Council was held this date, and was called to order by the Mayor immediately upon adjournment of the October 14, 1952, meeting which was held this date in lieu of Tuesday, at the hour of 10:32 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 the appeal of Elmer R. Austin from the decision of the Zoning Committee granting permission to erect a 12-foot by 40-foot garage within 6 inches of the side line on Lots 11 and 12 Block 80 Pacific Beach, at 843 Beryl Street, in Zone R-2, on condition that the garage be built 70 feet back from the front property line, the report from the Zoning Committee was presented and read.

The report stated that there is a 12-foot by 30-foot garage to the west of the property without the required side yard. It said that the alley at the rear is not paved but readily accessible ~~accessible~~ from either end. The report said there is a fence approximately 30 feet in from the alley line across the 50-foot width of the lot, leaving a large area not in use, and that the Zoning Committee felt it would be the proper location for the garage which could be constructed without asking for a yard variance.

The City Planning Director made a verbal report during which he showed a map of the property to the Council.

Mr. Austin spoke, and told of his existing drive which is paved. He said that construction of his proposed garage would provide a needed windbreak. He told of the adjoining garage, and of the development to be made.

Mr. Rick, the Planning Director, said that there were no protests.

Mr. Austin referred to the next door neighbor, who was in favor of his development. Mr. Austin asked for a 6" sideyard, instead of the 3 or 4 feet. He said he would "have a time" getting in if he was not permitted to build as requested. He said, too, that his house is approximately 8 feet from the sideyard, precluding construction of a garage attached to the residence.

Mr. Rick said that the proposal is complicated by the appellant wanting to put extra things in the garage, instead of in the house. He said that the Commission had found no unusual circumstances, although Mr. Austin wants the extra services in the garage so as to be near the house.

Mr. Austin said, again, that the proposed garage would provide a needed windbreak.

Councilman Schneider moved to deny the appeal, which motion was seconded by Councilman Wincote.

The roll was not called at this time. Instead, Councilman Wincote spoke on the question, and pointed out that the adjoining property might be sold.

Mayor Butler said that the Zoning Committee was not convinced that a hardship case existed.

Councilman Godfrey looked at the Zoning Committee's report, read at the beginning of the meeting. He reviewed the condition which exists. He thought that Mr. Austin had a point. He said that there is plenty of light and air, but that that it is a borderline case. He said that it is just as easy to consider the various factors involved.

Mr. Rick referred back to the Ordinance relative to the 70 feet for the garage. The garage, he said, over 30 feet back should observe the side yard. He said that there are many objections regarding encroachments. He said that if the requested variance were applicable, it would apply all over town. When asked by Councilman Wincote, Mr. Rick said that 3 feet were needed for construction of a porte cochere as a sideyard setback. He said that over 70 feet back, the garage would be permitted on the line, and pointed out that the conditions required, had not been met.

Councilman Dail said that he has a neighbor who has a 12-foot patio wall without the sideyard setback.

Councilman said that Mr. Austin is in a better position than the man who broke the law.

The Mayor contended that the Ordinance should be enforced or amended.

The question was called for on the motion to deny the appeal, resulting in Yeas--Councilmen Schneider, Kerrigan. Nays--Councilmen Swan, Wincote, Dail, Godfrey, Mayor Butler.

Thereupon, it was moved by Councilman Dail, seconded by Councilman Wincote, to grant the appeal, resulting in

RESOLUTION NO. 108796, recorded on Microfilm Roll No. 55, granting the appeal of Elmer R. Austin, 843 Beryl Street, San Diego 9, from the decision of the Zoning Committee in granting by its Resolution No. 6879 permission to Elmer and Janet Austin to erect a 12-foot by 40-foot garage with 6-inch sideyard on Lots 11 and 12 Block 80 Pacific Beach, 843 Beryl Street, Zone R-2, on condition that the "garage be built 70 feet back from the property line", and granting variance to the provisions of Municipal Code 101.0601 insofar as they relate to the property described; overruling and denying said decision, was on motion of Councilman Dail, seconded by Councilman Wincote. Kerrigan voted "Nay".

(Said action permitted the construction by Mr. Austin, as desired).

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on appeal of Wylie W. Evans from the decision of the Zoning Committee in denying permission to Mrs. Wylie M. Evans for erection of a double-faced sign on center pole with 2-foot setback on Lots 12, 13, 14 Block 16 La Jolla Park, at 321 Coast Boulevard - which had been before the Council on October 9, 1952 for hearing - the matter was brought up again.

Glenn A. Rick, City Planning Director, showed a plat of the area. He pointed out that the proposal is in violation of the Building Code. In answer to a question by Councilman Wincote, Mr. Rick said that the sign would go in to the north, in front of the "stucco". He showed the plat again, and the Council studied it in detail, asked Mr. Rick questions relative to various locations, which he answered.

Douglas Deaper, of the City Attorney's Office, was asked about the proposed sign. He said that it would be in violation of the Sign Ordinance and of the Setback Ordinance.

Councilman Wincote asked about the sign being attached to the house, and how far it would go out. Councilmen studied the plat again.

Councilman Godfrey referred to the appeal, to the continuance, and wondered about an alternate proposal which he thought would be forthcoming.

Mrs. Twila T. Jacobson, manager of Casa de la Playa, for which establishment the sign was sought, spoke again as she had previously. She said that the best thing that could happen would be that the Council acquiesce. She referred to Mr. and Mrs. Evans' circumstances, and said that the Casa provides their only income now. She said that a 4'x4' sign was not very large. She said that one of the opponents is in Mexico, and that he never sees the sign.

Councilman Schneider said that there are certain regulations which have to be upheld.

The Mayor said there might not as well be signs on Coast Boulevard, if the same arguments were presented.

Mrs. Jacobsen referred to the Casa La Jolla sign, as she had before.

Mr. Rick said that the Casa La Jolla has a legal sign, back of the setback.

Mrs. Jacobsen said that she was willing to work with the Council.

The Mayor suggested placing signs on the building, rather than as requested.

Councilman Godfrey showed a photograph of a sign in the area, and looked for an alternate plan.

Kenneth Mitchell, the Neon sign man, said that the sign suggested would not show. A roof sign, as had been referred to at the first hearing, would not be approved either. He showed a photograph of a 4'6" other sign.

The Mayor said that one could see the sign when he gets to the building. He pointed out to Mr. Mitchell that there was a speculation on the part of the sign company, regarding the sign's erection.

Councilman Godfrey said that he would oppose what was asked for. He said that a 4'6" sign, projecting from the building would not be unreasonable.

Councilman Dail said that customers are attracted by signs.

The Mayor terminated the hearing at this time.

Councilman Kerrigan expressed the belief that sign referred to should be continued, if there was to be a compromise.

Mr. Mitchell said that the Council should not have permitted the erection of the building, if the operators were not permitted to have a sign and do business.

The Mayor observed that the operators could have a legal sign, but that it had not been put up.

Councilman Godfrey said, again, that a sign should not protrude more than 4'6" from the building. He pointed out that there would be no lighting, under the proposal except for the words "no vacancy".

Councilman Godfrey made the following motion, seconded by Councilman Wincote: That the appeal be granted, except that the sign be on the face of the building and that it protrude not more than 4'6", that it be of indirect lighting, that lights be only on the "no vacancy" lettering.

The vote was not taken at this time. Instead, Mr. Mitchell said that he was not aware of a violation, when the sign had been built.

Councilman Godfrey pointed out that there is a substantial investment involved, but that the owners cannot attract trade.

The Mayor said that there is a big question mark involved.

The roll was called on the question, resulting in the following vote: Yeas--Councilmen Swan, Wincote, Dail, Godfrey. Nays--Councilmen Schneider, Kerrigan, Mayor Butler.

It was announced that the motion had failed due to lack of 5 affirmative votes needed to overrule the Zoning Committee.

Councilman Schneider then moved to deny the appeal, which motion was seconded by Councilman Kerrigan.

The following is the roll call on that motion: Yeas: Councilmen Schneider, Kerrigan, Mayor Butler. Nays--Councilmen Swan, Wincote, Dail, Godfrey. Absent--Councilmen None.

That motion lost, also.

The Mayor announced that there had been a denial of the appeal, and that the matter was as it had come from the Zoning Committee.

Communication from the Purchasing Agent, bearing the Assistant City's Manager's stamp of approval, submitting Resolution authorizing bids for 2 tractor Bulldozers for the Sanitation Department, as per specifications on file in the office of the City Clerk under Document No. 457165.

RESOLUTION NO. 108798, recorded on Microfilm Roll No. 55, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of 2 tractor Bulldozers, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Councilman Dail asked for unanimous consent at this time to present a matter listed at the end of the agenda. It was a petition from Mrs. M. Sites against the lawing of a new water line on South 69th Street and Madrone Avenue, which had been referred to the City Manager by the Clerk. He objected to the petition having been referred to the Manager by the Clerk (the Clerk had been directed to refer such matters to the Manager for report before presentation to the Council), inasmuch as he had promised Mrs. Sites that he would bring it up today and that she could be heard by the Council.

The Mayor pointed out that the matter should come up in regular order.

Councilman Dail referred to a replacement due to the small main, which accounts for lack of pressure. He referred to the background in the question.

Councilman Kerrigan left the meeting at this time.

Councilman Swan left the meeting at this time

Both Mrs. Sites and Councilman Dail spoke about the petition. Mr. Dail referred to a petition for sewer, which interested Mr. Lewis.

The Mayor said that the Council is not aware of the situation, and said that additional information is needed.

Councilman Dail said that John Bell and Ralph Campbell, of the City Water were present at the meeting. He said that they know the situation.

Ralph Campbell, City Water Department, said that the only petition of October 9, 1947, had referred only to sewer, and that it had been taken out by Mr. Ogden. He said that there is only a 2" water main in now, and that a larger main is needed.

Mrs. Sites referred to a meeting relative to water. She said that Mr. Ogden came with a petition for water, and told about terms for installation. She went into the matter of neighbors in reference to petition for water. Mrs. Sites said that Mr. Ogden, only, needs the water. She told the Council, heatedly, that no new water pipes are needed, and that she does not want to help Mr. Ogden.

The City Manager made a verbal report. He said that Mr. Ogden has a to-of-the-hill house, and that he cannot get water when others draw it. Mr. Ogden, he said, has been trying to get signers. He told the Council that Mr. Ogden has had some success, and that he has contributed where others have refused to install.

Mrs. Sites said that she did sign up, but that she has not withdrawn.

The City Manager said that there is not ample available water, if there is a fire.

Mr. Sites spoke up at this time, and referred to an area where water is available. He spoke about a 5-acre parcel of property acquired by Mr. Lewis.

Councilman Swan returned to the meeting at this time.

Mr. and Mrs. Sites continued to talk, relative to water, pipes, the petition, etc.

The Mayor said that the line would not go in, if the petition is not signed up.

Reference was made to surveyors out in the area, by the Sites.

John Bell, of the City Water Department, said that water surveyor had been out looking at the property. That, he said, is the usual procedure when it is contemplated that water lines may go in.

No action was taken.

Councilman Swan was excused from the meeting at this time.

Application of Oakley B. Davidson, 2048 National Avenue, for a Class D license to conduct public dance at "Pete's Place", at said address, was presented, together with recommendations from interested City departments for granting.

RESOLUTION NO. 108799, recorded on Microfilm Roll No. 55, granting application of Oakley B. Davidson for a Class D license to conduct public dance at "Pete's Place" 2048 National Avenue, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, submitting Revised Tentative Map of Dennstedt Point Unit No. 3, recommending that the original Tentative Map be amended to include changes as outlined in letter from the City Engineer directed to the Planning Department. It was determined to include in the Commission's recommendation that 12-foot setbacks be permitted along Bocaw Street on Lots 27, 37 and 38.

RESOLUTION NO. 108800, recorded on Microfilm Roll No. 55, amending Resolution No. 107328 adopted June 26, 1952, in connection with Tentative Map of Dennstedt Point Unit No. 3, and amending Resolution No. 108382 on the same subdivision, relative to curbs and setbacks, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, Senior Planning Technician, relative to rezoning by petition from the prevailing R-1 Zone to R-4 on portion of SE 1/4 of Quarter Section 103, Rancho de La Nacion, was presented. The report stated that the land is presently occupied by a school building constructed during the war by the Federal Government without zone variance and by the School Board as the result of zone variance, and it is now the intention to rezone it for a permanent school dist. It stated that the Planning Commission voted 5 to 0 to recommend that the area be rezoned to R-2 rather than R-4, and that no protests were received at the meeting and the representative of the School Board did not object to R-2.

RESOLUTION NO. 108801, recorded on Microfilm Roll No. 55, adopting recommendation of the City Planning Commission for rezoning from R-1 to R-2 of portion of SE

1/4 of Quarter Section 103 Rancho de la Nacion consisting of approximately 7 1/2 acres on the north side of Alleghany Street between Westport Street and Reo Drive; authorizing and directing the City Attorney to prepare and present the necessary ordinance to effect such such rezoning, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Department, signed by P. Q. Burton, Senior Planning Technician, submitting detailed report in the matter of the proposed rezoning from R-4 to RC of property on both sides of Lowell Street, commencing about 100 feet northwest of Rosecrans and terminating on Locust, consisting of Lots 9 to 12 inclusive Block 89, and Lots 1 to 4 inclusive of Block 107 Roseville, was presented. The report stated that the Planning Commission, after considerable discussion, voted 3 to 2 to deny the requested rezoning.

The City Planning Director explained the matter to the Council, and said that applicants were present. He reviewed the action which could be taken by the Council, which would be for reference to the City Attorney for the necessary Ordinance at this time, or the denial now.

At the request of members of the Council, the report from the Planning Department was read, by the Clerk.

The Mayor said that the question is that if a hearing were to be conducted now, or reference to the Attorney for the Ordinance. He said that no notices had been given for a hearing at this time, and that he did not know whether the interested parties were present.

Councilman Godfrey moved to set a hearing in the matter for 4 weeks from this date (November 13, 1952), and to refer the matter to the City Attorney for preparation and presentation of the necessary ordinance, which motion was seconded by Councilman Schneider.

An unidentified man - he did not give his name, and his name and address were not asked for by the Chairman - said that all interested persons were here.

The Mayor stressed that an orderly hearing was needed.

The roll was called on the motion, resulting in

RESOLUTION NO. 108802, recorded on Microfilm Roll No. 55, requesting the City Attorney to prepare and present an Ordinance for the rezoning of portion of Blocks 98 and 107 Roseville, from the existing R-4 Zone, to Zone RC; setting the hour of 10:00 o'clock A.M., Thursday, November 13, 1952, as the time for hearing on said proposed Ordinance, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Councilman Kerrigan returned to the meeting at this time.

Communication from Charles Elwyn Karpinski, attorney for Margaret T. Gregory, appealing from the decision in rejecting the application for license by the Psychology Commission, was presented. Said communication recited that Mrs. Gregory applied for a license under City Ordinance No. 3820, but that her application had been denied on the 29th day of September, 1952.

The Mayor inquired if Mrs. Gregory, or her attorney, were present to be heard. There was no reply.

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

Communication from San Diego Chamber of Commerce, dated October 10, 1952, signed by Chester L. Dorman, President, relative to the U.S. Army traveling exhibit which is to visit San Diego October 24 through 3, was presented. Among other things, the communication requested that the Council waive the established rental fee of \$40.00 per day inasmuch it was felt that the entire community could benefit from such a display.

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

Communication from Ed Streicher and Sons, Inc., dated October 13, 1952, signed by Max Streicher, was presented. The communication expressed opposition to the proposed off-street parking Ordinance, and stated that it will restrict and stop all new building and alterations to improve existing buildings in the downtown area as well as other established business areas in other parts of the City. The writer said he had been a member of the City Planning Commission's citizens advisory committee which devoted six months of study to a similar ordinance, and that the committee voted against the proposed measure.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said communication was referred to the hearing file (hearing set for Tuesday, October 31, 1952, at 2:00 o'clock P.M.).

Communication from El Cajon Valley Motor Goose Parade Association, dated October 13, 1952, signed by Thomas Wigton, Jr., President, was presented. It requested, in a letter addressed to Mayor Butler, permission to tender welcome at a meeting of the Council on Wednesday, November 12, at the beginning of the business docket (the Council does not ordinarily meet that day, would will on account of the 11th being Armistice day). It stated that the Association would be represented by the Parade Princess and her four attendants, a member of the Board of Directors, a photographer and reporter. It said, also, that if time permits the group should like to show color slides of last year's parade - that all in all the time involved would be about 15 or 20 minutes.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was referred to the Mayor for reply.

Councilman Wincote requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

Carl Reupsch, from the Harbor Department, spoke in favor of permitting Consolidated Vultee Aircraft Company to transfer use of its building on Pacific Highway to an insurance company. (Nothing was before the Council in writing).

George C. Bond, attorney for Consolidated, spoke. He said that the matter had been brought before the Harbor Department last year, and mentioned the fact that the Council held no meeting on Tuesday of this week, as usual. He wanted action today, if possible.

Mr. Reupsch said that Consolidated was to increase the rent.- 5¢ per year to 12¢ per year. He said that action would result in aid to Consolidated, in that it would give a capital gain.

Councilman Schneider pointed out that building was to be given to a private insurance company.

Councilman Dail said that the matter would be brought up this afternoon.

Mr. Reupsch said that the proposal has unanimous approval of the Harbor Commission. Consolidated, he said, has been most fair and generous.

Councilman Godfrey said that both sides should have the opportunity to deliberate. He wanted to make a further study of the matter.

Councilman Wincote explained that he had talked to Mr. Bond, and said that he would request the Council to look into the matter this afternoon.

The matter was continued until the afternoon session, this date.

(See later action in connection with this matter on page 40.)

At the hour of 12:00 o'clock Noon, the meeting was adjourned to the hour of 2:00 o'clock P.M., this date.

Upon reconvening, at the hour of 3:00 o'clock P.M., the roll call showed the following:

Present--Councilmen Wincote, Schneider, Kerrigan, Dail, Mayor Butler.

Absent---Councilmen Swan, Godfrey.

Clerk----Fred W. Sick

At this time, a majority of the members of the Council executed an undertaking for street lighting with San Diego Gas & Electric Company for Mission Beach Lighting District No. 2.

RESOLUTION NO. 108803, recorded on Microfilm Roll No. 55, directing notice of filing of the Street Superintendent's Assessment No. 2081 made to cover the cost of paving and otherwise improving Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlia Street, Glenfield Street, Heather Street, al., within the limits and as particularly described in Resolution of Intention No. 102016, and of the time and place of hearing thereon, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In connection with the next two matters, the Council asked Carl Reupsch of the Harbor Department for a report.

Mr. Reupsch stated, briefly, both were routine.

Communication from the Harbor Department, signed by the Port Director, submitting copy of amendment to a General Services Administration lease covering portion a portion of the 2nd deck of the Broadway Pier, was presented. The report stated that the amendment increases the rental by \$90.00 per month, which is the approximate value of the electric services supplied the Administration by the City, that the amendment was necessary due to the fact that it was economically unfeasible for the Government to provide electric service to the premises.

RESOLUTION NO. 108804, recorded on Microfilm Roll No. 55, ratifying, confirming and approving amendment of Tideland Lease, copy of which is on file in the office of the City Clerk as Document No. 457099, with the United States Navy as Lessee - original lease on file in the Office of the City Clerk under Document No. 437243, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by the Port Director, submitting form of lease with the State of California covering office space in the "B" Street Pier Headhouse. The report stated that the lease is for a term of one year beginning 1 July 1952 with options to renew to 30 June 1954, rental established at \$150.00 per month in accordance with Commission policy, and contains a provision that the lease may be cancelled upon 30 days' notice by either party.

RESOLUTION NO. 108805, recorded on Microfilm Roll No. 55, ratifying, confirming and approving form of lease, a copy of which is on file in the office of the City Clerk as Document No. 457102, with State of California Department of Public Health, Lessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Godfrey entered the meeting at this time.

RESOLUTION NO. 108806, recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego a lease with L. M. Pepper of a portion of Lot C of Pueblo Lot 262 for one year commencing June 1, 1952, at a monthly rental of \$30.000 payable monthly in advance, terms and conditions to be set forth in form of lease filed in the office of the City Clerk under Document No. 457319 - property value \$2,000.00 as disclosed by the records of the City Auditor and Comptroller, leased for the reason that the City will derive revenue not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Lease - Pep's Kerosene Service, 4804 Anna Street, San Diego 10 - is for carrying on activities in connection with storage and distribution of petroleum products.

RESOLUTION NO. 108807, recorded on Microfilm Roll No. 55, authorizing the City Manager to execute a lease with United States of America, acting by and through the Public Housing Administration - to The City of San Diego and the San Diego Unified School District as lessees - Lot 5 Block 54 Linda Vista Unit No. 1, for public education, recreational and community activities, for a rental of \$10.00 per month and for a term ending June 30, 1953 with option for an additional one year term, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Lease is in conformity with Document No. 457325 on file with the City Clerk as Document No. 457325, and has to do with Linda Vista Community Building Personal Property.

RESOLUTION NO. 108808, recorded on Microfilm Roll No. 55, granting permission to George H. Crawford Plumbing Company to install a 4" main floor drain, properly trapped and vented, on the house-side of a catch basin located in the basement of the San Diego Library Building, 830 E "Avenue", and vent the ends of waste lines discharging into the main floor drain, upon approval of the City Engineer, Property Department, Department of Public Health and City Manager, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Prior to adoption of said Resolution, Les Halcomb, Assistant to the City Manager, made a verbal explanation for the need, to the Council.

RESOLUTION NO. 108809, recorded on Microfilm Roll No. 55, authorizing and empowering the Mayor and City Clerk to execute quitclaim deed, quitclaiming to Sidney L. and Elinore Nida Davis, easement for right of way for public sewer in portion of Pueblo Lot 264; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instruction that the deed be delivered to the grantees upon receipt by the City of deed for sewer easement across portion of said Pueblo Lot 264, as desired and required by the City.

RESOLUTION NO. 108810, recorded on Microfilm Roll No. 55, authorizing and empowering the Mayor and City Clerk to execute quitclaim deed, quitclaiming to A. E. Dean Pueblo Lot 283; authorizing and directing the City Clerk to deliver said deed to the grantee thereof, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The Resolution recites that the Trustees of the City of San Diego, on November 17, 1856, conveyed to E. W. Morse a portion of said Pueblo Lot by deed recorded November 24, 1856, that the right and privilege of laying out public roads or highways was reserved, that The City has never accepted offer of dedication and has no present or prospective public use for said reservation; that A. E. Dean is the owner of the aforementioned property, and that the Manager has recommended conveyance of the City's interest.

RESOLUTION NO. 108811, recorded on Microfilm Roll No. 55, approving claim of Mrs. C. H. DeGrippe on file in the Office of the City Clerk under Document No. 457143, in the amount of \$50.43; directing the City Auditor and Comptroller to draw his warrant in favor of Mrs. DeGrippe in said amount in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 5351 (New Series), recorded on Microfilm Roll No. 55, establishing the grade of the Northeasterly and Southwesterly Alley in Block 8 College Park Unit No. 4, between the northeasterly line of College Avenue and the southeasterly line of the northwesterly and southeasterly Alley in said Block; the Northwesterly and Southeast-erly Alley in said Block between the southerly line of Montezuma Road and the southeasterly line of the northeasterly and southwesterly alley in said Block, 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 Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

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

ORDINANCE NO. 5352 (New Series), recorded on Microfilm Roll No. 55, establishing the grade of Vista Del Mar Avenue, between the northerly line of the northerly line of Marine Street and the northerly termination of Vista Del Mar Avenue in La Jolla

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 Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

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

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

The matter referred to on page 38 of these Minutes, relative to lease with Consolidated Vultee Aircraft Corporation, formerly Consolidated Aircraft Corporation, in connection with premises presently occupied by the Convair Administration Building on the east side of Pacific Highway, was brought up again.

Councilman Schneider moved to approve the Resolution.

Mr. Reupsch said that there was no Resolution here.

Councilman Schneider moved to approve the matter, under the letter from the Harbor Department, dated 16 Oct. 1952, signed by Carl F. Reupsch, Acting Port Director, relative to a modification and a lease, which motion was seconded by Councilman Dail.

Councilman Godfrey referred to the taxicab matter. He read from the Harbor Department's letter - point by point. He referred to subsequential rental, and said that there is no "disadvantage either way".

Councilman Wincote referred to the relinquishment of leases, and said that they are "willing to give back to us". He referred to other private operator to profit by the deal.

Councilman Wincote said that if we were unfortunate enough to lose the aircraft, we would be glad to have someone.

Councilman Wincote that it is different and referred to being "tied up for 80 years, now".

Mr. Reupsch said that Consolidated Vultee will back the rental (referring to the Insurance Company rent).

Councilman Schneider said that the City would not gain anything unless we go ahead with the deal.

George C. Bond, attorney for Consolidated Vultee Aircraft Corporation, said that it is the purpose to sell the building. He said, again, that it is a capital gains matter, for expansion of development. He told the Council that the building is personal property, and that part of it is on tidelands under the master tidelands lease. He said that it is the same rental as for the whole parcel, and that it is to the advantage of the City, as proposed.

Douglas Deaper, of the City Attorney's office, said that it is the opinion of the City Attorney's office that Convair can do exactly what is wanted, without the City's permission, and without amendment.

Councilman Godfrey asked Mr. Deaper if he would give a written opinion to that effect.

The question was not answered.

Mr. Bond said that the Insurance Company does not want to lose the possibility of a third party defeating its purpose, by the City moving in and cancelling. He said that the original purpose of the lease was to bring Consolidated here. He told the Council that the company can lease the portion - under the master lease - for any purpose it desires.

Mr. Sjogren, also from the City Attorney's office - who had worked on the matter, according to Mr. Deaper - read from the lease, and referred to "as long as the main manufacturing plant" is on the leased premises.

Councilman Godfrey said that it could develop into not a good deal for the City if Pacific Highway develops into another El Cajon Boulevard.

Mr. Reupsch said that relations with Consolidated, Consolidated had always been found most fair. He said that Consolidated originally owned the property on which the Airport Terminal Building stands, and said that property has been given to the City for access to parking area.

The question was called for, resulting in

RESOLUTION NO. 108812, recorded on Microfilm Roll No. 55, ratifying, confirming and approving Agreement for Modification of Tideland Lease between The City of San Diego, Lessor, and Consolidated Vultee Aircraft Corporation, Lessee, in all respects - filed in the office of the City Clerk as Document No. 457320 - directing the City Clerk to cause certified copies of said Resolution to be attached to the original and duplicate original of said Agreement for Modification of Tideland Lease, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108813, recorded on Microfilm Roll No. 55, ratifying, confirming and approving lease, a copy of which is on file in the Office of the City Clerk as Document No. 457321, between the City of San Diego, acting by and through the Harbor Commission of the City of San Diego, Lessor, and Consolidated Vultee Aircraft Corporation, Lessee, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The City Manager requested, and was granted, unanimous consent to present the next 4 Resolutions, which were not listed on the Council's agenda:

RESOLUTION NO. 108814, recorded on Microfilm Roll No. 55, authorizing the City Manager to employ Griffith Company to replace portions of the curbs, sidewalks and a driveway on Lamont Street, between Pacific Beach Drive and Crown Point Drive, as shown in red on Drawings 9335-L and 9336-L on file in the office of the City Engineer; the cost not to exceed the sum of \$1,765.90, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the Griffith Company has entered into contract for improvement of said street under the 1911 Street Improvement Act proceedings; that for drainage reasons it was necessary to change the grade on portions thereof which will necessitate replacement of portions of curbs, sidewalks and a driveway, that said contractor has offered to do said work at said sum, and that the City Manager has recommended that the offer be accepted.

RESOLUTION NO. 108815, recorded on Microfilm Roll No. 55, endorsing Proposition G as one which will enable The City of San Diego to perform more efficiently and economically its public health functions, and urges the electors of The City of San Diego to vote "yes" on Proposition G at the November 4, 1952, election, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that, subject to approval of the electors of the City and County, negotiations are pending for performance of the public health functions of The City by the County acting as the agency of the former under contract with The City; that in order to effectuate the integration of the public health functions of The City and The County by contract, a proposed additional section 60.2 of the Charter of The City has been placed upon the ballot as Proposition G for approval of City electors.

RESOLUTION NO. 108816, recorded on Microfilm Roll No. 55, endorsing Proposition F as being essential to remedy the serious surface drainage problems of The City, and urging electors of The City to vote "Yes" on November 4, 1952, election, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Said Resolution recites that there has been rapid growth of The City of San Diego, together with apparent and most fortuitous end of San Diego's prolonged drought which has created surface drainage problems which are of impelling urgency; that emergency financing is required to cope with such problems to provide which financing a three and one-half million dollar bond issue has been placed upon the ballot as Proposition F for approval of the City electors.

Resolution No. 28719 C.M.S., of the City of Oakland, opposing Legislation proposed by the County Supervisors Association to provide for a 4% Sales Tax, was withdrawn from Council Conference, and ordered filed.

Resolutions of the Cities of Inglewood; Communication from Frank Luckel, Assemblyman, State Legislature; all on the same subject, were also filed.

The following matters had been referred to the City Manager by the City Clerk, and were so shown on the agenda:

Petition for closing portion of Spreckels Avenue and Potrero Street in Narragansett Heights;


Protest of Mrs. M. Sites against laying a new water main on South 69th Street and Madrone Avenue (brought up by Councilman Dail under unanimous consent, but it still went to the Manager as shown);

Communication from R. V. Davis relative to new rules relative to trash collection;

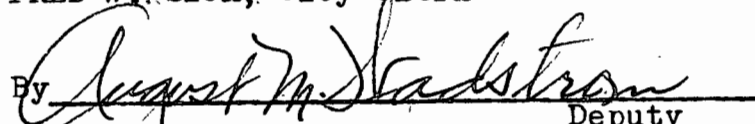
Mrs. Sophie E. Hiller and Fred W. Hiller relative to nuisance in front of 3946 La Salle Street;

Mrs. Margery S. Hutman inquiring as to whether or not City-owned Lot 13 Block 3 Drucker's Subdivision is for sale.

There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider; no second; at the hour of 3:28 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,
Tuesday, October 21, 1952

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

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.

On motion of Councilman Kerrigan, the Minutes of the Regular Meetings of the Council of October 14, 1952 (held October 16) and of October 16, 1952, were approved, which motion was seconded by Councilman Schneider. Said minutes, approved without reading, were signed by the Mayor.

The Mayor said that the City Manager had a Resolution to be brought up at this time.

On the granting of unanimous consent for the consideration of the matter, said Resolution was presented.

RESOLUTION NO. 108817, recorded on Microfilm Roll No. 55, determining that it is the sense of the Council that The City of San Diego has no funds available for the purpose of aiding or supporting private non-profit hospitals, and that even if such funds were available it would be contrary to public policy to expend public moneys in such manner, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Such Resolution recited that it has been suggested that the City might furnish public funds in aid of construction, maintenance or support of private non-profit hospitals; that the Council has been advised that the City can lawfully do so provided that the contract relationship is supported by a valid consideration; that it is the opinion of the Council that at the present the City has no moneys available for such purpose, and that it would be contrary to public policy to undertake any support for such purpose.

Councilman Godfrey entered the meeting at this time.

The Council Chambers were filled to overflowing, with a large group extending into the adjoining Conference room. The Council and the City Clerk had not been aware of three groups visiting the meeting.

The Mayor welcomed fifth and sixth grade students of the Midway School and the School Council.

At this time the Junior League of San Diego study group was introduced by the Mayor.

The Mayor made a detailed explanation of the Council's vote, and said that the matters had been considered previously in preliminary conference.

Point Loma High School seniors and the citizenship class, under direction of George Banks, were introduced at this time.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the construction of a 60" Storm Drain, 8" Pressure Sewer, and 12", 10" and 8" Water Main at De Anza Point, Mission Bay, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion and second, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of ten percent of the amount bid, which bid was given Document No. 457643;

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. 457644;

The bid of Dan E. Pace dba Pace Construction Co., accompanied by bond written by American Surety Company of New York in the sum of ten per cent of amount of bid, which bid was given Document No. 457645;

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, being the latest time set for the receiving of bids for Small Water Main Replacements Group No. II, 1952-53, the Clerk reported that 2 bids had been received, which bids were presented to the Council.

On motion made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Moffitt and Waddington Irrigation Company, 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. 457646;

The Bid of Edward C. Losch, Wilson M. Chapman, Harry B. Davis and Edwin F. Hibberd, doing business as E. C. Losch Company, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of ten percent of the amount of the bid, which bid was given Document No. 457647.

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 the Alley lying Easterly Of and Contiguous to Block K University Heights Subdivision of Pueblo Lot 1113, and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 107937, the Clerk reported that 2 bids had been received, which bids were presented to the Council.

On motion 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 \$800.00, which bid was given Document No. 457648;

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 \$800.00, which bid was given Document No. 457649.

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 time set for the receiving of bids for the paving and otherwise improving of Newell Street, Locust Street, Oliphant Street and Macaulay Street, within the limits and as particularly described in Resolution of Intention No. 107939, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion 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 \$3,000.00, which bid was given Document No. 457654;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$3,000.00, which bid was given Document No. 457655;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$3,000.00, which bid was given Document No. 457656;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$3,000.00, which bid was given Document No. 457657.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said bids were referred to the Mayor 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, within the limits and as particularly described in Resolution of Intention No. 107938, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion 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 \$800.00, which bid was given Document No. 457650;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$700.00, which bid was given Document No. 457651;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$700.00, which bid was given Document No. 457652;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 457653.

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

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on Resolution of Intention No. 108351, for the paving and otherwise improving of Landis Street, within the limits, and as particularly described, the Clerk reported that written protests had been received, which protests were presented to the Council.

The City Engineer reported that there was 58% originally, and now 48%; the original petition was signed 100% of the frontage. He said that protests are largely on an area basis.

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

The following persons were heard:

Jane Bouvet, 3445 Landis Street, protested, and said that it was too much money;

Mrs. Helen Lee, 3821 43rd Street said that the assessment would work a hardship. She said that the work should have been done when the cost was less. Mrs. Lee said that it is a dead-end street, and that the cost is too much.

The Mayor pointed out that there are estimates only at this time.

Mrs. Lee said that bills are about double the estimates.

The Mayor replied by saying that bids are thrown out if they are more than 10% over the Engineer's estimate.

Councilman Wincote said that the City did not initiate the improvement; it had been asked for by property owners.

Katherine Nelson, 3778 Wabash Street, said that she is a widow, cannot

afford the improvement, and that it would do her no good.

Lee Hopkins, 3661 Nile Street, said this is a poor time to pave, that the "price is away out of reason." She wanted to hold off for a while.

The following persons were heard in favor of the improvement:

Phil Nyberg wanted help. He pointed out being outnumbered by the area on the protest. Mr. Nyberg said he was the circulator of the petition. He told the Council that earlier property owners had not protested. He said residents have to put up with dust and dirt. He said, also, that it is like an outlying country road, and referred to the unsightly rural mail boxes on account of the road condition.

Mrs. Versa M. Bolan, 3417 Landis Street said that the improvement is needed.

The written protests referred to were from Jane A. Bouvet, Ray G. and Helen H. Lee and others; Ada T. Wandell by Lottie E. Rose, Attorney in Fact; Addie B. Sidwell, John A. Lucas and Léta T. Lucas, Mrs. Ann V. Emerson, Albin F. Koritnik and Ann D. Koritnik, Mrs. Anna Steiger, Mabel E. Woods and Arnold M. Woods, Catherine A. Nelson, William J. Jenkins, Gertrude M. Bennett, Clinton M. Mulkins, Laurence O. Burton and others.

RESOLUTION NO. 108818, recorded on Microfilm Roll No. 55, overruling and denying verbal protests of Jane Bouvet, Helen H. Lee, Katherine Nelson and Lee Hopkins; written protests of Addie B. Sidwell, Jane A. Bouvet, Ray J. Lee and others, Mrs. Helen H. Lee, John A. Lucas and others, Mrs. Anna Steiger, Mabel E. Woods and Arnold M. Woods, Catherine A. Nelson, William J. Jenkins, Gertrude M. Bennett, Clinton M. Mulkins, overruling and denying all other protests against the paving and otherwise improving of Landis Street, within the limits and as particularly described in Resolution of Intention No. 108351, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing protests on Resolution No. 108451 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 87 Point Loma 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. 108819, recorded on Microfilm Roll No. 55, determining that the proposed improvement of the Alley in Block 87 Point Loma Heights, within the limits and as particularly described in Resolution No. 108451 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 Schneider, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing protests on Resolution No. 108452 of Preliminary Determination for the improvement of the Alley in Block 12 Sunset Cliffs, within the limits and as set forth 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.

O. H. McCoy, 4434 Osprey Street, asked about the prorated cost.

The Mayor said that this is only a preliminary hearing.

The City Engineer estimated that the improvement would be \$2681, and that Mr. Coy's Assessment would be about \$275.00. He showed a plat to Mr. McCoy, and talked over the improvement, etc.

Asked by the Mayor if he still wished to protest, Mr. McCoy said that he was withdrawing the protest.

RESOLUTION NO. 108820, recorded on Microfilm Roll No. 55, determining that the proposed improvement of the Alley in Block 12 Sunset Cliffs, within the limits and as particularly described in Resolution No. 108452 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 1951 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 set for hearing protests on Resolution No. 108453 of Preliminary Determination for the paving and otherwise improving of Diamond Street, within the limits and as particularly described in said Resolution, 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. 108821, recorded on Microfilm Roll No. 55, determining that the proposed improvement of Diamond Street, within the limits and as particularly described in Resolution No. 108453 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 1951 shall not apply, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The proposed ordinance incorporating portions of Lots 37 and 40 Rancho Mission of San Diego into C Zone and CP Zone, was presented.

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. 5353 (New Series) incorporating portions of Lots 37 and 40 Rancho Mission of The City of San Diego, California, into "C" Zone and "CP" Zone, as such zones are defined by Section 101.0411 and Section 101.0410 of the San Diego Municipal Code, repealing Ordinance No. 5178 (New Series), adopted May 8, 1952, insofar as the same conflicts, 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 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.

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

Petition of Lewis H. Dowdy, 4468 - 35th Street, requesting permission to use portion of Block 341 Old San Diego, northwesterly of Camino Del Rio for storage and operation of one 30,000 gallon propane tank and four 3,000 gallon butane tanks in portion of Block 341 Old San Diego, was presented.

RESOLUTION NO. 108822, recorded on Microfilm Roll No. 55, referring the petition of Lewis H. Dowdy to Council Conference, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Petition of Eye Dog Foundation, Azusa, California, signed by Hal Evry, Chairman of the Board, dated October 16, 1952, requesting permission to place cannisters from November to Christmas, was presented. The communication mentions that it is the oldest such institution in the west, licensed by the State Guide Dog Board and operates a modern school for the blind in Azusa.

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

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, reporting on bids for furnishing 2 Diesel-powered Motor Graders for the Public Works Department, Street Division, was presented. The report stated that they were received on September 17, 1952 from 4 bidders. It recommended that the Southern Equipment and Supply Co. bid for 2 Adams Graders be rejected, and award be made to San Diego Tractor and Equipment Co. for furnishing 2 Caterpillar Graders at \$12,901 each, plus cabs at \$291.65 each, less trade in of 2 1941 Caterpillar Graders at \$3,000 each, etc., be accepted. The report stated that the Director of Public Works concurs in the recommendation, and made reference to performance and visibility in connection with acceptance, although bids recommended for adoption were not low.

Accompanying the report, was communication from the Director of Public Works, addressed to the City Manager, bearing the Assistant City Manager's stamp of approval, making a detailed report in the matter.

Cliff Coates, Southern Equipment and Supply Co., low bidder, appeared and requested that he be heard.

In recognizing Mr. Coates, the Mayor spoke about recommendation in the matter, which had been heard in Council Conference.

Mr. Coates spoke about the Adams Motor Grader, and said that for it all the specifications had been met. He said he did not agree on the "points on which thrown out". He read wires from the City of Fresno, the City of Riverside, Creswell Construction Company of Fontana, City of Bakersfield, City of Visalia.

During reading of the names of those having sent the wires, Councilman Dail was excused.

The Mayor said that the wires constituted opinions, and said that for the City's use, the graders proposed were better, especially on the rougher work.

Mr. Coates said that Adams was the first, and is leader in the field.

The Mayor said that members of the Council had looked at pictures, in relation to visibility.

Mr. Coates said that the pictures are prejudiced.

Councilman Dail returned to the meeting.

The Purchasing Agent was present at the meeting, and he showed the pictures referred to by Mr. Coates. He also told of the bids, and made reference to the trade-in.

Mr. Coates contended that the bids were on heavier machine than the Caterpillar, and would allow a higher trade in. He stressed that his machine exceeded specifications. He said that the report had been based on personal opinion, and asked for consideration, on the basis of facts. Los Angeles City, he said, can give comparative cost for operation on the Adams and the "Cats". He said he will not accept the statements contained in the report.

Councilman Godfrey stressed that there was not an arbitrary decision, based on personal opinion and prejudice. He said the entire picture had been taken into consideration which the bids were put out.

The Purchasing Agent outlined the matter of the blade, and the visibility. He told of claim for the improved visibility.

Mr. Coates said that he spoke of "facts". He showed pictures taken on the Adams and on the "Cat". He referred to angles of the blades in the photographs, and showed the Council literature put out by Caterpillar. He stressed that it is easy to make

an error in taking a picture. He said that there is nothing to detract from the Adams machines, and requested that the award be made for the Adams graders.

Councilman Schneider told Mr. Coates that members of the Council are not experts, and that they do not know about such things, but that they have to depend upon City people who do know.

Mr. Coates said that he did not wish to, and was not throwing rocks at anyone.

Councilman Godfrey referred to the pictures. Mr. Coates explained them relative to the angle of the camera when they were taken. He spoke about the camera angles used on the two machines.

Councilman Wincote said that the Council has to be governed by recommendation of the City staff. He wondered if a one-week delay was desired.

Mr. Coates replied that that was his idea.

The City Manager pointed out that it was not the opinion of one man on the machines, but that several had worked on them. He suggested that the Council look at the 2 pieces of equipment (Adams and Caterpillars).

Councilman Dail moved to continue the matter one week.

Councilman Wincote said again that the Council has to be governed by the City's experts.

Councilman Wincote seconded the motion for continuance for the period of one week.

It was decided, after considerable conversation, that the matter could be brought up again today after the Council had looked at the equipment.

The matter was, however, continued until this afternoon's meeting although the motion was for postponement for one week.

After decision had been made to continue the award until this afternoon, Mr. Booth, representing the Caterpillar dealer, asked that the Council see a brand new machine.

Mr. Coates said that he does not have a new machine in stock.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing the City's requirements of bulk water purification lime for a period beginning October 15, 1952 and ending June 30, 1952, were received October 8, 1952, was presented. The report stated that seven lime producers were furnished bid specifications, but that Arrowhead Lime & Chemical Co. was the sole bidder, and that the price quoted is the same as was charged the City by said company about 2 years ago. It stated that the quality and services are satisfactory, and recommended award on the basis of bid and as set out in the communication.

RESOLUTION NO. 108823, recorded on Microfilm Roll No. 55, accepting bid of Arrowhead Lime & Chemical Co. for furnishing The City with requirements of bulk water purification lime for a period beginning October 15, 1952 and ending June 30, 1953; awarding contract, authorizing and instructing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting that Resolution No. 108525 adopted by the Council on August 26, 1952, had awarded to Bay Shore Motors of San Diego six Ford 4-door sedans for the Police Department; said company advises that the Ford Motor Company is unable to supply heavy duty front seat assemblies, heavy duty clutch, heavy duty floor mats ordered as extras at \$28.50 per car, submitting Resolution authorizing amendment eliminating the heavy duty material, was presented.

RESOLUTION NO. 108824, recorded on Microfilm Roll No. 55, authorizing the Purchasing Agent to accept six Ford 4-door sedans, without heavy duty front seat assemblies, heavy duty floor mats and heavy duty clutch, at a reduction in the contract price of a total of \$171.00 plus State sales tax, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution makes reference to the changes, in the same manner as the Purchasing Agent's report.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for approximately 260 Rainsuits and approximately 40 coats for the Public Works Department, as per specifications on file in the office of the City Clerk bearing Document No. 457337, was presented.

RESOLUTION NO. 108825, recorded on Microfilm Roll No. 55, authorizing bids for furnishing approximately 260 rainsuits and approximately 40 coats in accordance with Document No. 457337, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent submitting Resolution authorizing bids for furnishing 8 to 12 Transmitter-Receivers for the Public Works Department, as per specifications on file in the office of the City Clerk bearing Document No. 457338, was presented.

RESOLUTION NO. 108226, recorded on Microfilm Roll No. 55, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 8 to 12 Transmitter-Receivers in accordance with Document No. 457338, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108827, recorded on Microfilm Roll No. 55, approving all spans and specifications for furnishing labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of De Anza Point Sewage Pump Station and Appurtenances, filed in the office of the City Clerk and bearing official Document No. 457339; 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. 108828, recorded on Microfilm Roll No. 55, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the Improvement of Idaho Street South of El Cajon Boulevard, filed in the office of the City Clerk on the 20th day of October, 1952, and bearing official Document No. 457340; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108829, recorded on Microfilm Roll No. 55, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Replacements of Small Water Mains, Group III 1952-53, filed in the Office of the City Clerk on the 20th day of October, 1952, and bearing official Document No. 457341; authorizing and directing the Purchasing Agent to proceed to publish notice to contractors calling for bids therefor, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the City Manager's stamp of approval, and the Assistant City Manager's signature of approval, relative to the closing of portion of Laurel Street adjacent to Lots 20, 21, 22 and 23 Wadsworth's Olive Grove, and directing the City Engineer to institute the necessary closing proceedings; reporting that portion of Laurel Street was closed on October 3, 1952 by Decree No. 176171 of the Superior Court; recommending abandonment of proceedings, was presented.

RESOLUTION NO. 108831, recorded on Microfilm Roll No. 55, abandoning proceedings heretofore taken for closing of portion of Laurel Street in accordance with Resolution No. 108608 which granting petitions therefor, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from Pacific Indemnity Company, dated October 16, 1952, signed by J. M. MacConnell, reporting on claim of Mrs. W. E. Braine, stating that the case was closed by payment of \$355.50 on October 14th, 1952, was presented.

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

RESOLUTION NO. 108832, recorded on Microfilm Roll No. 55, 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, 1952, to and including September 14, 1953, in accordance with the Engineer's Report and Assessment filed August 29, 1952, in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108833, recorded on Microfilm Roll No. 55, approving plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the Alleys in Blocks 103 and 104 University Heights, under Document No. 456993, approving Plat No. 2118 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. 108834, recorded on Microfilm Roll No. 55, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Thor Street, under Document No. 456991, approving Plat No. 2369 showing the exterior boundaries of the district to be included in the improvement 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 ORDERING WORK NO. 108835, recorded on Microfilm Roll No. 55, for the installation of sewers in Balboa Avenue, Pasadena Street, Albuquerque Street, De Soto Street, Del Rey Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108134, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 108836, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of Commercial Street, within the limits and as particularly described in Resolution of Intention No. 108136, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 108837, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of Missouri Street, Jewell Street and Public Right

of Way, within the limits and as particularly described in Resolution of Intention No. 108137, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 108838, recorded on Microfilm Roll No. 55, 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, 1952, to and including September 30, 1953, in accordance with the Engineer's Report and Assessment filed September 5, 1952, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 108839, recorded on Microfilm Roll No. 55, for the closing of portion of 19th Street, within the limits and as particularly described in said Resolution; determining that it is not necessary that any land be taken therefor; setting out the exterior boundaries of the district to be affected and to be assessed, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 108840, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of the Alleys in Blocks 103 and 104 University Heights, was on motion of Councilman Dail, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 108841, recorded on Microfilm Roll No. 55, for the paving and otherwise improving of Thor Street, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108842, recorded on Microfilm Roll No. 55, 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 Congress Street, Mason Street, Twiggs Street, Harney Street and Conde Street, within the limits and as particularly described in Resolution of Intention No. 107164, and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108843, recorded on Microfilm Roll No. 55, 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 La Palma Street, within the limits and as particularly described in Resolution of Intention No. 107165 and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108844, recorded on Microfilm Roll No. 55, approving the 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 32 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 106665, and to be assessed to pay the expenses thereof; directing the Clerk of the City of San Diego to certificate, at the same time of said approval, the date and fact thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108845, recorded on Microfilm Roll No. 55, approving the 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 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 104766, and to be assessed to pay the expenses thereof; directing the Clerk of the City of San Diego to certificate, at the same time of said approval, the date and fact thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108846, recorded on Microfilm Roll No. 55, approving the diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of El Carmel Place and Ocean Front, within the limits and as particularly described in Resolution of Intention No. 106323, and to be assessed to pay the expenses thereof; directing the Clerk of the City of San Diego to certificate, at the same time of said approval, the date and fact thereof, and to immediately deliver said diagram so certified to the Superintendent of Streets, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108847, recorded on Microfilm Roll No. 55, adopting the recommendation of the City Engineer filed in the office of the City Clerk on October 20, 1952, under Document No. 457363; authorizing the City Engineer to amend the proceedings for improvement of portion of 44th Street in accordance with said recommendation, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108848, recorded on Microfilm Roll No. 55, granting petition contained in Document No. 456883 for the installation of sewers in Madera Street; 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 of said improvement, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108849, recorded on Microfilm Roll No. 55, granting petition contained in Document No. 456882 for installation of sewers to serve portion of Sunshine Gardens Subdivision; 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 of said improvement, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108850, recorded on Microfilm Roll No. 55, ascertaining and declaring the prevailing wage schedule, pursuant to the authority vested by provisions of the Improvement Act of 1911 and amendments - covering quality of service for 8 hours for various crafts, laborers, types of workmen or mechanics needed - was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

The next two Resolutions were adopted, at the end of the meeting upon unanimous consent granted to the City Manager, and were numbered by the Clerk out of order to accommodate the Engineers of Work upon the project:

RESOLUTION NO. 108851, recorded on Microfilm Roll No. 55, approving plans and specifications for construction of sanitary sewer trunk main and water main trunk line in and for the proposed Kearny Mesa Improvements District, in the City of San Diego and Unincorporated territory of the County of San Diego adjacent to the said City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108852, recorded on Microfilm Roll No. 55, approving plat of assessment district in the matter of Kearny Mesa Improvement District, in the City of San Diego and Unincorporated territory of the County of San Diego adjacent to said City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said plat of the Assessment District No. 2389 was prepared under direction of J. R. Lester Boyle, Engineer of Work, heretofore appointed by the Council.

RESOLUTION NO. 108853, recorded on Microfilm Roll No. 55, giving Notice of the Proposed Annexation to The City of San Diego of a portion of Lot 53 Ex-Mission Lands of San Diego, in the County of San Diego, State of California, to be known and designated as "Imperial Avenue Tract", was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108854, recorded on Microfilm Roll No. 55, directing the City Attorney to file a petition with the Board of Supervisors of San Diego County for cancellation of taxes, penalties and deeds against portion of Lots in Pueblo Lot 259, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, and cancellation of all deeds to the State of California for delinquent taxes, authorizing and directing him to take whatever steps he may deem necessary otherwise to secure cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108855, recorded on Microfilm Roll No. 55, directing the Property Supervisor to petition the County Board of Supervisors for cancellation of taxes, penalties and deeds against City-owned property in portions of Lot 23 Lemon Villa, portions of Lots 22 and 23 Block 1 Berkeley Heights; directing him to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108856, recorded on Microfilm Roll No. 55, directing the Property Supervisor to petition the County Board of Supervisors for cancellation of taxes, penalties and deeds against City-owned property in Lots 3 to 8 Block 86 San Diego Homestead Union; directing him to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108857, recorded on Microfilm Roll No. 55, directing the Property Supervisor to petition the County Board of Supervisors for cancellation of taxes, penalties and deeds against City-owned property in portion of the northeast quarter of Pueblo Lot 1152; directing him to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108858, recorded on Microfilm Roll No. 55, directing the Property Supervisor to petition the County Board of Supervisors for cancellation of taxes,

penalties and deeds against City-owned property being portion of the north 40 acres of the south 80 acres of Pueblo Lot 1202; directing him to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108859, recorded on Microfilm Roll No. 55, approving Change Order No. 1 dated 26 September 1952, heretofore filed with the City Clerk as Document No. 457302, issued in connection with contract between The City and R. E. Hazard Contracting Co. for construction of roadway from 8th Street to 10th Street Pier - contract on file in the office of the City Clerk - changes amounting to increase in the contract price of \$350.00, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108860, recorded on Microfilm Roll No. 55, authorizing the City Manager to employ Al E. Riley to remove the end-dump fill on Playa del Norte, and fill the same with proper fill material - cost of work not to exceed \$650.00, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Said Resolution authorizes that the City has entered into contract with Riley for improvement of Playa del Norte under 1911 Street Improvement proceeding, that in excavating a trench it was discovered that portion of the street area approximately 150 feet in length by 20 feet in width, and 4 feet in depth was end-dump filled; composed of tin cans, rubbish, palm roots, etc., and it is necessary to remove the material and import proper fill material before the fill, that the contractor has offered to do said work at and for \$650.00, and the City Manager has recommended that said offer be accepted and work be done.

RESOLUTION NO. 108861, recorded on Microfilm Roll No. 55, authorizing the City Attorney to compromise the claim of Odis Walker claiming the sum of \$134.16, on file in the office of the City Clerk under Document No. 456702, for \$62.00; directing the City Auditor to draw his warrant in favor of Odis Walker in the amount of \$62.00 in full payment of the aforesaid claim, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108862, recorded on Microfilm Roll No. 55, accepting deed of Union Title Insurance and Trust Company, bearing date October 10, 1952, conveying a portion of Lots 9 and 10 of The Highlands, together with portion of adjoining unnamed street now vacated and closed to public use, and a portion of Lot 78 Rancho Mission; 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.

Proposed Resolution rescinding Resolution No. 98994 adopted August 8, 1950 making a finding relative to use of portion of Block 341 Old San Diego by Claude R. Conklin, owner, and Lewis H. Dowdy, lessee, for butane-propane gasoline plant, was presented.

RESOLUTION NO. 108663, recorded on Microfilm Roll No. 55, referring said proposed Resolution to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

ORDINANCE NO. 5354 (New Series), recorded on Microfilm Roll No. 55, appropriating the sum of \$325.00 from the Unappropriated Balance for the purpose of providing funds to pay the judgment for costs in the case of Robert E. Hoffman, et al. vs. The City of San Diego, et al, 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 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.

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

ORDINANCE NO. 5355 (New Series), recorded on Microfilm Roll No. 55, authorizing and empowering the City Manager to execute for and on behalf of the City a lease with San Diego Unified School District of a portion of Pueblo Lot 1311 for the term of 3 years at an annual rental of \$100.00, payable at the end of each year in accordance with form of lease filed in the office of the City Clerk, 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 Godfrey, 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.

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

The next matter was presented by the City Manager, upon unanimous consent granted by the Council:

RESOLUTION NO. 108664, recorded on Microfilm Roll No. 55, granting revocable permit to Continental Baking Company, 171 14th Street, San Diego, to install an 8,000 gallon gasoline storage tank underneath the sidewalk on Imperial Avenue, adjacent to the property of said Company, to replace the present 500 gallon storage tank, upon the various conditions contained in said Resolution, repealing Resolution No. 108397 adopted September 18, 1952 (which Resolution granted permission to make the installation around the corner, which which location had to be changed on account of difficulty encountered with underground services in that area), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108665, recorded on Microfilm Roll No. 55, vacating unnamed easements more particularly described in said Resolution; all being on Map No. 2189 being in C. C. Tatum's Bay Hills Mesa (now Clairemont Unit No. 9); determining that pursuant to Section 5044 of the Government Code of the State of California, the title reverts to the owner free from the rights of the public, directing certified copy of said Resolution to be recorded in the Office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that Burgener-Tavares and The Union Title Insurance and Trust Company (through Civil Engineer Freeland, Peterson & Evenson) have filed petition supported by their Map #2189 City Clerk's Document No. 455795 for vacation of easements in C. C. C. Tatum's Bay Hills Mesa Subdivision; easements are entirely unimproved and have not been used for the purpose dedicated for the last five consecutive years; the easements are in property being resubdivided as Clairemont Unit No. 13; vacation thereof has been approved by the City Manager, Planning Director, City Engineer and City Properties Department.

The City Manager spoke about the action which had been taken at the morning session relative to Landis Street. He said that the matter, upon which protests had been overruled and referred to the City Attorney. He said that action taken ought to be reconsidered.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, this morning's action was reconsidered.

On motion of Councilman Kerrigan, seconded by Councilman Dail, said proceedings for improvement of Landis street was, referred to the City Manager for investigation, by RESOLUTION NO. 108666.

There being no further business to come before the Council at this time, said meeting was adjourned until the hour of 2:00 o'clock P.M. this date, for which time the proposed Ordinance Amending Division 6 Article 1 Chapter X of San Diego Municipal Code providing for off-street parking, had been set for hearing, the meeting was adjourned on motion of Councilman Kerrigan, seconded by Councilman Godfrey.

Upon adjourning, the Mayor said that Douglas Deaper, of the City Attorney's Office, had an opinion in connection with the off-street parking matter to come up later today. He wondered if Mr. Deaper would care to give it to the Council at this time.

Mr. Deaper said that he preferred to give the opinion to the Council in Conference.

Thereupon, the Mayor announced upon leaving the Council Chambers at 11:40 o'clock A.M. that members of the Council would go into Conference immediately.

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, Godfrey, Mayor Butler.

Absent---Councilmen None
Clerk----Fred W. Sick

The hour of 2:00 o'clock P.M. having arrived, the time set for hearing on the proposed Ordinance amending Division 6 Article 1 Chapter X of the San Diego Municipal Code, by adding a new section, numbered Section 101.0601.1, requiring Off-Street Parking, having arrived, the hearing was brought up at this time.

Mayor Butler explained, in the beginning, and made reference to the proposed Ordinance, which he said had been initiated by the City Planning Commission. He said that while it was not deemed an answer to all problems, he hoped that it would result in a workable plan. He said, again, that the Ordinance had been not only considered by the Planning Commission originally, but that it had been re-considered. He asked Glen Rick, City Planning Director, to make a verbal report.

Glenn A. Rick, the Planning Director, said that the Planning Commission had met the night previous to the hearing and felt that the Ordinance should be modified on 3 points. He said it was proposed to exempt the center core of the Central Traffic District from terms of the Ordinance, which would be the Central Business Area from 1st to 8th Avenue and from E to A Street. He said that there were differences in the matter of interpretation and said that new buildings to apply only. He referred, also to industrial use, which he said appeared to be too drastic. For that, he recommended 1 place for every 5 employees, which he said should go into the Ordinance.

Many communications for and against the Ordinance were in the file, but they were not called for, and no action was taken on them.

In opening the hearing, the Mayor invited the proponents to be heard, first. He suggested that remarks be brief, and that there be not a lot of repetition. He asked Mrs. John E. Merrick, 714 San Luis Rey Place, Mission Beach, to be heard first. Mrs. Merrick said she represented areas in favor of the Ordinance adoption. Parking, she said, is the

most important civic problem today. She contended that off-street parking is needed. She said that Mission Beach is surrounded by water, and that there is no way to expand. Everyone going to the Beach finds a problem; even residents cannot have services in the area. It was her contention that it is a problem and a nightmare. Mrs. Merrick said that the streets are used for parking lots, and declared that the public would benefit by adoption of the Ordinance.

The Honorable Frank Luckel, member of the State Assembly and chairman of the transportation and commerce commission, was heard. He referred to parking elsewhere. He said that it works out all right in some cities where it is regulated. The Assemblyman told of a new highway program under consideration.

Mrs. Merrick spoke relative to amendments, and said that it is not the idea to work a hardship on anyone. She pointed out that all were here to hear both sides of the issue. She insisted that outside areas need relief.

David H. A. Pain, from the Ocean Beach Chamber of Commerce, was heard next. He said that Ocean Beach is conscious of the problem of parking, and said that the Council will hear about meters there soon. He said that the situation is bad in the beach - worse downtown. He said that parking areas are needed in connection with new construction. He made mention of the new de-centralization under way. He said appeal should be made to the people on whom businesses depend, which he said needs to include the entire City.

An industrial areas survey will determine such need, he said. Mr. Pain expressed the belief that the Transit System's opposition to the provisions of the parking ordinance is a selfish one. He said that a major problem exists about shopping, and that many people do not want to battle downtown traffic.

The Mayor referred to the downtown exemption, and said that the Attorney finds that the downtown section can be exempted.

Mr. Pain said that the Ocean Beach Chamber of Commerce is in favor of off-street parking.

Douglas McKellar, president of the La Jolla Town Council, endorsed the principle of off-street parking - taking into consideration comments made by the City Planning Director.

Vernon Taylor, president of the Pacific Beach Business and Professional Association, was introduced. Mr. Taylor spoke, and said that while he is not president, as introduced by Mrs. Merrick, he had been delegated to speak for the association. He read a letter relative to responsibility for providing parking, in favor of the ordinance to regulate. He told of no stand taken on a City-wide basis, said that no hardship is wanted, and is interested on an area basis.

Mrs. Parson (who did not give her first name), a Mission Beach property owner, urged consideration of the ordinance, and said that there is a great problem. She referred to a building being constructed with 30 units, about to be opened, and said that there are no garages in connection with the building.

The Mayor asked if there were any other speakers in favor of the Ordinance. No one else responded, and he ordered the hearing closed for the proponents.

The following persons were heard in opposition to the Ordinance.

James Archer, Vice President of the San Diego Chamber of Commerce appeared in lieu of president Dorman, who could not attend. Mr. Archer said that in his opinion there was nothing before the house to be debated today. He referred to 3 years of study on the problem, and said that some of the objectionable features had been studied, for removal. He said that he felt that the Ordinance, in form for proposed adoption, should be published for study - for study of one area against another. He said that the Council had not known of the Planning Commission's meeting of last night. He referred to study of the previously-considered ordinance. Mr. Archer said that sample ballots had been sent out by the Chamber of Commerce to members, and that 75% of the replies received had opposed the prior Ordinance. He said that two thirds of the negative votes wrote explanations. He submitted two letters from Nicholas J. Martin on the subject, which he filed.

The Mayor said that this was "still a meaningful hearing", and that action would be determined as a result of today's hearing by the Council.

Arthur H. Marston, Jr., member of the Chamber of Commerce, read from a report of the Chamber of Commerce Traffic Committee. He read to the Council the personnel of the committee. He pointed out that there were various types of interests represented. Mr. Marston said that differences in opinion were great, and that the Ordinance would be difficult to draw. He said that parking varies widely, and made reference to small haphazard parking areas. He said that there are other approaches than an irrevocable ordinance, relative to parking legislation. He spoke also relative to parking meters turnovers and loading zones. He said that he had Chamber authorization to make the appearance for presentation of the views. He said that another committee had worked about the same time, and had reached about the same conclusion. Next, he read a report which said that the parking regulation would not necessarily be for the benefit of the property owners who would bear the expense. It was recommended by Mr. Marston that the recommended ordinance be not enacted.

George Bond Attorney for Consolidated Vultee Aircraft Corporation, brought several maps which he exhibited. On them he showed the problem which exists. He referred to the ordinance which has in it provision for supplying one space for every employee. It was his contention that aircraft needs change from year to year. He told, too, of the various shifts and of limited space. Mr. Bond said that it would call for space inside of the buildings if the 1,000 foot area provision were enforced. He said that Convair provides 1813 parking spaces, but that it would be required to provide for 5,000 cars under the ordinance, which he termed an unreasonable requirement. He referred to the proposed amendment, as presented by Mr. Rick. He said that even that would require more space than is obtainable. He said that if the ordinance had been in effect, it would have been unable to build the scientific building. Mr. Bond said that Convair could not build a future building. He referred to free industry, and to the prevention of expansion. He referred to leased area for parking, which is to be used for no other purpose. He maintained that there is an arbitrary, unreasonable provision. Next he referred to the downtown area problem, and wondered who would be in and who would be excluded. He said that it could be beneficial, if not required to provide parking. He told of Convair's "share the ride" program, which relieves much of the parking problem, and said that it is successful. He said there is more available than twice that for the employment during the war. Mr. Bond said that the problem can be solved by Convair for itself. He urged sending the ordinance back, and dropping it as unnecessary.

Robert Golden, vice president of the Golden Construction Co., also a member of the San Diego Chamber of Commerce, spoke. He said that the ordinance would be

bad for the building industry, industry. It said that it would be necessary to purchase more real estate for additional automobile parking. He told of the problem of the small merchant who could not afford to purchase property to provide parking in connection with his business. He referred to the needed parking space in the ordinance, if floors were added to buildings, or buildings remodeled. He said that it would be impossible to handle the real estate. He told the Council that it is unnecessary for a building to provide parking. It was his opinion that outside merchants are no better off than downtown businesses. He referred to the loading dock set up in the ordinance, and said that would be uneconomical. He thought it might be advisable to provide for early hours of loading. He said that the ordinance would curtail new buildings and remodeling.

Mr. Foster, Vice President of Barnes-Chase Company, spoke. He said that the proposed ordinance would choke the City. He referred to discrimination against the small business man. In his opinion, the parking problem was overemphasized. He said that even Sears acres and acres are not enough for its needs. He contended that the parking problem will not stop business. He wanted the problem worked out without legislation. He spoke for free enterprise, and said that downtown parking lots are not filled all the time. He referred to the parking facilities which would curtail growth.

A. S. Packard, Arts & Crafts Press, spoke as an individual, and as a member of the San Diego Chamber of Commerce. He said that small businesses will suffer. He told of the necessity to acquire more space, under the ordinance. He said that his company might have to go outside of the City limits, if the Ordinance were enacted. He said that the parking space provision would make business unfeasible. He referred to the boundary, and said he would have to go out of business on account of the parking spaces and loading space needed under the Ordinance. He said that the Ordinance would stop growth, or would force business out.

The Reverend Harold B. Robinson, Rector of St. Paul's Church, protested the proposed ordinance. He said that legislation is not needed. He mentioned that he had headed a subcommittee of the San Diego Chamber of Commerce regarding parking. He contended that the proposed ordinance should not apply to churches, schools, or other places of public assembly. He referred to older establishments near the newer business establishments, and becoming nearer the business area. He said that school parking is no problem. He said that the new churches are out of the commercial area, and spoke of investment for lots for new churches. If the Ordinance goes into effect, he said, they would be affected, and could not go in. He recommended that the Ordinance be not adopted.

Arthur Marston, President of The Marston Company, said that so much had been said on the same subjects, that he would dwell on the loading zone requirement. He recommended elimination of Section B relative to frontage on streets requiring off-street loading space. He told about the danger in backing out across sidewalks, where there would be many pedestrians. He referred to the loading docks provided for large, heavy equipment, and said that establishments have them where needed. He referred to small businesses, and again to the dangers of crossing sidewalks against pedestrian traffic.

Councilman Dail asked Mr. Marston about the effect of the Ordinance, and the Council's action.

Mr. Marston replied that the Ordinance has been considered on each individual problem, and referred to the small blocks which exist in Horton's Addition. Then he said that more than half of the downtown traffic comes through public transportation. He said that the ordinance cannot apply to all.

Mr. Archer spoke relative to ordinances in other cities, and said that San Diego's is more severe. He referred to it being complicated by the inclusion of many problems. He referred to the need for various problem studies, and said that the Chamber of Commerce is willing to study the matter, and to cooperate.

Councilman Kerrigan asked Mr. Archer if the City is beyond its depth in all legislation on the subject.

Mr. Archer replied that the City does not have certain responsibilities; certain parts can be solved by individuals.

O. W. Cotton, Downtown Association, was heard next. Mr. Cotton told of the newly formed association, and said that there were several speakers whom he wished the Council to hear. He informed the Council that he would introduce each of them. Mr. Cotton said that the Association is formed for the purpose of stabilizing and promoting the downtown district. He said that there are about 80 members now. He opposed the ordinance, and said that its enactment would be a serious blow.

Mr. Cotton introduced the following several speakers, each of whom spoke, after a brief reference to connections with the downtown group:

Anderson Borthwick, president of the First National Bank, commended the Planning Commission for recognizing the parking problem. He spoke against the obsolescence of downtown buildings, the reduced area to be considered. He said that A to E, 1st to 8th might restrict improvements. He said that the Clearing House opposes the ordinance.

Guilford H. Whitney, Whitney & Co., spoke as a downtown property owner. He referred to the proposed ordinance amendment. He visualized application of the ordinance to the downtown area. He said that under the Ordinance, it would necessitate great gaps, for parking - from building to building, which would call for a spread. He said that San Diego and San Francisco alone have a close-knit downtown area. He said that the amendments proposed are one step forward, but are not adequate. He then made reference to parking requirements for additions to buildings, and told of the added parking that would be called for even if he were to add a mezzanine. He said some method for exemption would be needed. He referred to the loading zones.

Councilman Dail was excused from the meeting at this time.

Mr. Whitney continued speaking about the loading zones requirements, and said that there is not need for that. He referred to the disadvantageous position that would result from the Ordinance.

Councilman Dail returned to the meeting.

Joseph E. Jessop, J. Jessop & Sons, spoke. His remarks were made as chairman of the downtown parking committee. He spoke about the committee, and made reference to the existing Park and Shop plan. He told the Council that 2122 spaces are available under the plan. The plan, he said, is working well, and emphasized that all available spaces are not filled all the time. He said that more areas are available for use, when needed. He commented that the parking problem is being solved. He referred to the map posted on the Council Chamber wall, and spoke of the 1st to 9th, G to Ash district. Mr. Jessop said that there are in the downtown area included in the plan 81 Retail Stores, 4 Banks, Building and loan Associations; Downtown real estate owners, which would be included. He said that there has been discussion on other plans.

Mr. Cotton said it has not been found practical, upon being asked, to add decks on parking lots at present. (Mr. Cotton is a property manager, and has under his

direction several parking lots, also).

Walter Ames, attorney with the firm of Grey, Carey, Ames & Frey, spoke about downtown San Diego for stabilization of investments. He referred to the downtown businesses, which he said are in no controversy with outlying area. He asked the Council not to impose larger problems on the downtown area. He called for constructive thinking downtown relative to conversation on parking. He continued, by saying that he was concerned, San Diego being a fast growing City. He said, however, that the downtown area has stood still since about 1928. Mr. Ames said that there are a lot of problems downtown, but that downtown San Diego is vital. He said that neighborhoods are apt to be concerned with neighborhood problems, and that San Diego's downtown competes with those of other cities. He contended that it is disastrous to hold the ordinance over the downtown property owners. If the Ordinance had been in existence, Mr. Ames said, certain improvements could not have been made. He said that they ought to have the opportunity to see what downtown San Diego can do. He said do not ruin the area.

Fred Mitchell spoke about holdings on the perimeter, and referred to trying to provide off-street parking. He said that he believes in it, where it is feasible. He said that he is planning a new building which can use the next door parking lot. He referred to changes, which could not have been done if the parking spaces had been required. He said that the Council cannot legislate on the whole City. He said that the answer is public parking lots, and that another hearing may be needed. Mr. Mitchell assured the Council that parking is a business - not a problem. He said that many of the lots now used for parking had previously had buildings on the.

Mr. Cotton spoke again, and said that the Ordinance would prevent most downtown expansion. Expansion, he contended, is healthy. He said that the public and owners want a congested traffic area, with stores as close together as possible. He said that the downtown district must develop to the interest of all, and admitted that off-street parking is a problem. He spoke for continued expansion, and asked the Council not to kill the use of property. Mr. Cotton thanked the Council for its time and its consideration. Upon being questioned, Mr. Cotton said that he had been interested in downtown parking lots for 10 to 15 years, about 3 of them are downtown, and a few are out.

Mr. Cotton said that he had been asked by Mrs. Cora Jackson to present her. He said, that he felt that was not his prerogative, inasmuch as she is not a member of his association.

The Mayor recognized Mrs. Jackson, who appeared at the microphone to be heard.

Mrs. Cora Jackson told the Council about 3 families who own a building on Broadway. She said, too, that parking is needed, but suggested that it be placed under the Courthouse. She said that the value of land downtown is prohibitive for use as parking lots, as provided by the Ordinance. She said she opposed the proposed ordinance.

H. T. Wohlgast spoke as an individual, relative to the ground coverage in the R-4 area. He said that apartment houses would require parking lots, which probably could not be acquired. He opposed the Ordinance.

Paul Borgerding spoke, and said that he has a selfish interest, inasmuch as he owns property adjacent to 8th Avenue (referred to earlier, as a possible boundary). He referred to discrimination relative to the restricted area. He said he would be prohibited from remodeling his property, under the Ordinance. He said he acquired the area about 2 years ago, and referred to the inner fire area.

Homer W. Grimes, representing Scott Memorial Baptist Church, spoke. He told, as minister, about various churches in San Diego, and said that facilities should not be diminished by calling for or exacting penalty. He referred to a Sunday School Building on Oregon Street. He said that the Building would not be completely usable if a sanctuary were not permitted, but that parking would be called for instead. He spoke of the church crowds on Sunday, and said that there are no accidents on Sunday, but on other days.

Wayne Neal, executive secretary of the Council of Churches, spoke next. He opposed the Ordinance. He contended that more churches are needed; not less. He asked that the churches not be confronted with the parking problem.

Humphrey Lane, from El Cajon Boulevard, advocated that there be no all-night parking permitted. It was his thinking that such a prohibition would solve the problem. He said that if each 50-foot building lot needed a parking lot, there would be a definite problem.

Riles Connor, First Southern Baptist Church, 5th and Date, referred to the property having been purchased before the ordinance was contemplated. He said it would be necessary to go elsewhere if the Ordinance is enacted, and spoke of having no room for expansion for parking in the area. He, too, referred to the need for more churches. He asked the Council not to retard growth, and said that the Ordinance would prohibit churches.

Elmer Hartman, pointing to the City Manager, said that the trouble lies with him. He insisted that the 24-hour parking law should be carried through. He said that people are now making parking lots out of the streets, and told of one vehicle which he said had been parked since June.

Councilman Kerrigan was excused from the meeting.

Mr. Hartman continued by making reference to downtown property going, and to no regulation. He showed pictures. He said that there has been an effort to strangle on El Cajon Boulevard. He said that the City wants revenue from the parking meters, and asked for enforcement of the City's own laws.

Councilman Kerrigan returned to the meeting.

John F. Berry, of the Madison Avenue Baptist Church (its pastor) spoke. Reverend Berry also spoke for the need of more churches in the City. He said that the ordinance must be written for churches, and contended that they do not have much money for parking.

Capt. F. Jenkins, representing the Contractors' Association, spoke. He referred to the downtown area, and said that a valient attempt is being made to solve its own problems. He said that the area does not want the restrictions. He asked that that it be not stagnated. He spoke for the business area as one problem - and the other as another.

Hubert Martin said that the proposed ordinance is for the motorist, at the expense of the tax payer. He said that the beaches can solve their own problem, and asked that the downtown area be not brought into the matter. He made reference to Los Angeles as an example in connection with the Ordinance. He said that many have had to move out. He said that pedestrians are entitled to their rights, too.

George L. Taylor, member of the Parking Lot Association, was heard next. He said that there is no shortage of downtown parking. He spoke about other parking lots

lots operating with only a fraction of capacity. He told about up to the west side of 8th Avenue traffic milling round and round. He said that we have to break the established pattern, to cause cars to move out. He made mention, also, of drivers who feed nickles in to the 2-hour parking meters. He spoke, also, of the double parking, which he said can break up that habit. It was his contention that trucks can be taken off the down streets after 10:00 o'clock A.M., excepting for the necessary ones. He said that more parking officers are needed.

Philip Anewalt, Hochkiss & Anewalt, spoke regarding recommendation for demolition of a building to provide a downtown parking, and said that other parking lots are being added. He said that the Ordinance is not the answer to off-street parking problem. He said that he is building an apartment with parking provided, without the ordinance.

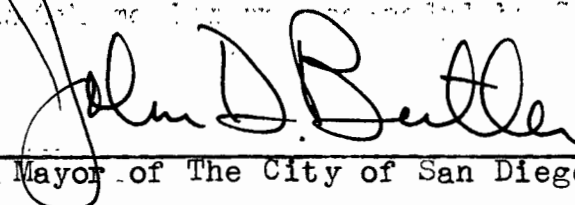
At this point the Mayor concluded the hearing, and said that if others wished to express their views, he invited that comments be mailed in.

RESOLUTION NO. 108867, recorded on Microfilm Roll No. 55, referring the Ordinance amending the Municipal Code, with reference to the subject of off-street parking, to Council Conference, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

The matter of Motor Graders, which had been considered at the morning session, and at which the Council had looked during the recess, was brought up again.

RESOLUTION NO. 108868, recorded on Microfilm Roll No. 55, accepting bid of the San Diego Tractor and Equipment Co. to furnish two Caterpillar Graders at a price of \$12,901 each, plus cabs at \$291.65 each, less trade-in of two 1941 Caterpillar Graders at \$3,000 each, terms 2%, 30 days, plus State sales tax; authorizing and instructing the City Manager to enter into and execute a contract with said San Diego Tractor and Equipment Co. therefor, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

There being no further business to come before the Council at this time, said meeting was adjourned, on motion of Councilman Dail, seconded by Councilman Schneider, adjourned at the hour of 4:45 o'clock A.M.


Mayor of The City of San Diego, California

ATTEST:

FRED W. SICK, City Clerk

By 
Deputy

REGULAR MEETING

Regulat Meeting of the Council, Council Chamber, Thursday,
October 23, 1952

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.
Nays---Councilmen None
Absent-Councilmen None

Mayor Butler asked for unanimous consent, in the beginning of the meeting to consider the next-mentioned Resolution, not listed on the agenda:

Carl Reupsch, from the Harbor Department, spoke in connection with the proposed Resolution, and explained the work. He said that it covered the rental of equipment, and that the project was preparation of a parking area to be used in front of the Ryan Aeronautical Co. Questioned by Councilman Schneider, Mr. Reupsch said that the Harbor Department is going to do the work of grading, and that the Aircraft company will pave the area.

RESOLUTION NO. 108871, authorizing and empowering the Purchasing Agent to extend the rental of certain private equipment for the Harbor Department for a period of 3 to 5 days, at an estimated total cost of \$1600.00, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Council authorized and empowered the Port Director to do work in connection with removal of material and grading on Harbor Drive in front of the Ryan Aeronautical Company by appropriate City forces; the original rental was for 4 days; due to unanticipated sub-soil conditions, it will be necessary to extend the rental.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's assessment 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 No. 102126, was brought before the Council again, that matter having been considered previously.

The Mayor said that the Council had reviewed the matter, including various methods for assessing the property for the improvement. He said that the regular assessment had been found to be the best one. He asked the City Engineer to explain.

The City Engineer told of the breakdown for the spread of the assessment for the improvement, including a number of different items. He said that the method used is in accordance with the Streets and Highways Code of California.

Although there had been previous hearings, and letters of appeals had been presented, and individuals heard in verbal appeal, Sara Brugh Hight, who had spoken earlier referred to the assessment between 61st and 63rd Streets. She said she could not understand the City's attitude in assessing on such long blocks.

Councilman Wincote said that he had raised the question of a "block". He said he had found that he had been wrong, according to the law books, based on Supreme Court decisions.

Once again, the City Engineer showed maps of the district.

Mrs. Hight said that it was very unfair.

Councilman Dail spoke about the half block back from improvement of Wunderlin. He said that while he had certain ideas, this Council cannot bind future Councils. But he said the Council would try to assist, if the petition comes in soon.

Councilman Wincote said that no action had been taken on a proposal, but that the Councilman had to take "some kind of consideration".

Councilman Schneider said that action is in this particular matter.

Councilmen Schneider moved to overrule the appeals, which matter was seconded by Councilman Kerrigan.

The City Engineer told of a property split which would need to be made, and mentioned a letter from the Street Superintendent requesting the modification of Assessment Roll to include a property split for the easterly 50 feet of the westerly 125 feet of Lot 10 Block 4 Encanto Heights, which split had been made prior to the time the Assessment diagram was prepared.

RESOLUTION NO. 108869, recorded on Microfilm Roll No. 55, overruling and denying the appeals of Mathew Pfadenhauer and others, Leo D. Mollenhauer, Kenneth W. Archibald and others, Delbert W. Smith and others, Emily F. Johnson and Hattie J. Johnson, K. W. Wager, Sidney Gill, , Sara Bruce Height and Theodore B. Hight, Mrs. C. W. Hickey, , W. A. Trudeau, Edward and Wanda Grist, Thomas and Sarah Brannan, William R. Clark, Earl A. Clarkin, R. W. Staples and Diluvina Staples, Luther L. and Esther H. Stitt, Mr. and Mrs. J. S. McCarty, Verna W. Snook, Martin W. Held and Iva I. Held, Ethyle Maloney, Mr. and Mrs. R. Portillo from the Street Superintendent's Assessment No. 2077 for the paving and otherwise improving of Brooklyn Avenue, 63rd Street, 64th Street, Broadway, 62nd Street, and Public Rights of Way, overruling and denying all other appeals thereon; directing the assessment roll to be modified in accordance with letter of the Street Superintendent filed under Document No. 457192, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108870, recorded on Microfilm Roll No. 55, confirming the Street Superintendent's Modified Assessment No. 2077, made to cover the costs of 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; 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 Schneider, seconded by Councilman Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Margaret L. Sundquist, by W. E. Starke, attorney, from the Zoning Committee's decision in denying permission to divide a portion of Pueblo Lot 1256 into four building sides, 3 to be served by easement and the 4th by a 26-foot street - east of Muirlands Drive - in Zone R-1, the report from the Planning Department, was read. The report, signed by D. E. South, Senior Planning Technician, said that the general area has come before the Zoning Committee before when a Zone Variance was denied to divide out a parcel for a building side. Later a tentative map was submitted, which included the area the petitioner wishes to divide by metes and bounds with property not facing dedicated streets. The report said that the Committee discussed with Mr. and Mrs. Sundbergh the advisability of filing for subdivision, inasmuch as it was felt the development of the property with proper facilities, including dedication of streets, was the only way to develop the area and would be best for the entire community. It said, further, that the Zoning Committee voted 3-0 to deny the application, with recommendation to follow through with a subdivision.

Glenn A. Rick, City Planning Director, showed a map of the area. He discussed with the Council the matter of cutting up the property.

Councilman Dail was excused from the meeting at this time.

W. E. Starke, appearing for the appellant, said that there are 1/2-acre building sites in the area, and that is a 1/2-acre district with all the houses on land of that size.

The City Planning Engineer, speaking on the subject, said that the area is actually R-1, and that 1/2 acre sites are not required in that zone, although homes are built upon parcels of that size.

Councilman Kerrigan said that the owner cannot be tied up.

Mr. Starke said that the owner can be required to sign an agreement for maintaining of not less than one half acre of land for each residence.

Councilman Kerrigan replied to Mr. Starke's comment by saying that would be a deed matter, and that the City would not be involved in the matter of deed restrictions.

Mr. Rick said, as he has before, that metes and bounds is the improper method to be employed for building. He suggested subdivision. When heard about possible improvements, he said that inquiries had been made from various City departments. He said, however, that it is up to the Council to determine what improvements should be required in subjects.

Mr. Wilhelm, who identified himself as an engineer, and an adjoining property spoke. He said that there is a possibility that the property could be subdivided without improvements.

Councilman Dail returned to the meeting at this time.

Planning Director Rick said that the Council is the only one who can decide what can be done by the subdividers.

Mr. Starke spoke about 3 easements being available. He spoke about reference to a "dedicated street", and said that there is no such thing in the Municipal Code. He pointed out that there are at least 14 easements issued upon the commonly-traveled road. He told, also, about dedicated streets for some of the residences.

Mr. Rick said that the easements are not public streets or dedicated streets. He said that every parcel has 2 or 3 easements. He said that where there are easements, they are covenants going with the land, which cannot be disturbed. He said that cutting up of the property amounts to a vicious circle, and is a back door to subdivision.

Mr. Starke spoke regarding the expense involved in connection with street and sewer requirements under a subdivision. He said that no one can determine in advance what the requirements will be.

Councilman Kerrigan said that if a map is filed, the subdividers will get the answer.

Mr. Wilhelm told the Council that percolation tests will determine if cesspools can be used. He said it would stand or fall on its own merits. He made reference to improvements required in some other areas.

Mr. Rick spoke, next, about the proposed small homes that had been attempted in the Muirlands area. He said this is similar, that sewers are required in the Muirlands. He said, again, that he wanted to avoid metes and bounds.

Mr. Wilhelm spoke regarding the "depth" of paving which would be required by the City Engineer for streets, if the property were subdivided.

When asked, Mr. Starke said that property owners now maintain improvement of the easements. He said he could not agree with Mr. Rick, and maintained that metes and bounds are used all over the State. He spoke about other permits for building on some of the same easements.

Mr. Rick asked the Council not to go by bad examples, but use good ones. He said that Mr. Starke is a tax attorney, and a good one, but that he knows that the metes and bounds divisions are bad.

Mr. Starke said that the owners don't mind the subdivision, but that they cannot afford what would be required.

Mr. Rick spoke about the area, and made mention of the residents there.

Mrs. Sundquist spoke from the audience, and said that the property is on top of the hill.

Mr. Starke said that there would be no objection to requiring the subdividing, if the paving were eliminated. He pointed out that the area, being way up on the hills is in what is a country atmosphere, and that residents want to keep it that way.

Councilman Godfrey said that various individuals had been discussing several things not before the Council in a proper manner. He, too, said that if a map is filed the Council can consider the matter. He wanted it brought before the Council in a proper manner.

Councilman Wincote referred to the expense involved in the filing of a map. Rick said he would make a tentative recommendation in that case.

Councilman Godfrey pointed out that the Council has overruled Mr. Rick, when found unreasonable.

Mr. Starke then asked for a 4 weeks continuance.

Councilmen Kerrigan and Godfrey said that would not be needed.

Mr. Rick said he would not be willing to make a recommendation now, when asked about it by Mr. Starke. He said, however, that he thought improvements should be different if on large properties.

Councilman Kerrigan maintained that the 1/2-acre lots zoning ought to be accomplished.

RESOLUTION NO. 108872, recorded on Microfilm Roll No. 55, denying appeal of Margaret L. Sundquist, by W. E. Starke, attorney, from the decision of the Zoning

Committee in denying application for variance to the provisions of Ordinance No. 13294 for permission to divide a portion of Pueblo Lot 1256 into four building sites - three parcels to be served by an easement from El Camino del Teatro and the fourth parcel to be served by a 26-foot street, La Cumbre Drive, south end of El Camino del Teatro - east of Muirlands Drive, in Zone R-1; sustaining said Zoning Commission's action insofar as it relates to the property described, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, being the time fixed for the continued hearing on appeal of Walter Mallett from the decision of the Zoning Committee in denying permission to erect a single-family residence on a parcel of land not fronting on a dedicated public street, along the extension of Boston Avenue west of 47th Street, in Zone R-4, Douglas Deaper made a verbal report upon request of the Council. Mr. Deaper, of the City Attorney's office, said that a 30-foot easement does exist, according to check which had been made, but that it is not a street. He spoke of being a legitimate private road easement.

Mr. Rick spoke relative to a 30-foot easement, and said that it is not in compliance with the City's plan for roads.

Councilman Kerrigan declared that the property should be developed properly. He said that before a decision is reached, all interested property owners should know about it. He and Councilman Wincote about the previous hearings in the same matter. Mr. Kerrigan said it was his assumption that the owner could come back and subdivide the property.

Councilman Wincote said he wanted to avoid an error.

Councilman Godfrey and Mr. Rick said that Mr. Mallett would probably get in nobody's way.

Mr. Mallett appeared, and said that he would use the area, when he was asked, for flowers and for a garden.

RESOLUTION NO. 108873, recorded on Microfilm Roll No. 55, granting appeal of Walter Mallett from the decision of the Zoning Committee in denying his application for a variance to the provisions of Municipal Code No. 101.0304 to permit erection of a single-family residence on a parcel of land not fronting upon a dedicated public street but served by an easement to 47th Street, on a portion of Lot 66 being the North 1/2 of the West 6 acres of the Northeast 1/4 of Rancho Ex-Mission in Horton's Purchase, along the extension of Boston Avenue - approximately 600 feet west of 47th Street - in Zone R-4, overruling and denying said Zoning Commission decision, was on motion of Councilman Schneider, seconded by Councilman Dail, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilman Kerrigan. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed Ordinance incorporating portion of Lot 16 C. C. Seaman's Subdivision and Lots 1 to 4 Furlow Heights Unit No. 3 into "R-4" Zone, and repealing Ordinance No. 184 (New Series) insofar as the same conflicts, was brought up again.

Glenn A. Rick, City Planning Director spoke. He asked for another 1-week continuance. He told the Council that an easement spoken of earlier had not been received.

On motion of Councilman Swan, seconded by Councilman Wincote, said hearing was continued for a period of one week - to 10:00 o'clock A.M., Thursday, October 30, 1952.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending approval of the recommendation of the City Engineer, in connection with the Map of Bayview Hills - having to do with amendment to Resolutions Nos. 107010 and 107284 which approved the Tentative Map, was presented.

Glenn A. Rick spoke on the matter, and said that there was a slight modification regarding entrance, and said there would be better drainage on account of the change. He said that it also cuts down 8 feet on the north side adjoining property that is to be subdivided.

RESOLUTION NO. 108874, recorded on Microfilm Roll No. 55, repealing Resolutions Nos. 107010 and 107248; approving the Tentative Map of Bay View Hills, a subdivision of portions of Quarter Sections 80 and 103 of Rancho de la Nacion, located northeasterly of the subdivision of Paradise Hills, consisting of 896 units of Wherry Act Housing, subject to 11 conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending suspension of 5 sections of the San Diego Municipal Code, relative to Bellevue Center Unit No. 2, was presented.

RESOLUTION NO. 108875, recorded on Microfilm Roll No. 55, suspending Sections Nos. 102.11, 102.09-2, 109.09-1, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Bellevue Center Unit No. 2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending approval of the Tentative Map of Bellevue Center Unit No. 2 for subdivision of portions of Waterville Heights, Seaman's Subdivision and El Cerrito Heights Unit No. 3, upon conditions contained therein, was presented.

RESOLUTION NO. 108876, recorded on Microfilm Roll No. 55, approving the Tentative Map of Bellevue Center Unit No. 2, a subdivision of a portion of Waterville Heights, Seaman's Subdivision, and El Cerrito Heights No. 3, subject to 11 conditions, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, referring to proposed Record of Survey for resubdivision of Lots 1722 to 1738 incl., of Clairemont Unit No. 9. was presented. Said communication said that it meets all of the requirements of Section 11535 Paragraph B of the Subdivision Map, and all improvements necessary to serve lots are being installed under the bond posted for the subdivision of Unit No. 9 of Clairemont, the Planning Commission recommended approval of the Tentative Map and the dividing of the property by Record of Survey.

RESOLUTION NO. 108877, recorded on Microfilm Roll No. 55, finding that the Record of Survey for division of Clairemont Unit No. 9, Lots 1722 to 1738 incl., is approved, that the area is less than 5 acres, that no street widenings or dedications are necessary in the division of the property, and that the lot design is suitable, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, referring to proposed Record of Survey for resubdivision of Lots 1710-1721 incl. of Clairemont Unit No. 9 was presented. Said communication said that it meets all of the requirements of Section 11535 Paragraph B of the Subdivision Map Act, and all improvements necessary to serve the lots are being installed under bond posted for subdivision of Unit No. 9 of Clairemont, the Planning Commission recommended approval of the Tentative Map and the dividing of the property by Record of Survey.

RESOLUTION NO. 108878, recorded on Microfilm Roll No. 55, finding that the Record of Survey for division of Clairemont Unit No. 9, Lots 1710-1721, incl., is approved, that the area is less than 5 acres, that no street widenings or dedications are necessary in the division of the property, and that the lot design is suitable, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, referring to proposed Record of Survey for resubdivision of Lots 1542-1562 incl. of Clairemont Unit No. 9 was presented. Said communication said that it meets all of the requirements of Section 11535 paragraph B of the Subdivision Map Act, and all improvements necessary to serve the lots are being installed under bond posted for subdivision of Unit No. 9 of Clairemont, the Planning Commission recommended approval of the Tentative Map and the dividing of the property by Record of Survey.

RESOLUTION NO. 108879, recorded on Microfilm Roll No. 55, finding that the Record of Survey for division of Clairemont Unit No. 9, Lots 1542-1562, incl. is approved, that the area is less than 5 acres, that no street widenings or dedications are necessary in the division of the property and that the lot design is suitable, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending suspension of 3 sections of the Municipal Code relative to the Tentative Map of Dixon's Subdivision No. 3, for 6 lot subdivision of portion of Lot 5 of Lloyds Subdivision of P.L. 197, was presented.

RESOLUTION NO. 108880, recorded on Microfilm Roll No. 55, suspending Sections 102.16-8, 102.18, 102.17-c of the Municipal Code, in connection with the Tentative Map of Dixon's Subdivision Unit No. 3, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, submitting Tentative Map of Dixon's Subdivision Unit No. 3 for six lot subdivision of portion of Lot 5 Lloyd's Subdivision of P.L. 197, on conditions set out, was presented.

RESOLUTION NO. 108881, recorded on Microfilm Roll No. 55, approving the Tentative Map of Dixon's Subdivision Unit No. 3, a six-lot subdivision of portion of Lot 5, Lloyd's Subdivision of P.L. 197, subject to the 10 conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, Senior Planning Commission, recommending the zoning of the Muirlands Area - Pueblo Lots 1256, 1773 and 1774 - was presented. The report said that the entire area is now R-1, which permits subdivision of lots of 50-foot frontage and 5,000 square feet in area; that the surrounding area is R-1 excepting north half of P.L. 1774 which is R-1A and R-1B (R-1A requires one acre of land for building site and 100 foot street frontage; R-1B requires 20,000 square feet of land for a building site and 75 foot street frontage; R-1C require 10,000 square feet for building site and 60-foot street frontage). It makes further reference to other parcels of various sizes. The proposal from said Commission was for establishment of R-1B and R-1C of various parcels.

On motion of Councilman Dail, seconded by Councilman Schneider said matter was referred to the City Attorney for drafting of a proper ordinance prior to the setting of a public hearing thereon by the Council.

The communication from the Street Superintendent relative to the proposed closing of portion of Mira Monte Plaza, which had been before Council Conference, and sent back to meeting with the notation that the same should be denied, was presented.

Before consideration could be given to any of the petition or report, Mrs. Wagner (she did not give her first name, or initials), spoke. Mrs. Wagner said that she "is across the street", and said that the area is not cleaned up, and that it is dirty. The City Manager said that the City will clean it up.

An unidentified lady said that the petitioner, who was not in the Chambers, but that he was in the building. She asked for temporary continuance. The matter was held over temporarily. See next page. *

Communication from El Cajon Valley Chamber of Commerce, signed by Freeman J. Durgin, dated October 17, 1952, was presented. Said Chamber opposed any move to invalidate the franchise of the San Diego and Arizona Eastern Railway serving the El Cajon Valley and vicinity, and spoke of the importance of the area as served by the S.D. & A.E. (The Railway Company has no franchise to operate on San Diego Streets, said the City Attorney of San Diego in a recent opinion). The communication stated that the El Cajon Valley Chamber of Commerce is vitally concerned in continuation of the operation to serve its needs, and said that it cannot understand why residents should be deprived of service for the indicated reason to increase the development of a small section of the City of San Diego. It said, further, that it was believed that the indicated move warrants a public hearing before any action is taken.

Said communication was read in its entirety to the Council by the Clerk. Although it was well known from an Attorney's opinion, Councilman Wincote, pointed out that the Company has no franchise in the City.

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

Communication from San Diego Junior Chamber of Commerce, dated October 17, 1952, signed by Brude P. Robbins, relative to the program for Poinsettia Week - December 14, 1952 - mentioning the various enterprises to be presented during that week, requesting an endorsement by proclamation, was presented.

Said communication was read in its entirety.

Councilman Godfrey said that it can be a terrific affair, and said that the Junior Chamber has sponsored many fine projects.

Councilman Schneider moved to refer the matter to the Mayor for reply, a proclamation to be issued by him, and expressing the Council's communication, which motion was seconded by Councilman Godfrey.

Before the roll was called on the motion, reference was made to Item 10 on the November ballot by Councilmen Wincote and Dail, which matter, if carried, would preclude certain City activities.

Although the first motion was not withdrawn, another motion, resulting in adoption of the following Resolution, was made and seconded:

RESOLUTION NO. 108882, recorded on Microfilm Roll No. 55, encouraging the San Diego Junior Chamber of Commerce in its project known as Poinsettia Week, December 14 to 21 1952, if Proposition No. 10 on the November 4, 1952, ballot does not interfere; requesting the Mayor to take the action requested relative to issuance of a proclamation; declaring that the matter was not to be thought of as financial support by the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(See page 59 for the beginning of this matter, continued until this time.)

The Mira Monte Plaza closing proposal was brought up again, inasmuch as J. H. Thompson, 6110 Beaumont Street, one of the petitioners, had appeared. Reference was made to the closing, and Mr. Thompson said that he did not know of the other meeting. He said he wanted to know of reasons for the proposed denial.

The City Manager replied by saying that there is need for working up plans for the Electric Avenue improvement, first, and that the closing could be considered later. He said that the City will initiate the closing (when asked by Mr. Thompson how long that would be). The Manager promised to clean up the area, as Mr. Thompson had said that it is an eye sore.

The Mayor said that the proper action at this time would be to deny the petition, and that action would be instituted later.

The City Manager said that Mr. Thompson would acquire a lot of good property through the closing. It was his contention that the City has to proceed first, and said that it will then carry through in the matter.

RESOLUTION NO. 108883, recorded on Microfilm Roll No. 55, denying petition for the closing of a portion of Mira Monte Plaza, 80 feet adjacent to Lot 1 of Block 26 and 80 feet adjacent to Lot 6 of Block 25 in La Jolla Hermosa Unit No. 2, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from San Diego Woman's Club, 2557 Third Avenue, dated October 15, 1952, signed by Pauline G. Fuller, protesting the hazardous placement of Lindbergh Field, and referring to its being too close to steep hillsides with densely populated residential buildings, schools, hotels, and hospitals, was presented. It said, further, that it was hoped that the City's destiny would receive due consideration through immediate steps to remedy the dangerous situation.

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

RESOLUTION NO. 108884, recorded on Microfilm Roll No. 55, relative to temporary housing known as Aztec Housing Project - CAL-V4568 - advising that the Applicant (The City of San Diego) proposed not to sell the property for relinquishment and transfer of 65 dwelling structures, 400 family dormitory dwelling units and 3 non-dwelling structures, etc., was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The City Manager made a verbal report, when he was asked about the purpose of the Resolution, in which he said that it was to provide assurance that the City will not sell to any "subversive".

RESOLUTION NO. 108885, recorded on Microfilm Roll No. 55, granting permission to Shelton W. Cass, plumber, 4561 - 30th Street, San Diego, to install a 4" 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 south line of Lot 24 Block 177 University Heights Subdivision, to point of intersection with public sewer, to serve property at 4003 Park Boulevard, pursuant to recommendation of Properties Depart-

ment and approval of the City Engineer, the Inspection Department and the City Manager, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108886, recorded on Microfilm Roll No. 55, granting permission to Shelton W. Cass (plumbing and heating), 4561 30th Street, San Diego 16, to install a 2" brass pipe as a vent on a sink in center of drugstore instead of 2" cast iron vent as specified in the San Diego Municipal Code, at 5987 El Cajon Boulevard, and variance from iron to brass fitting is requested because sink is in center of Rexall Drive-in Drugstore and exposed to public view, upon approval of Inspection Department, Public Health and City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108887, recorded on Microfilm Roll No. 55, granting permission to Leo Greenbaum, 4290 Altamirano Way, San Diego, to install a 4" cast iron sewer line within a City-held easement, to be placed one foot outside the property line and run in a westerly direction, parallel to the northerly line of Lot 9 Block D Presidio Hills Subdivision, to point of intersection with public sewer, to serve property at 4304 Altamirano Way, upon approval of the City Engineer, Properties Department, Department of Public Health and the City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108888, recorded on Microfilm Roll No. 55, granting permission to Aubrey R. Jones, 2206 Polk Street, to install a 4" cast iron sewer line between the property line and sidewalk, to be placed 1.0 foot outside the property line and run in an easterly direction, parallel to the southerly line of Lot 24 Block 146 University Heights Subdivision, to point of intersection with public sewer, to serve property at 2208 Polk Street, upon approval of the City Engineer, Property Department, Department of Public Health and the City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108889, recorded on Microfilm Roll No. 55, granting permission to Oscar's, Inc., 65 - 13th Street, San Diego (by John Holderer & Son, Plumbers) to install one 3" main floor drain which will receive discharge from 2 tributary drains connected to house-side of trap, because 2 small drains may become dry for short periods; upon approval of the City Engineer, Property Department, Department of Public Health and City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 108890, recorded on Microfilm Roll No. 55, granting permission to Solomon Sherman, Route 4 Box 965 Vista, California, to install a 4" cast iron sewer line between the property line and the sidewalk, to be placed 1.0 foot outside the property line and run into a southerly direction, parallel to the westerly line of Lot 1 Block 272 Pacific Beach Subdivision, to point of intersection with public sewer, to serve property at 1813 Thomas Street; upon approval of the City Engineer, City Property Department, Department of Public Health and City Manager, upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108891, recorded on Microfilm Roll No. 55, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of, and as the deed of The City of San Diego, a quitclaim deed, quitclaiming to James N. Baldry and Lilah A. Baldry, husband and wife, an easement for right of way for construction, operation and maintenance of a public sewer, in portion of Pueblo Lot 174, as more particularly described in said Resolution; authorizing and directing the City Clerk to deliver said deed to the property supervisor with instructions that the same be delivered to the grantees upon receipt of a deed from James N. and Lilah A. Baldry conveying the sewer easement as required by The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Said Resolution recites that the City is desirous of acquiring an easement for sewer purposes in portion of Pueblo Lot 174; James N. Baldry and Lilah A. Baldry are willing to deed easement to the City in exchange for a quitclaim from the City for an easement owned by the City over Pueblo Lot 174; that the value of the easement to be granted by the City is \$10.00 and that the City Manager has recommended said exchange.

RESOLUTION NO. 108892, recorded on Microfilm Roll No. 55, accepting deed of James N. Baldry and Lilah A. Baldry, bearing date October 6, 1952, conveying an easement and right of way for public sewer in portion of Pueblo Lot 174; 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. 108893, recorded on Microfilm Roll No. 55, accepting deed of Union Title Insurance and Trust Company, bearing date October 3, 1952, conveying a portion of Lot 72 of the Partition of Rancho Mission of San Diego; authorizing and directing the City Clerk to file said deed for 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. 108894, recorded on Microfilm Roll No. 55, accepting deed of Leonard Wimberly and Ida Mae Wimberly, bearing date February 20, 1952, conveying portion of Lot 5 Block B O. L. Steel Subdivision; authorizing and directing the City Clerk to transmit said deed, together with 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. 108895, recorded on Microfilm Roll No. 55, accepting deed of A. R. Salas and Margaret M. Salas, bearing date May 24, 1952, conveying portion of Pueblo Lot 1152, 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 Swan, adopted.

RESOLUTION NO. 108896, recorded on Microfilm Roll No. 55, accepting deed of Amariah B. Cartwright and Claribel W. Cartwright, bearing date August 5, 1952, conveying an easement and right of way for street purposes in portion of Pueblo Lot 1774; authorizing and directing the City Clerk to file said deed for 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. 108897, recorded on Microfilm Roll No. 55, accepting deed of Frank E. Lyle and Lucille N. Lyle, bearing date July 28, 1952, conveying easement and right of way for public street in portion of Pueblo Lot 1774; 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. 108898, recorded on Microfilm Roll No. 55, accepting deed of Sidney L. Davis and Elinore Nida Davis, bearing date September 26, 1952, conveying an easement and right of way for public sewer purposes in portion of Pueblo Lot 264; authorizing and directing the City Clerk to file said deed for 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. 108899, recorded on Microfilm Roll No. 55, accepting deed of San Diego Unified School District of San Diego County, bearing date May 20, 1952, conveying an easement and right of way for storm drain purposes in portion of Pueblo Lot 1203; 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.

The City Manager requested, and was given unanimous request to present the next Resolution, not listed on the Council's agenda:

RESOLUTION NO. 108900, recorded on Microfilm Roll No. 55, authorizing the Purchasing Agent to purchase in the open market without advertising for bids, various pieces of lumber (more particularly set forth in said Resolution), at an approximate cost of \$1,500.00, was on Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that it is necessary to immediately construct a protective shield at the Police Pistol Range to protect new housing areas from stray bullets, and to build said protective shield it is necessary to purchase the lumber described, that it appears that the work of building would be delayed if bids were called for for furnishing said lumber and that it is in the best interests of the City to purchase the same in the open market.

Prior to adoption of said Resolution, the City Manager made a verbal explanation along the same lines as contained in the submitted resolution.

RESOLUTION NO. 108901, recorded on Microfilm Roll No. 55, authorizing the contribution of \$7,920.00 or so much thereof as may be necessary, to the San Diego County Weather Corporation for purpose of entering into contract to secure report on cloud seeding operations for the year beginning November 1, 1952, to be payable from the Water Department funds, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

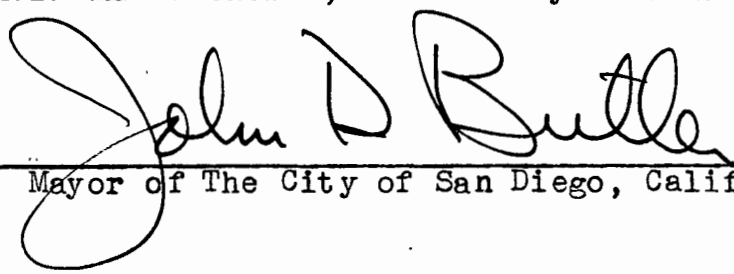
Said Resolution was presented on unanimous consent granted by the Council, said matter not being listed on the agenda. Prior to its adoption, the City Manager made a verbal report in which he explained the matter along the lines of the Resolution submitted.

RESOLUTION NO. 108902, recorded on Microfilm Roll No. 55, referring to Council Conference for consideration at the hour of 2:00 o'clock P.M., Tuesday, October 28, 1952 of the matter of parking (not a public hearing), was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108903, recorded on Microfilm Roll No. 55, setting a Council Conference for the afternoon on Thursday, October 30, 1952, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

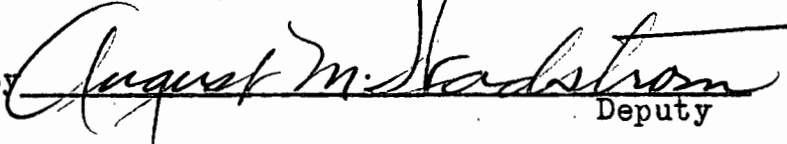
The subject of the conference, and the time were not set in the Resolution.

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 11:32 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, October 28, 1952

A 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, Wincote, Schneider, Kerrigan, Dail, Mayor Butler.
Absent--Councilman Godfrey
Clerk---Fred W. Sick

The Minutes of regular Council meetings of Tuesday, October 21, 1952, and of Thursday, October 23, 1952, were presented to the Council by the Clerk.

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

The next matter was taken out of order at the request of Morey Levenson, attorney, and upon consent of the Council.

The proposed Ordinance, which had been continued from several previous meetings, amending the San Diego Municipal Code, and repealing sections thereof, relative to "Going Out of Business Sales," "Adjustor's Sales", "Bankrupt Sales", etc., was brought up for consideration.

Mr. Levenson said that all interested parties want the ordinance continued. He said that a meeting had been held at which the Better Business Bureau was represented by Mr. Jennings, and the Wholesale Credit Men's Assn. represented by Mr. Holzman, and that they also want more study. He said that he as well as they had agreed to a continuance.

Councilman Kerrigan wanted to take the matter off the docket, instead of carrying it with listings from time to time.

Mr. Levenson said that he does not approving taking it off, and asked again for continuance in the interest of proper action.

The Mayor suggested the filing of the matter, and said that all the parties apparently cannot get together. He considered it of no necessity to consider the matter now.

Councilman Schneider moved to file the matter, which motion was seconded by Councilman Dail.

Councilman Wincote said that it would be a greater courtesy to continue the matter one week, and that the Mayor is to contact Mr. Jennings of the San Diego Better Business Bureau.

The motion was amended on motion of Councilman Schneider, for the continuance of the matter for a period of one week, but to be listed without being a hearing, which motion was seconded by Councilman Dail.

RESOLUTION NO. 108984, recorded on Microfilm Roll No. 56, continuing for one week from this date the proposed Ordinance relative to various sorts of "Sales", to be listed that date but not shown as a hearing; requesting the Mayor to contact Frank Jennings of the Better Business Bureau to secure his views, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

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, within the limits and as particularly described in Resolution of Intention No. 108055, 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 \$800.00, which bid was given Document No. 457892;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$700.00, which bid was given Document No. 457893;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$700.00, which bid was given Document No. 457894;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Co. in the sum of \$1,000.00, which bid was given Document No. 457895.

Thereupon, on motion of Councilman Kerrigan, seconded by Councilman Schneider, said Bids were referred to the City Manager and to the 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 Roswell Street, Hilltop Drive, Selma Place, Creston Drive and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108056, 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 \$10,000.00, which bid was given Document No. 457896;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$9,000.00, which bid was given Document No. 457897;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$9,000.00, which bid was given Document No. 457898;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Co. in the sum of \$12,000.00, which bid was given Document No. 457899;

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 installation of sewer main in Sunset Street, Juan Street, Gaines Street, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108057, 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 Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of \$1,000.00, which bid was given Document No. 457901;

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. 457900.

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, 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, 1952, to and including August 31, 1953, 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 check in the sum of \$282.00 written by San Diego Trust and Savings Bank, which bid was given Document No. 457902.

Thereupon, 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 Swan asked that the proposed Resolution setting a 2-hour parking time limitation upon Newport Avenue and Cable Street, Bacon Street, and establishing of Parking Meter Zones upon said streets, be taken up at this time.

Mr. Swan said that many Ocean Beach business men who had taken time off for the consideration of the matter were here, and that he would like to have consideration, without necessity of awaiting the regular order on the agenda.

There was some discussion, in which it was expressed that many individuals were here on matters already set for a time, but on motion of Councilman Schneider, seconded by Councilman Kerrigan, it was decided to bring the matter up out of order.

David Pain, 1944 Cable Street, spoke about the matter of parking meters in Ocean Beach. He identified himself as an attorney, and said that he was speaking as an individual and not as president of the Ocean Beach Chamber of Commerce. He told the Council that the Board of Directors of that Chamber were divided on the question. He pointed out that he did not appear as a member of any pressure group. He said that there was action in good faith, being aware of opposition. He reviewed the parking difficulty in Ocean Beach, and told of some existing lots which are available. Most of them, Mr. Pain said, are available to clients of establishments which support them. He said that he had circulated the petition, but that merchants were divided on the question. He said that it might be desirable to compromise relative to installation of meters in a small area only. He told the Council that it was a matter with which the Traffic Engineer is familiar. He said that it is unfair, and said that the argument can be used for or against the issue. Mr. Pain referred to Meters as being advantageous, but that no position had been taken by the group (it was not clear to the Clerk who was meant by the group). He said that it is a decision for the merchants to make. He said that purchasers have not been sufficiently educated, and told the Council that they were of the impression that using parking meters simply meant taking money away from driver.

Councilman Dail said that roads are for the purpose of moving traffic, and that meters are for regulation of traffic moving. He said that he understood that there is a City policy not to install meters at locations where they are not wanted. He told about meters not having been put in at the 5th and Laurel location under that general installation, but said that some have been installed by request later.

The Mayor asked James Reading, Traffic Engineer, to make a report.

Mr. Reading told of the petition analization, and said that he has the report. Councilman Dail left the meeting at this time.

Mr. Reading continued by telling of the proposal to install the meters. (A Resolution for meter installation was not before the Council).

The Mayor emphasized that meters are not installed where merchants do not want them.

Councilman Swan then filed a petition in opposition to the meter installation, which petition had been handed to him.

Councilman Dail returned to the meeting.

Joseph Lowens spoke in opposition to the installation of meters. The petition referred to had been handed by him to Councilman Swan. Mr. Lowens said that the petition signers are business people.

The Mayor spoke again about the City's policy where merchants do not want meters. It was his contention that the affected area should be polled.

Councilman Schneider asked Mr. Reading about Cable and Bacon Streets.

Mr. Reading said that more requests would be needed on Newport than now be-

fore recommendation is made.

Councilman Dail said that it is well known that one can get people to sign anything. They would sign for a thing one day, against it the next.

Councilman Schneider pointed out that there has been considerable prosperity in the North Park area resulting from installation of parking meters.

Mr. Lowens said that if any meters were to go in all should be installed.

The Mayor asked to have the matter filed or continued.

Councilman Swan asked Mr. Reading about Newport.

Mr. Reading replied that there are the same number of spaces at present as there would be if meters are installed, but that there would be a more rapid turnover with the meters. He emphasized that the turnover would come oftener.

The Mayor requested that the Chamber repoll the area.

Mr. Pain referred to a dinner meeting to be held November 13. He suggested 2 weeks beyond that time. He said again that more education is needed.

The Mayor said that the City is guided by preference of the merchants.

Councilman Swan contended that the customers ought to be considered.

Mr. Reading made reference to desires for installation, and said that the matter should be decided by the adjoining occupants. He said that where it is a matter of permanent improvement, the property owners who are to pay for the same are taken into consideration. Parking meters, he said, can always be removed and that therefore the adjoining property occupants are consulted.

A request was made by members of the Council to continue the matter until November 25.

Jim Noel said that the area does not need the meters. He said that a few want them, but that the majority does not.

Ed Schoen spoke in objection to the petition. He said that petition for not installing the meters should be enough. He called on business people in opposition to meters to make themselves known.

The Mayor said that merchants will be polled by the Traffic Engineer.

Many in the room said "no" to the Mayor's suggestion.

The Mayor then suggested that there be 2 petitions; one for "yes" and one for "no" relative to meters.

Councilman Wincote stressed that there is a neighborhood difference of opinion. He felt that the matter should be continued 4 or 5 months. He assured those present that the City would not "shove them (meters) down their throats". He said again that about 4 months' delay should be had.

Mrs. James Reed, 4661 Orchard, who identified herself as a shopper, spoke. She said that there is always plenty of parking in Ocean Beach, except on Christmas Eve. It was her contention that it is personal matter. When she said that the City should provide parking there were loud cries of "no" from members of the Council and from the audience.

An earlier motion was withdrawn, and it was said by members of the Council that a new petition on the request should be brought in and the present matter filed.

Joe Richards asked about percentage of merchants to start the matter.

Members of the Council replied 51%.

Councilman Dail commended Mr. Pain for his interest in the matter and for taking the time to come down and give the Council his views.

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

At this time the Council returned to the calendar for the meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on Resolution of Preliminary Determination No. 108557, for the paving and otherwise improving of the Alley in Block 231 University Heights, and Richmond Street, within the limits and as particularly described in said Resolution, the Clerk reported that no 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. 108904, recorded on Microfilm Roll No. 56, determining that the proposed improvement of the Alley in Block 231 University Heights, within the limits and as particularly described in Resolution No. 108557 of Preliminary Determination is feasible and that the lands to be assessed 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 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 Preliminary Determination No. 108558, for the paving and otherwise improving of Cottonwood Street, within the limits and as particularly described in said Resolution, the Clerk reported that no 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. 108905, recorded on Microfilm Roll No. 56, determining that the proposed improvement of Cottonwood Street, within the limits and as particularly described in Resolution No. 108558 of Preliminary Determination is feasible and that the lands to be assessed will be able to carry the burden of such proposed assessment, also finding and determining that 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 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 Preliminary Determination No. 108559 for the paving and otherwise improving of Thomas 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. 108906, recorded on Microfilm Roll No. 56, determining that the proposed improvement of Thomas Avenue, within the limits and as particularly described in Resolution No. 108559 of Preliminary Determination is feasible and that the lands to be assessed will be able to carry the burden of such proposed assessment, also finding and determining that 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 A.M. having arrived, the time set for the continued hearing on Resolution of Intention No. 108351 for the paving and otherwise improving of Landis Street, the protests mentioned previously were before the Council again.

The Clerk read, at the request of the Council, a communication from the City Engineer, dated October 22, 1952, as follows:

"A hearing was held October 21, 1952 on the Resolution of Intention No. 108351 for paving and otherwise improving Landis Street easterly of Nile Street.

A protest was submitted to the Council which was signed by the owners of 57.8% of the area in the district. Subsequent to this, but prior to 10:00 A.M. October 21, 1952, a petition was submitted withdrawing four names from the protest. This withdrawal amounted to 10% of the area of the property in the district, the net result being a protest signed by the owners of 47.8% of the area in the district. The said petition withdrawing four names is document in the Office of the City Clerk under Document No. 457751."

The City Engineer's communication, just quoted, was given Document No. 457778.

The City Engineer made a verbal report, in which he referred to legal technicalities.

John Thornton, from the City Attorney's office, said that the Council should make a finding, and that it can act either way.

Asked about the original petition, the City Engineer replied, as he had previously that it was for 100% of the frontage. He said that the last chance to protest was at this time, and that additional steps would be too late for protests.

RESOLUTION NO. 108907, recorded on Microfilm Roll No. 56, adopting the letter of the City Engineer, filed in the office of the City Clerk under Document No. 457778, referring to the improvement of Landis Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108908, recorded on Microfilm Roll No. 56, overruling and denying the written protests of Clinton M. Milkins, Gertrude M. Bennett, William J. Jenkins, unsigned protest of Catherine A. Nelson, Mabel E. Woods and Arnold M. Woods, Mrs. Anna Steiger; John A. Lucas and Leta T. Lucas; Mrs. Ann V. Emerson, Albin F. Koritnik, Ann D. Koritnik; Addie B. Sidwell; Mrs. Helen H. Lee, Ada T. Wandell; Jane A. Bouvet, Ray J. and Helen H. Lee and others; was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted. Said Resolution also overruled and denied all other protests against said work.

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

Councilman Schneider requested, and was granted, unanimous consent to present the next matter not listed on the Council's agenda. In making the request, Councilman Schneider referred to the following speaker as his constituent.

Dr. (he did not give his name or initials) Christy, was heard relative to fluoridation.

Councilman Dail said that it has been the custom to know the subject of matters to be brought before the Council under unanimous consent.

After hearing the subject to be discussed by Dr. Christy, Councilman Dail said that he would not give his consent in the unanimous consent matter.

The Mayor pointed out that unanimous consent was not granted, and that there had been objections to presentation of the matter in such manner. He said, further, that action has been taken in the matter of fluoridation.

In attempting to be heard, Dr. Christy said that he had a petition on the subject, which he filed with the Clerk. He said that he has the facts, and hopes to convince the Council.

The Mayor informed Dr. Christy and members of the Council that the Council would continue with the docket, and that the matter of fluoridation would not be heard at this meeting.

No action was taken.

Communication from the Purchasing Agent, reporting on bids for construction of the Chesterton Standpipe Foundation and of pertinent work, received on October 15, 1952, from 5 bidders, was presented. The communication recommended award to Rogers Construction Company of San Diego, the low bidder. The report stated that the lump sum was \$16,500, while the Engineer's estimate was \$18,450.00.

RESOLUTION NO. 108909, recorded on Microfilm Roll No. 56, accepting bid of Rogers Construction Company for construction of the Chesterton Standpipe Foundation; 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, reporting on bids for repair of Ingraham Street Bridge No. 1, replacement of a pile, rebuilding part of and extending one pile cap, etc., received October 15, 1952 from 2 bidders, was presented. The communication recommended award to M. H. Golden Construction Company, the low bidder, on its bid of \$3,484. - 30.3% below the estimate.

RESOLUTION NO. 108910, recorded on Microfilm Roll No. 56, accepting bid of M. H. Golden Construction Company for furnishing the repair of the Ingraham Street Bridge No. 1, replacement of a pile, rebuilding part of and extending one pile cap, etc.; awarding contract and authorizing 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, reporting on bids received for removal of 48 trees and 7 stumps on the west side of Jewell St. in Pacific Beach on October 2, 1952, from 3 bidders, was presented.

The report stated that the low bid, submitted by J. Ross Morris, was not accompanied by a bid bond or bid check, and Mr. Morris was instructed to furnish bond or check at once; which he failed to do. In addition, the report said that the low bidder failed to answer a written inquiry as to whether such bid bond or check would be forthcoming, and it was assumed that he is no longer interested. It stated that in view of the remaining bids which were considered excessive, it was recommended that bids be rejected, that the job be advertised at a later date when it appears a more reasonable bid may be obtained.

RESOLUTION NO. 108911, recorded on Microfilm Roll No. 56, rejecting all bids received by the Purchasing Agent October 2, 1952, for removal of 48 trees and 7 stumps on the west side of Jewell St. in Pacific Beach, 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 6,000 feet of street lighting cable for the Electrical Division, received by the Purchasing Agent October 9, 1952, was presented.

The report stated that cable offered by the Electric Supplies Distributing Company is in substantial compliance with the City's specifications, and is the low bid received. It recommended award to the Electric Supplies Distributing Company of San Diego for furnishing such cable at \$4,656.90 plus State sales tax, 1/2 of 1% cash discount. It said the cost of 5 reels totaling \$204, plus sales tax, is refundable.

RESOLUTION NO. 108912, recorded on Microfilm Roll No. 56, accepting bid of Electric Supplies Distributing Company for the furnishing of 6,000 feet of street lighting cable; awarding contract and authorizing the City Manager to execute 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, reporting on bids for Slope and Embankment Protection for Wabash Boulevard, Section A, received by the Council October 7, 1952, from 6 bidders, was presented. It recommended rejection of low bid of Trepte Construction Co. of \$56,985, which bid is 26% above the estimate. It stated that the City Engineer recommends rejection of all the bids, also, that the job be re-engineered to cover portion of the work, including rip-rap. The report stated that the Engineer reported that it is planned that the balance of the work be done with Section B of Wabash Boulevard.

RESOLUTION NO. 108913, recorded on Microfilm Roll No. 56, rejecting all bids received October 7, 1952, for Slope and Embankment Protection for Wabash Boulevard, Section A, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent reporting on bids received for construction of a Storm Drain in the roadway leading from 8th Street to 10th Street Pier for the Harbor Department, received by the Purchasing Agent October 15, 1952, from 4 bidders, was presented. The report recommended award to R. E. Hazard Contracting Co., the low bidder, on its bid of \$3,490.

RESOLUTION NO. 108914, recorded on Microfilm Roll 56, accepting bid of R. E. Hazard Contracting Co. for furnishing the construction of a Storm Drain in the roadway leading from 8th Street to 10th Street Pier; awarding contract and authorizing a majority of the members of the Harbor Commission to execute the same, 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 that the Assistant Director of Civil Defense has requested procurement of various films, projectors, etc. for civil defense training and educational work, was present. The communication ^{stated} that the City holds agreement with the Director of Civil Defense, State of California, for reimbursement of 50% of the cost of the material. It said, also, that the United World Films of New York City is the sole source of supply for 8 of the items requisitioned, and of which 2 films each are required. It stated that there is no other known source of supply for the material, and that it was recommended that the Purchasing Agent be authorized to purchase without advertising for bids said items.

RESOLUTION NO. 108915, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bis, 8 items of films for civil defense training and educational work, at a total cost not to exceed the sum of \$1,574.64 plus sales or use tax, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

The next matter was taken up in its regular order, but was numbered out of Order at the request of the Engineers on the project:

RESOLUTION NO. 108916, recorded on Microfilm Roll No. 56, determining,

finding and ordering that the improvements referred to in petition for Kearny Mesa Improvement District are to be done under the provisions of the "Improvement Act of 1911" of the Streets and Highways Code of the State of California; that the Council finds and determined that the qualified signatures to the petition represents more than 60% of the total assessable area of the proposed district as shown and delineated upon Plat No. 2389 now on file in the office of the City Engineer and City Clerk; that the Council finds and determines that the petition represents all the requirements prescribed in Section 2804 of the "Special Assessment Limitation and Majority Protest Act of 1931" being Division IV of said Streets and Highways Code, and the Council in said Resolution intends to meet each and every condition and make each and every finding necessary on its part in order to permit the proceedings for improvements to go forward to completion without further reference to or application of the provisions of the provisions of said Division IV of the Streets and Highways Code; that, pursuant to the provisions of Sections 5115 to 5118 inclusive, the consent of the legislative body of the County of San Diego expressed by Resolution requested (a) inclusion within the boundaries of the assessment district for said improvements of all that certain unincorporated territory of the County of San Diego, which in the opinion of the Council will be benefited by said improvements and particularly shown and delineated upon Plat No. 2389 (b) to the construction of that portion of said sanitary sewer trunk main, water main trunk line and appurtenant work in connection therewith as the same is designed to be constructed within the unincorporated territory of the County and beyond the territorial limits of the City (c) to the commencement of proceedings for proposed construction by the Council of said City and to the exercise of jurisdiction by the Council under proceedings necessary or proper for consummating same, all in accordance with provisions of "Improvement Act of 1911" that certified copy of said Resolution, together with copy of proposed Resolution of Intention, copy of Plat No. 2389 and complete set of construction plans for improvements shall be submitted to the Board of Supervisors of the County of San Diego which has jurisdiction over the territory of the proposed district lying outside of and beyond the territorial limits of the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Department, signed by the Asst. Planning Director, submitting final map of O. D. Arnold Heights Unit No. 1, approved by Resolution No. 107199 June 19, 1952; recommending approval, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 108917, recorded on Microfilm Roll No. 56, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego a contract with O. D. Arnold & Sons, a co-partnership, for installation and completion of the unfinished improvements and setting of monuments required for O. D. Arnold Heights Unit No. 1; 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 Schneider, adopted.

RESOLUTION NO. 108918, recorded on Microfilm Roll No. 56, adopting Map of O. D. Arnold Heights Unit No. 1 and accepting Baily Avenue, Baily Place, Ridgeview Drive and Wendell Street and unnamed easements and dedicated to the public use; said Map being all of Lot 22 and portion of Lot 21 Wadsworth's Olive Grove, together with portions of the southerly half of Laurel Street (formerly Indiana Avenue) closed; also portions of Baily Avenue (formerly Summit Avenue), and portion of Lot 3 Horton's Purchase in the Ex-Mission Lands of San Diego; authorizing and directing the City Clerk to endorse upon said map as and for the act of the Council, that said street and unnamed easements are accepted on behalf of the public; authorizing and directing said 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.

Communication from the Planning Department, signed by the Assistant Planning Director, submitting final map of Whitefield, approved by Resolution No. 105236 January 29, 1952; recommending approval, subject to posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 108919, recorded on Microfilm Roll No. 56, authorizing and directing the City Manager to execute contract with Earl R. Severin and Edna L. Severin for and on behalf of The City of San Diego for installation and completion of unfinished improvements and setting of monuments required for Whitefield; 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. 108920, recorded on Microfilm Roll No. 56, adopting map of Whitefield, being the East Half of Lot 36 excepting portion of La Mesa Colony, together with portion of Saranac Street, formerly Vista, vacated, accepting on behalf of the Public Bocow Place, named and unnamed easements shown thereon for public purposes, rejecting dedication for public street shown as "Reserved for Future Street"; authorizing and directing the City of the City of San Diego to endorse upon said map, as and for the act of the Council, that said street, easements are accepted on behalf of the public, that land shown as "Reserved for Future Street" is rejected as a dedication; 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.

Communication from the Planning Department, signed by P. Q. Burton, Senior Engineer, reporting on petition for National Vista and Florence Addition zoning to R-1 and RC Zones and stating that the Planning Commission had voted 4 to 2 therefor, was presented. It suggested that papers be referred to the City Attorney for drafting a proper ordinance prior to setting a public hearing, was presented. The report stated that the land is in the vicinity of Division and Harbison Streets, that it is partly surrounded by the City of San Diego, the County, and the City of National City. It stated that it is practically all used for single family dwellings, except for a real estate office on the corner of Harbison Avenue and Division Street in the City of National City. It said that National City officials inform that the area is zoned R-1 and that steps are being taken to remove illegal use of the property, that the entire area proposed to be zoned R-1 except one lot at the corner of Harbison Avenue and Division which is proposed to be RC. The report stated that 2 hearings had been held before the Planning Commission, residents protesting zoning of the corner lot

because the establishment of any business in the practically 100% residential area would hurt residential property. It stated, further, that documents were presented showing that said Lot and Lot 127 of National Vista directly west across the street were both zones C-2 (or limited business) under the laws of National City, and have been so zoned since June 1950 and the surrounding property owners have taken no steps during that time to change the zoning. It said that Mr. Kathol, the petitioner, insisted the one lot be zoned so that he might use it in approximately the same manner as permitted when it was in National City, and said he pointed out that it was a minimum of around 8 blocks to any grocery store and farther to any other type of market, that Mr. Kathol was the only property owner present endorsing that application because he and a relative are the sole owners of the property in question. It was recommended that the Council approve the zoning as shown on B-494 sheet and suggested that the matter be forwarded to the City Attorney's office for drafting the proper ordinance prior to setting it for a public hearing.

RESOLUTION NO. 108921, recorded on Microfilm Roll No. 56, adopting recommendation of the Planning Commission for zoning portion of National Vista and Florence Addition; directing the City Attorney to prepare and present the necessary ordinance to effect such zoning, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Prior to adoption of said Resolution, the City Planning Director reported that there was a split vote, as shown in these Minutes, and said he felt that the matter should go to the City Attorney for the Ordinance, to be followed by a hearing.

An unidentified attorney spoke. He said, when learning of the procedure, that he would be heard later. That attorney opposed RC zoning of portion, and said he preferred R-1 on the whole area.

Communication from the Planning Department, signed by the Senior Planning Technician, P. Q. Burton, reporting on application for rezoning portion of Vista Park from the prevailing R-1 Zone to Cones C and CP, approved by the Commission at a public hearing on October 22, was presented. The report stated that the area lies westerly of Linda Vista Road and northerly of Chesterton and just north of the City-owned Pueblo Lot 1203. It said that it is for the proposed community shopping center, one of several to be located on Kearny Mesa and part of a community plan developed and approved by the Planning Commission some time ago. The report stated that the shopping center comprises about 2-1/2 acres with an approximate ratio of 3 to 1 between the parking, or CP zone, and the C Zone. It suggested forwarding to the City Attorney for ordinance prior to setting a public hearing by the Council.

RESOLUTION NO. 108922, recorded on Microfilm Roll No. 56, adopting recommendation of the City Planning Commission for rezoning Lots 94 to 111 inclusive, Vista Park Unit No. 1 from R-1 to C and CP; directing the City Attorney to prepare and present the necessary ordinance making said zoning changes, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, signed in approval by the Assistant City Manager and bearing the City Manager's stamp of approval, reporting on petition for closing path adjacent to Lots 61 and 62 Ludington Heights, together with letter to the City Planning Commission from adjacent property owner agreeing to bear the cost and to grant an easement for relocation of an existing sewer located in said path, was presented. Said communication recommended closing subject to relocation of the existing sewer lateral.

RESOLUTION NO. 108923, recorded on Microfilm Roll No. 56, granting petition for closing of the path adjacent to Lots 61 and 62 Ludington Heights 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 Schneider, seconded by Councilman Dail, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval and the City Manager's stamp of approval, reporting on petition for closing the northerly 5 feet of Midway Street from the east line of Sea Rose Place to the West line of Calumet Avenue, was presented. The report stated that the portion of Midway Street closing requested would place parts of the storm drain structure under private property, and in any case is not desirable to deviate from the recommended policy of maintaining a uniform 10-foot width between the curb and property lines on all streets, and recommending denial of the petition, was presented.

RESOLUTION NO. 108924, recorded on Microfilm Roll No. 56, denying petition for closing the northerly 5 feet of Midway Street from the east line of Sea Rose Place to the west line of Calumet Avenue, as recommended by the Street Superintendent, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from Local 127, dated October 21, 1952, signed by Otto W. Hahn, business representative, being a copy of communication addressed to the City Civil Service Commission, was presented. The communication, having to do with "some very unfair conditions in the Harbor Department", made specific reference to individuals doing certain work, working out of classification, method used for appointments, etc. was read to the Council by the Clerk.

The Mayor pointed out that the letter was a copy, the original of which presumably went to the Civil Service Commission.

On motion of Councilman Schneider, seconded by Councilman Dail, said matter was referred to the City Civil Service.

Communication from Kenneth L. Liberty, and others, dated October 20, 1952, stating that as taxpayers and property owners, complaint was made against the City Management regarding regulations being imposed on duck hunters, and the hunting on City-owned lakes, was presented. It protested the ban on use of outboard motors, and the

time of departure from the docks which is also the legal time to start shooting.

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

RESOLUTION NO. 108925, recorded on Microfilm Roll No. 56, directing notice of filing of the Street Superintendent's Assessment No. 2083 covering assessment and of the time and place of hearing thereof for the paving and otherwise improving of Ingraham Street, within the limits and as particularly described in Resolution of Intention No. 105902, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108926, recorded on Microfilm Roll No. 56, directing notice of filing of the Street Superintendent's Assessment No. 2082 covering assessment and of the time and place of hearing thereof for the paving and otherwise improving of San Juan Place, Alleys in Blocks 155, 159, 160 Mission Beach, and Bayside Lane, within the limits and as particularly described in Resolution of Intention No. 103449, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 108927, recorded on Microfilm Roll No. 56, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, for the paving and otherwise improving of the Alley lying easterly of and contiguous to Block K University Heights Subdivision of Pueblo Lot 1113, and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 107937, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

A written report from the City Engineer stated that the low bid is 4.8% below the estimate.

RESOLUTION OF AWARD NO. 108928, recorded on Microfilm Roll No. 56, accepting bid of Cox Bros. Construction Co., a corporation, and awarding contract, for the paving and otherwise improving of Gresham Street and Oliver Avenue, within the limits and as particularly described in Resolution of Intention No. 107936, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

A written report from the City Engineer stated that the low bid is 17.2% below the estimate.

RESOLUTION OF AWARD NO. 108929, recorded on Microfilm Roll No. 56, 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 Newell Street, Locust Street, Oliphant Street and Macaulay Street, within the limits and as particularly described in Resolution of Intention No. 107939, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

A written report from the City Engineer stated that the low bid is 3.5% below the estimate.

RESOLUTION OF AWARD NO. 108930, recorded on Microfilm Roll No. 56, accepting bid of Cox Bros. Construction Co., a corporation, and awarding contract, for the paving and otherwise improving of Roosevelt Avenue and Haines Street, within the limits and as particularly described in Resolution of Intention No. 107940, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

A written report from the City Engineer stated that the low bid is 11.1% below the estimate.

RESOLUTION OF AWARD NO. 108931, recorded on Microfilm Roll No. 56, 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 Wightman Street, within the limits and as particularly described in Resolution of Intention No. 107938, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

A written report from the City Engineer stated that the low bid is 7.4% below the estimate.

RESOLUTION ORDERING WORK NO. 108932, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of the Alley in Block 7 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 108279, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 108933, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of Central Avenue, Public Right of Way and Thorn Street, within the limits and as particularly described in Resolution of Intention No. 108135, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108934, recorded on Microfilm Roll No. 56, 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, 1952, to and including September 30, 1953, in strict accordance with plans and specifications contained in report of the City Engineer filed September 5, 1952 in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108935, recorded on Microfilm Roll No. 56, 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 Roseville Lighting District No. 1, for the period of one year from and including October 15, 1952, to including October 14, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108936, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage schedule for the paving and otherwise improving of Beta Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108937, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage schedule for installation of sewers in portions of Old San Diego, J. P. Jones Subdivision, Pueblo Lot 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reiner's Subdivision, Addition to Silver Terrace, Amended Map of Silver Terrace, and certain Pueblo Lands, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108938, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage schedule for paving and otherwise improving of the Alley in Block 87 Point Loma Heights, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108939, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage schedule for the paving and otherwise improving of the Alley in Block 12 Sunset Cliffs, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108940, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage schedule for the paving and otherwise improving of Diamond Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's stamp of approval, recommending granting request of Cox Bros. Construction Co. for 90-day extension of time from November 21, 1952 on contract for improvement of 33rd Street, as more particularly described in Resolution of Intention No. 103207, was presented. The request from said company stated that the project has been satisfactorily completed for several months, but that due to technicalities of making up the cost records and assessment rolls the extension was needed.

RESOLUTION NO. 108941, recorded on Microfilm Roll No. 56, authorizing the Street Superintendent to grant Cox Bros. Construction Co. a 90-day extension of time for the completion of contract for improvement of 33rd Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent recommending granting request of Daley Corporation for 60-day extension of time on contract for paving and otherwise improving of Brooklyn Avenue and 63rd Street, as more particularly described in Resolution of Intention No. 102126, was presented.

Communication from said corporation requested the extension due to additional time required to complete collection of the assessment roll.

RESOLUTION NO. 108942, recorded on Microfilm Roll No. 56, authorizing the Street Superintendent to grant the Daley Corporation a 60-day extension of time for the completion of the contract for the improvement of portions of Brooklyn Avenue and 63rd Street, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent recommending granting request of R. E. Hazard Contracting Company for 90-day extension of time from November 21, 1952 for improvement of Coronado Avenue, Del Mar Avenue and Orchard Avenue, as more particularly described in Resolution of Intention No. 103210, was presented.

RESOLUTION NO. 108943, recorded on Microfilm Roll No. 56, authorizing the Street Superintendent to grant R. E. Hazard Contracting Co. a 90-day extension of time for completion of contract for improvement of portions of Coronado Avenue, Del Mar Avenue and Orchard Avenue, in accordance with his recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108944, recorded on Microfilm Roll No. 56, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road, et al, within the limits and as particularly described in Resolution of Intention No. 102375, and to be assessed to pay the expenses to pay therefor; 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 Wincote, adopted.

RESOLUTION NO. 108945, recorded on Microfilm Roll No. 56, 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 12 La Jolla Strand, within the limits and as particularly described in Resolution of Intention No. 106322 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108946, recorded on Microfilm Roll No. 56, 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 West Street and Ocean View Boulevard, within the limits and as particularly described in Resolution of Intention No. 107177 and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108947, recorded on Microfilm Roll No. 56, granting petitions contained in Documents Nos. 455968 and 456377 for the paving and otherwise improving of Jewell Drive and T 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; directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 106160 for the improvement of 37th Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108948, recorded on Microfilm Roll No. 56, 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 territory in the County, contiguous to portion of Lot 1 Block 26 and portions of Lots 4 and 5 Block 27 Rosedale, to be designated as "City of San Diego Rosedale Tract No. 1"; Lots 8 and 9 Block 3 and Lots 1, 7, 8 Block 4 Rosedale to be designated as "City of San Diego Rosedale Tract No. 2"; and portions of Lots 1 to 6 inclusive Plat of Lot 32 Ex-Mission Rancho and Part of Pueblo Lot 1113, and portion of Lot 35 Rancho of San Diego, to be designated as "City of San Diego Mission Valley Tract", was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108949, recorded on Microfilm Roll No. 56, determining and declaring that the public interest, convenience and necessity of The City of San Diego require the construction, operation and maintenance of a sewer in Horton's Purchase in The City of San Diego in portion of Lot 16 Rancho Ex-Mission, Horton's Purchase; that the public interest, convenience and necessity demand the acquisition of an easement and right of way in portion of said land for construction, operation and maintenance of said sewer; declaring the intention of The City of San Diego to acquire said easement and right of way under Eminent Domain Proceedings; 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 interest in said property and acquiring said easement and right of way, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108950, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work necessary in connection with the reinforcing of the east wall of the Mission Beach Ballroom Building, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution recited that the City Manager has recommended the construction of certain work, that he has submitted estimates and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 108951, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the construction of an extension to the existing 48-inch storm drain a distance of 24 feet across Lot 44 Block 65 City Heights, situated near the intersection of Wightman and 38th Streets, as shown on City Engineer's Drawing No. 4687-B, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution recites that the Engineer Department of the City has recommended said construction, that the City Manager has submitted estimates and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 108952, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the construction of an extension to the existing 18-inch storm drain a distance of 48 feet across the northeast corner of Lot 4 Block F Southlook, as shown on the City Engineer's Drawing #8026-L, revised September 30, 1952, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

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

RESOLUTION NO. 108953, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the removal and/or lowering of 50 existing services to grade in the Alley in Block 156 Pacific Beach, from Mission Boulevard to Bayard Street, and from Diamond Street to Emerald Street, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution recites that the Water Department has recommended renewal and/or lowering thereof, that the City Manager has submitted estimates for the work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 108954, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the renewal and/or lowering of 55 existing services to grade in Beverly Tract, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution recites that the Water Department has recommended renewal and/or lowering of the services, that the City Manager has submitted estimates for the work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 108955, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the renewal and/or lowering of 44 existing services to grade on Gresham Street, between Oliver Street and Diamond Street, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Water Department has recommended the renewal and/or lowering thereof, 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. 108956, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the renewal and/or lowering of 41 existing services to grade on 46th Street, between Logan Avenue and Ocean View Boulevard, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Water Department has recommended the renewal and/or lowering, 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. 108957, recorded on Microfilm Roll No. 56, 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, State of California, and to take all necessary steps to acquire from the State lands in Assessor's Map No. 29, Beverly, Carmelita Place, City Heights, Empire Addition to Encanto Heights, First Addition to South La Jolla, Hollywood Station, La Jolla Heights, more particularly described in said Resolution, which property consists of tax-deed lands which property may be purchased by the City by entering into an option with the Board of Supervisors, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108958, recorded on Microfilm Roll No. 56, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations:

Gregory Street, at Durant Street;

Poinsettia Drive, at Alcott Street;

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

RESOLUTION NO. 108959, recorded on Microfilm Roll No. 56, authorizing and directing the Property Supervisor to file petitions with the County Board of Supervisors for cancellation of taxes, penalties and deeds against City-owned property in La Jolla Shores Unit No. 2, and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108960, recorded on Microfilm Roll No. 56, authorizing and directing the Property Supervisor to file petitions with the County Board of Supervisors for cancellation of taxes, penalties and deeds against City-owned property in La Jolla

Shores Unit No. 2, and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108961, recorded on Microfilm Roll No. 56, authorizing and directing the Property Supervisor to file petitions with the County Board of Supervisors for cancellation of taxes, penalties and deeds against City-owned property in La Jolla Shores Unit No. 2, and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108962, recorded on Microfilm Roll No. 56, authorizing and directing the Property Supervisor to file petitions with the Board of Supervisors of the County of San Diego for cancellation of taxes, penalties and deeds against City-owned property in Mission Beach, Hermosa Terrace, La Jolla Shores Unit No. 2, and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108963, recorded on Microfilm Roll No. 56, authorizing and directing the Property Supervisor to file petitions with the County Board of Supervisors for cancellation of taxes, penalties and deeds against City-owned property in La Jolla Shores Unit No. 2, and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108964, recorded on Microfilm Roll No. 56, authorizing and directing the Property Supervisor to file petitions with the Board of Supervisors of the County of San Diego for cancellation of taxes, penalties and deeds against City-owned property in Point Loma Heights, and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108965, recorded on Microfilm Roll No. 56, authorizing and directing the Property Supervisor to file petitions with the County Board of Supervisors for cancellation of taxes, penalties and deeds against City-owned property in El Cerrito Heights Unit No. 3, and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108966, recorded on Microfilm Roll No. 56, authorizing and directing the Property Supervisor to file petitions with the Board of Supervisors of the County of San Diego for cancellation of taxes, penalties and deeds against City-owned property in La Mesa Colony, and to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 108967, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to execute for and on behalf of the City a lease with San Diego Gas and Electric Company of a portion of Pueblo Lot 217, for a term of 50 years at an annual rental of \$100.00, payable annually in advance, more particularly described, and the terms and conditions as set forth in the form of lease filed in the office of the City Clerk as Document No. 457967, which property has a value of \$2,000.00 as disclosed by the report of the last appraisal made by the Auditor and Comptroller, which is leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.
(Said lease is for a portion of Pueblo Lot 217)

RESOLUTION NO. 108968, recorded on Microfilm Roll No. 56, authorizing and directing the City Manager for and on behalf of The City to execute a termination of lease-agreement with the United States of America, acting under direction of the Secretary of the Navy, by direction of the Chief of the Bureau of Yards and Docks, whereby lease NOy(R)-43039 dated September 18, 1947 and Supplementary Agreement No. 1 dated October 10, 1947, affecting U.S. Naval Air Station, Miramar, are cancelled, all in accordance with terms and conditions as set out in Document No. 457968 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108969, recorded on Microfilm Roll No. 56, approving Change Order No. 1, dated October 1, 1952, heretofore filed with the City Clerk as Document No. 457852, issued in connection with the contract between The City of San Diego and Cast Stone Company for construction of comfort station No. 2 at Ventura Point, contract contained in Document No. 453036 on file in the office of the City Clerk; changes amounting to an increase in the contract price of \$285.00, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108970, recorded on Microfilm Roll No. 56, approving change order No. 1 for extension of 30 days to and including November 14, 1952, dated October 6, 1952, heretofore filed with the City Clerk as Document No. 457854 in which to complete contract for construction of Eugene Place Storm Drain, contract contained in Document No. 453418, completion extended to November 14, 1952, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108971, recorded on Microfilm Roll No. 56, approving change order No. 2 dated October 1, 1952, heretofore filed with the City Clerk as Document No. 457856, issued in connection with contract between The City of San Diego and Cast Stone Company for construction of Comfort Station No. 2 at Ventura Point, contract contained in Document No. 453036 on file in the office of the City Clerk; changes amounting to an increase in the contract price of \$290.00, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108972, recorded on Microfilm Roll No. 56, granting revocable permit to Radford Overhead Doors, 1659 National Avenue, San Diego 13, to install and maintain one 1000 gallon gasoline tank underneath the sidewalk in front of 1659 National Avenue, upon the various conditions set forth in said Resolution; directing the City Clerk to transmit a certified copy of said Resolution to said company, 1659 National Avenue, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108973, recorded on Microfilm Roll No. 56, granting revocable permit to Charles C. Morris, 4575 "F" Street, San Diego 2; Ralph Lee, 6891 Central Avenue, Lemon Grove, California; Jesse Meggs, Jr., 287 Hilltop Circle, Chula Vista, California to enter upon lands owned by The City of San Diego in and around Morena Reservoir, for the exclusive purpose of prospecting for minerals, which permission is granted subject to 7 conditions set forth in detail in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108974, recorded on Microfilm Roll No. 56, granting permission to Saunders Drive It Yourself System (B. E. Ilertsen, Logan Manager) 735 Sixth Avenue, San Diego, for operation of 6 automobiles for hire without driver; finding that the public convenience and necessity require the operation of said passenger automobiles; permission is granted subject to compliance with all ordinances and regulations of The City of San Diego pertaining thereto; directing the Chief of Police and the City Clerk to issue to said Saunders Drive It Yourself System, Certificate of Public Convenience and Necessity to operate the aforementioned passenger automobiles, pursuant to said Resolution, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108975, recorded on Microfilm Roll No. 56, authorizing and empowering the City Treasurer to issue a duplicate coupon, #7, due August 1, 1952, detached from City of San Diego Waterworks Bond No. 1656, owned by the Bank of America National Trust & Savings Association, to replace coupon #7, which has been lost; said lost coupon being covered by Document No. 320254 executed by the Fire Association of Philadelphia, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108976, recorded on Microfilm Roll No. 56, authorizing the Director and Division heads of the Water Department to attend the annual meeting of the California Section, American Water Works Association, to be held at Pasadena, California, October 29th to 31st, inclusive, 1952, and that such other personnel in the Water Department, not to exceed 4 in number, as the Director may authorize, to attend said meeting for one or two days; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108977, recorded on Microfilm Roll No. 56, authorizing Richard Gallagher, Director of Public Works, to attend the meeting of the Special Committee to study needs on major highways in metropolitan areas, to be held in Sacramento, California, November 6, 1952; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 108978, recorded on Microfilm Roll No. 56, 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 E. H. Crabtree and Genevieve N. Crabtree, husband and wife, property in Pueblo Lot 1119 more particularly described in said Resolution; authorizing the City Clerk to deliver said quitclaim deed to the Property Supervisors with instructions that the same be delivered to the grantees upon receipt of a deed conveying street easements as required by the City, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Said Resolution recites that the City desires an easement for street purposes over portion of Pueblo Lot 1119, that E. H. Crabtree and Genevieve N. Crabtree, owners have agreed to deed easement to the City in exchange for quitclaim deed from The City for street easement needed by the City; stating that the value of the street easement needed by the City is \$100.00, that The City has no longer any need for its street easement in Pueblo Lot 1119; that the easement owned by ~~owned by~~ the City is \$100.00; that the City Manager has recommended such exchange.

RESOLUTION NO. 108979, recorded on Microfilm Roll No. 56, accepting deed of E. H. Crabtree and Genevieve N. Crabtree, bearing date October 8, 1952, conveying an easement and right of way for street purposes in portion of Pueblo Lot 1119, setting aside the same and dedicating it 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 for 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.

ORDINANCE NO. 5356 (New Series), recorded on Microfilm Roll No. 56, calling and providing for and giving notice of special election to be held in La Mesa Colony No. 4, on Tuesday, the 2nd day of December, 1952, for the purpose of submitting to the electors residing therein the question whether the territory in said La Mesa Colony No. 4 shall be annexed to, incorporated in and made a part of The City of San Diego, and that the property therein shall after such annexation be subject to taxation equally with the property within The City of San Diego to pay the bonded indebtedness of said City outstanding at the date of such annexation, 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 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.

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

ORDINANCE NO. 5357 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$11,000.00 from the Capital Outlay Fund of the City of San Diego, for the purpose of providing funds to pay the City's share of the cost of the improvement of Afton Road and Hurlbut Street, to provide an access road to the Cabrillo Heights Housing and the newly constructed Angier Elementary School; the balance of the cost of the work to be borne by the San Diego Unified School District; 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 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 was furnished to each member of the Council.

ORDINANCE NO. 5358 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$1,000.00 from the Unappropriated Balance for the purpose of providing funds to cover the costs incurred by the Pacific Telephone & Telegraph Company in moving telephone installations from certain Pueblo Lots; said lots being required by the City for highway purposes; was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted, 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.

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.

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

The City Manager made a verbal report to the Council on the proposed ordinance, prior to its adoption, in which he said that an agreement had been made previously with said Company for providing for the moving of said pole if necessary at City expense.

ORDINANCE NO. 5359 (New Series), recorded on Microfilm Roll No. 56, changing the names of 56th Street and 56th Place in Wollingwood Terrace Unit No. 2 to Dorothy Way, was on motion of Councilman Swan, seconded by Councilman Wincote, placed on its final 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 Swan, 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.

(New Series)

ORDINANCE NO. 5360, recorded on Microfilm Roll No. 56, vacating sewer easement over Lot 10 of Horton's Purchase, pursuant to Section 50443 of the Government Code of The State of California, was on motion of Councilman Swan, seconded by Councilman Schneider, placed on its final reading, 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 Swan, 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.

Said Ordinance recites that in 1928 The City of San Diego obtained an easement in said property; that it has never been used for the purpose acquired; that since acquiring the same, the City has constructed the sewer line in a different location and that the easement is unnecessary for present or prospective use.

A proposed Ordinance incorporating the SE 1/4 of 1/4 Sec. 103 Rancho de la Nacion, in the City of San Diego, into "R-2" Zone as defined by Section 101.0406 of the San Diego Municipal Code and repealing Ordinance No. 118 (New Series), adopted January 3, 1933, insofar as the same conflicts, 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., Thursday, November 20, 1952.

The following matters, not listed on the Council's agenda, were presented under unanimous consent granted to the City Manager, each of which matters he explained briefly:

Communication from the Purchasing Agent reporting on bids received for the improvement of Afton Road between Hurlbut St. and Aero Drive, Hurlbut St. westerly of Afton Road and Aero Drive at Afton Road - consisting of grading, paving, curbs, sidewalks, sewer main, man holes, water mains and drainage structures - received by the Purchasing Agent on September 17, 1952, from 4 bidders in accordance with tabulation attached to the report. Said communication recommended award to Griffith Company, low bidder, at \$29,977.15, being 6.3% below the estimate. The report said that the San Diego Unified School District has agreed to pay \$21,500 towards the cost of the work.

RESOLUTION NO. 108980, recorded on Microfilm Roll No. 56, accepting bid of Griffith Company for the improvement of portions of Afton Road and Aero Drive at Afton Road, awarding contract and authorizing and instructing the City Manager to enter into the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp approval, submitting petition for improvement of Milton Street between Clairemont Heights Unit No. 1 and Morena Boulevard; recommending inclusion of paving and otherwise improving of portion of Milton Street between Morena Boulevard and Illion Street, according to plans and specifications filed October 27, 1952 under Document No. 457787 at no cost to the City and under City inspection, was presented.

RESOLUTION NO. 108981, recorded on Microfilm Roll No. 56, granting Burgener-Tavares permission to grade and pave portion of Milton Street by private contract, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 108982, recorded on Microfilm Roll No. 56, authorizing the Mayor and City Manager to execute and file with the State Board of Equalization a written protest against the issuance of an On-Sale General Liquor License to Ilah G. and James R. Turpin for the premises located at 2604 Fifth Avenue, on the grounds that the said premises are 452 feet from St. Paul's Episcopal Church located at 2729 Fifth Avenue, and 358 feet from the San Diego Women's Club located at 2557 Fifth Avenue, where services of the Institute of Religious Science are regularly held, and upon the further grounds that teen-age dances are regularly held at night at the San Diego Women's Club in addition to the usual activities of the women's organization; also upon the additional grounds that the application is being protested by St. Paul's Episcopal Church, the Institute of Religious Science, San Diego Women's Club and Dr. Frank M. Lowe of 2555 Fifth Avenue, as a citizen and clergyman, and that its issuance would be contrary to the public welfare and morals of the community, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Prior to the adoption of the next Resolution, the City Manager made a detailed explanation. He said that it has been found that the City does not have the money for the project referred to. The City Manager discussions raised by Councilman Swan relative to bonding in the future.

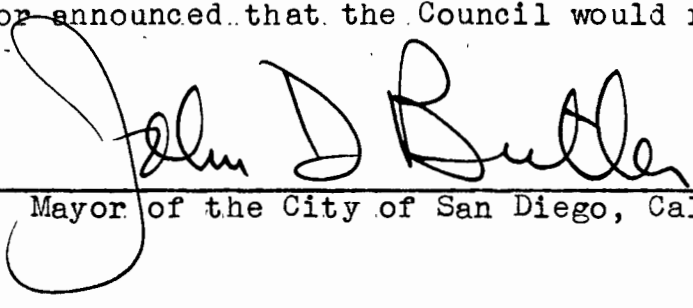
RESOLUTION NO. 108983, recorded on Microfilm Roll No. 56, resolving that the existing bonding capacity of The City is inadequate to meet the present critical needs of the City for public improvements of general benefit to the City as a whole and exclusive of the need for community facilities occasioned by the present National Defense program in the City; that it is the intent of the Council to submit proposals for issuance of bonds as required to finance projects heretofore outlined in said Resolution as rapidly as specific project plans may be developed and at such times as, in the opinion of the Council, the people of the City would approve such bond issues by the necessary two-thirds majority; that a majority portion of the cost of community facilities required to serve programmed housing projects allocated to the City should be borne by the Federal Government under the clear intent of the provisions of Public Law 139; that the City Manager is directed to use all means at his disposal to obtain prompt consideration and favorable action upon applications now on file and to be filed with the Housing and Home Finance Agency of the United States Government for community facilities funds; that the City Clerk is directed to forward certified copies of said Resolution to the Housing and Home Finance Agency and to the appropriate members of the United States Senate and House of Representatives, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution in its preamble goes into considerable detail, all of which is contained in the original thereof. While the Resolution directs the City Clerk to forward copies, the Assistant City Manager has advised that he will do so, and copies were furnished to him at his request for that purpose.

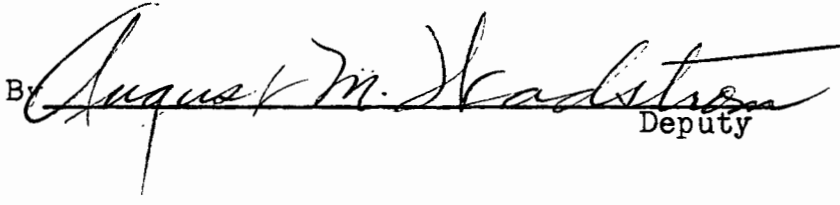
RESOLUTION NO. 108984 will be found on page 64 of these minutes.

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 11:40 o'clock A.M.

Upon adjournment, the City Manager said he wanted to give some information to give to the Council. Thereupon, the Mayor announced that the Council would remain in the Council for a brief 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, Calif-
ornia, Thursday, October,
30, 1952

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 Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.
Absent---Councilmen None
Clerk----Fred W. Sick

The continued hearing on the proposed Ordinance incorporating a portion of Lot 16 C. C. Seaman's Subdivision and Lots 1 to 4 Furlow Heights Unit No. 3 into "R-4" Zone and repealing Ordinance No. 184 New Series insofar as it conflicts, was brought up again at this time.

Councilman Kerrigan requested that there be another continuance of the matter, and stated that easements for drainage in the area affected had not been secured.

Glenn A. Rick, City Planning Director, spoke briefly, and said that Councilman Kerrigan was correct. He requested a continuance for 2 weeks.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said hearing was continued again - until Thursday, November 13, 1952, at the hour of 10:00 o'clock A.M.

Petition of residents requesting action to stop fluoridation of City drinking water was presented.

Accompanying said petition was a letter from J. K. Christie, D. C. as President of Citizens Against Mass Fluoridation.

The matter was brought before the Council on October 28, 1952, under unanimous consent granted to Councilman Schneider. Unanimous consent was withdrawn, however, at that time when the subject of the proposed presentation was learned. When Dr. Christie attempted to be heard, he filed the petition referred to, and the City Clerk was directed to list the matter on the agenda for this meeting.

When the Mayor asked if someone was present to be heard in connection with the communication and the letter, no one appeared.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the petition and letter were ordered filed.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for improvement of portions of Roswell Street, Hanover Street, Derby Street and Selma Place (replacement of curbs and sidewalks, construction of curb inlet and concrete pipe culvert, etc.) received by the Purchasing Agent on October 16, 1952, from 2 bidders in accordance with Resolution No. 108535, and tabulation attached, was presented.

Said recommendation recommended that award be made to Griffith Company for improvement of Roswell Street, et al at the sum of \$5,247.12.

RESOLUTION NO. 108985, recorded on Microfilm Roll No. 56, accepting bid of Griffith Company for the furnishing of the improvement of portions of Roswell Street, Hanover Street, Derby Street, and Selma Place; authorizing and instructing the City Manager to enter into and execute on behalf of the City of San Diego a contract with said Griffith Company therefor, 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 furnishing and installing traffic signals, safety lighting and an underground primary system at the intersection of Sunset Cliffs Boulevard and Midway Driveway, received by the Purchasing Agent October 22, 1952, from two bidders, was presented. The communication recommended award to Ets-Hokin & Galvan, the low bidder, whose bid was \$43,881 - 16.7% below the estimate. The report stated that by agreement 66.2% of the cost of construction, or \$29,049.22 will be paid from the Gas Tax Funds Project No. 54 Fund 219, the remainder \$14,831.78 plus engineering and incidentals will be available when appropriated by the Council.

RESOLUTION NO. 108986, recorded on Microfilm Roll No. 56, accepting bid of Ets-Hokin & Galvan for furnishing and installing traffic signals, safety lighting and underground primary system at the intersection of Sunset Cliffs Boulevard and Midway Drive; 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 Kerrigan, adopted.

Communication from the Purchasing Agent, reporting on bids for furnishing 1 1/2-ton pickup truck and 1 1-ton pickup truck with dump body, for the Harbor Department, received by the Purchasing Agent on October 16, 1952, from 3 bidders, was presented. Said communication recommended award to Union Title Insurance and Trust Co., Trustee, Estate of C. A. Gray, deceased, the low bidder for furnishing one 1/2-ton Express Pickup Truck at \$1,423.84 plus State Sales tax; also award to International Harvester Company, low bidder for one International Model L-130 1-ton pickup truck with dump body at \$2,151.04 plus State Sales Tax, was presented.

RESOLUTION NO. 108987, recorded on Microfilm Roll No. 56, accepting bid of Union Title Insurance and Trust Co., Trustee, Estate of C. A. Gray, deceased, to furnish one 1/2-ton Express Pickup Truck; awarding contract and authorizing a majority of the members of the Harbor Commission to enter into and execute on behalf of The City of San Diego therefor, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108988, recorded on Microfilm Roll No. 56, accepting bid of the International Harvester Company to furnish one International model L-130 1-ton Pickup Truck with dump body; awarding contract and authority a majority of the members of the Harbor Commission to enter into and execute on behalf of the City of San Diego a contract therefor, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 108989, recorded on Microfilm Roll No. 56, authorizing in pursuance of recommendation of the City Manager and the City Attorney, Charles J. Dorfman to withdraw his bid filed in the office of the City Clerk September 16, 1952, for construction of a sewer replacement in 33rd Street, from Lincoln Avenue to Adams Avenue, because of an error in said bid; authorizing the City Clerk to return said bid of Charles J. Dorfman; rejecting all other bids received for construction of sewer replacement in 33rd Street from Lincoln Avenue to Adams Avenue - 4 bids having been received by the City Clerk prior to 10:00 o'clock A.M. September 16, 1952 for said work - authorizing the Purchasing Agent to readvertise for bids for said work, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Dail. Absent--Councilmen None.

While no recommendation came from the City Manager, as stated in said Resolution, there was a communication signed by Douglas D. Deaper Deputy City Attorney approved by J. F. DuPaul City Attorney, addressed to E. W. Blom Assistant City Manager, and forwarded to the Council together with the various papers on the subject.

RESOLUTION NO. 108990, recorded on Microfilm Roll No. 108990, recorded on Microfilm Roll No. 56, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for embankment protection, Wabash Boulevard Section A, bearing official Document No. 457969; authorizing the Purchasing Agent to publish in accordance with law notice to contractors calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Application from William W. Hanson, 745 - 4th Avenue, for a Class C Dine & Dance license to operate at the Golden Horseshoe, 745 - 4th Avenue, on premises where intoxicating liquor is sold, was presented together with recommendations for approval from the various interested City departments.

RESOLUTION NO. 108991, recorded on Microfilm Roll No. 56, granting appli-

cation of William W. Hanson for a Class C license to conduct public dance at the Golden Horseshoe, 745 - 4th Avenue, 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.

Application of John A. Pettus, 2244 Bacon Street, San Diego 7, for a Cabaret License at Na-Lani Club, 2244 Bacon Street, where liquor is sold, was presented, together with recommendations for granting from various interested City departments.

RESOLUTION NO. 108992, recorded on Microfilm Roll No. 56, granting permission to John A. Pettus to conduct a cabaret with paid entertainment at Na-Lani Club, 2244 Bacon Street, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending suspension of suspension of 6 sections of the Subdivision Ordinance, in connection with the Tentative Map of Kearney Mesa Industrial District, was presented.

RESOLUTION NO. 108993, recorded on Microfilm Roll No. 56, suspending Sections 102.07-5, 102.11-2, 102.11-1, 102.11-3, 102.18, 102.17-c of the Municipal Code, in connection with the Tentative Map of Kearney Mesa Industrial District, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending approval of the Tentative Map of the Kearney Mesa Industrial District, subject to 10 conditions, was presented.

RESOLUTION NO. 108994, recorded on Microfilm Roll No. 56, approving the Tentative Map of Kearney Mesa Industrial District, on the various conditions set forth in said Resolution - area consisting of approximately 156 acres of land lying northwesterly of Cabrillo Freeway opposite Camp Elliott, to be developed for use of small industrial plants, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Civil Service Commission, by Raymond Kray, Personnel Director, signed by Lew Fay, Asst. Personnel Director, dated October, relative to revision of Civil Service Rule VIII Sec. 2 Eligibility for Promotional Examination, was presented.

Councilman Schneider pointed out that he had a Resolution and Ordinance in connection with the proposal, which he would be glad to introduce if needed, at this time.

It was indicated by some members of the Council, after hearing Mr. Schneider say that it is necessary to provide for promotional examinations after a 6-months' service instead of after 1 year's service, that the matter should be looked into in Conference.

RESOLUTION NO. 108995, recorded on Microfilm Roll No. 56, referring to Council Conference the communication from the Personnel Director recommending revision of the Civil Service Rules VIII Sec. 2 Eligibility for Promotional Examinations, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Guillermo Patterson, Jr., consul, Consulado de Panama, signed by the Consul and dated Oct. 27th, 1952, asking about the order substituting another name for "Panama Plaza" in Balboa Park by order of the Council, was presented.

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

(The matter was sent by the Clerk's Office to the Mayor who also replied)

RESOLUTION NO. 108996, recorded on Microfilm Roll No. 56, establishing two-hour parking time limit between the hours of 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted, on the following streets:

15th Street, between the south line of J Street and the north line of K Street;

16th Street, between the south line of E Street and the north line of F Street;

16th Street, between the south line of L Street and the north line of Imperial Avenue;

Pennsylvania Avenue between the east line of Fourth Avenue and the west line of Fifth Avenue;

Establishing parking meter zones in said area, directing the City Manager to cause said parking meters to be installed and cause meter spaces to be designated;

Establishing Parking Meter Zone:

On the northerly side of Cleveland Avenue, between Tenth Avenue and Vermont Street;

directing the installation of the necessary signs and markings; repealing all resolutions or parts of resolutions in conflict therewith, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 108997, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the construction of a triple 72-inch concrete pipe culvert near the Hazard Company Plant on Friars Road, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City Manager has recommended said construction, that he 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. 108998, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the construction of an extension to the storm drain in La Jolla Mesa Drive north of Linda Rosa Drive with 64 lineal feet of 4" concrete pipe, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that the Engineering Department has recommended the construction of an extension to the storm drain, 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. 108999, recorded on Microfilm Roll No. 56, approving request of L. B. Butterfield, contained in Change Order No. 1 for an extension of time of 90 days, to and including January 13, 1953, heretofore filed with the City Clerk as Document No. 457985 in which to complete contract for construction of Tecolote Canyon Sewer Part I, contract contained in Document No. 451107 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109000, recorded on Microfilm Roll No. 56, ratifying, confirming and approving supply contract with the United States of America, as Lessee - for U.S. Government furnishing of electric service to the offices of the Interstate Airway Communications Station of CAA located in the Lindbergh Field Terminal Building, to continue from the date of the lease to 30 June 1962, increasing rental by \$50.00 per month, which is the approximate cost of electric service furnished by the Lessee, and provides that should rates charged by the San Diego Gas and Electric Company be changed, the existing contract may be modified accordingly - was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109001, recorded on Microfilm Roll No. 56, approving request of E. C. Losch Company, contained in Change Order No. 1 for extension of 30 days to and including November 15, 1952, heretofore filed with the City Clerk as Document No. 457993 in which to complete contract for installation of 12" Pipe Lines on Wren, Orange and Winona Avenues, contract contained in Document No. 452516 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The next matter was explained to the Council by the City Manager, at the request of Councilman Swan. He said that the contract calling for alterations on the bail office, Police Headquarters Building, would provide windows for the payment of traffic tickets.

RESOLUTION NO. 109002, recorded on Microfilm Roll No. 56, approving change order No. 2, dated October 20, 1952, heretofore filed with the City Clerk as Document No. 457989, issued in connection with contract with Loring & Company for construction of alterations to Bail Office at Police Headquarters and Courts Building, contract contained in Document No. 450740 on file in the office of the City Clerk; amounting to increase in the contract price of \$1101.00, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109003, recorded on Microfilm Roll No. 56, approving request of Loring & Company, contained in change order No. 4, for extension of 30 days to and including November 29, 1952, heretofore filed with the City Clerk as Document No. 457991 in which to complete contract for construction of alterations to the Bail Office at Police Headquarters and Courts Building, contract contained in Document No. 457040 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

In connection with the next matter, the City Manager announced that there is a decrease, instead of an increase. As a result of that information, the Clerk changed the Resolution.

RESOLUTION NO. 109004, recorded on Microfilm Roll No. 56, approving change order No. 1 dated October 8, 1952, heretofore filed with the City Clerk as Document No. 457987, issued in connection with contract between San Diego and Drainage Constr. Co. and for construction of Tecolote Sewer, Section II, which contract is contained in Document No. 451825 on file in the office of the City Clerk; changes set forth amounting to a decrease in the contract price of approximately \$462.00, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109005, recorded on Microfilm Roll No. 56, approving request of Pace Construction Co., contained in Change Order No. 2 for extension of 21 days to and including November 5, 1952, heretofore filed with the City Clerk as Document No. 457995 in which to complete contract for construction of Bay Park Village Storm drain, contract contained in Document No. 459754 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109006, recorded on Microfilm Roll No. 56, approving request of W. A. Robertson Company, contained in Change Order No. 2, for extension of 30 days to and including November 18, 1952, dated October 20, 1952, heretofore filed with the City Clerk as Document No. 457997, to complete contract for installation of Small Water Main Replacements, Schedule B, Section 1, contract contained in Document No. 44994 on file in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109007, recorded on Microfilm Roll No. 56, approving change order No. 1, dated October 15, 1952, heretofore filed with the City Clerk as Document No. 458001, issued in connection with contract between The City and Squires-Belt Material Co., for furnishing gravimetric loss of weight type dry chemical feeders for Lower Otay and Torrey Pines Filtration Plants, contract contained in document No. 450480 on file in the office of the City Clerk; changes amounting to decrease in the contract price of \$647.00, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109008, recorded on Microfilm Roll No. 56, granting permission to A. B. C. Plumbing Co., 4230 Midway Drive, San Diego 10 (for Stanley Picard, 669 Loring Street, San Diego) to install a 4" cast iron sewer line between the property line and the sidewalk, to be placed one foot outside the sidewalk and run in a southerly direction parallel to the easterly line of Lot 15 Block 3 Reeds Ocean Front Subdivision, to point of intersection with public sewer, to serve property at 5080 Cass Street; granted upon approval of the City Manager, Department of Public Health, City Engineer and Properties Department, and upon conditions set forth in said Resolution; rescinding Resolution No. 108398 adopted September 18, 1952, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109009, recorded on Microfilm Roll No. 56, granting permission to Trepte Construction Company, Inc., 2001 Kettner Boulevard, to remove approximately 18 feet of curbing and widen existing driveway at 630 Tenth Avenue by approximately 19 feet so as to provide an overall driveway width of 31-1/2 feet as measured at the top of the full height curb, on the west side of Tenth Avenue, approximately between points 168 feet and 199-1/2 feet south of the south line of G Street, adjacent to Lot I Block 83 Horton's Addition, to serve remodeled building to be occupied by San Diego Glass & Paint Company, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109010, recorded on Microfilm Roll No. 56, granting permission to Jack Yount and Constance T. Yount, to connect 3 dwellings, numbered 2834, 2836 Bayside Walk and 2835 Bayside Lane (Lot C Block 34 Mission Beach, to one common soil line, without providing separate sewers; subject to approval of the Public Health Department and City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109011, recorded on Microfilm Roll No. 56, 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 Margery S. Hutman the southeasterly 10.0 feet measured at right angles from the northeasterly line of Lot 12 Block 3 Drucker's Subdivision, authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered to the grantee when he shall have obtained the deed conveying the easement as required by the City, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Said Resolution recites that the City desires an easement for sewer in portion of said property, that the owner of the property is willing to convey easement to the City in exchange for quitclaim from the City on portion of Lot 12 Block 3 Drucker's Subdivision, that the value of the easement disclosed by report of a competent appraiser is \$100.00, that the City property is no longer needed, and that the City Manager has recommended said exchange.

RESOLUTION NO. 109012, recorded on Microfilm Roll No. 56, accepting deed of Margery S. Hutman bearing date October 16, 1952, conveying an easement and right of way for public sewer in portion of Lot 10 Block 4 Drucker'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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109013, recorded on Microfilm Roll No. 56, accepting subordination agreement, executed by Harold Scott, beneficiary, and Land Title Insurance Company, trustee, bearing date October 9, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 38 and "B" Block 29 Fortuna Park; 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 Dail, adopted.

RESOLUTION NO. 109014, recorded on Microfilm Roll No. 56, accepting subord-

ordination agreement, executed by Thomas M. Shaw and Ardora P. Shaw, beneficiaries, and Land Title Insurance Company, trustee, bearing date October 8, 1952, subordinating all their right, title and interest in and to a portion of Lot 12 partition of Rancho Mission of San Diego to the right of way and easements for sewer purposes 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 certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109015, recorded on Microfilm Roll No. 56, accepting subordination agreement, executed by Thomas M. Shaw and Ardora P. Shaw, beneficiaries, and Land Title Insurance Company, trustee, bearing date October 8, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 12 partition of Rancho Mission of San Diego, to the right of way and easement for public sewer purposes heretofore 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 Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109016, recorded on Microfilm Roll No. 56, accepting deed of Hardy S. McIntosh and Pearl M. McIntosh, bearing date October 14, 1952, conveying an easement and right of way for public street purposes in portion of Lot 10 La Mesa Colony, setting aside and dedicating the same to the public use as and for a public street, and naming the same El Cajon Boulevard; 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 Dail, adopted.

RESOLUTION NO. 109017, recorded on Microfilm Roll No. 56, accepting deed of Mason L. Teters and Geraldine L. Teters, bearing date October 7, 1952, conveying an easement and right of way for public street purposes in portion of Lots 38 and "B" Block 29 Fortuna Park, setting aside and dedicating the same to the public use as and for a public street, and naming the same Lamont 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 Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109018, recorded on Microfilm Roll No. 56, accepting deed of James Hervey Johnson, bearing date October 14, 1952, conveying portion of Lots 21 to 24 inclusive Block 291 Lots 25 to 27 inclusive, Block 291-1/2 and Lots 29 and 30 Block 291-1/2 in Seaman and Choate's 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 Dail, adopted.

RESOLUTION NO. 109019, recorded on Microfilm Roll No. 56, accepting deed of Michael Ditomaso and Jean R. Ditomaso, bearing date October 8, 1952, conveying an easement and right of way for public sewer purposes in portion of Lot 12 Partition of 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 Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109020, recorded on Microfilm Roll No. 56, accepting deed of Thomas M. Shaw and Ardora P. Shaw, bearing date October 8, 1952, conveying an easement and right of way for public sewer purposes in portion of Lot 12 partition of 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 certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109021, recorded on Microfilm Roll No. 56, accepting deed of Thomas M. Shaw and Ardora P. Shaw, bearing date October 8, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 12 partition of 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 Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109022, recorded on Microfilm Roll No. 56, accepting deed of Virgil Laverne Wilshusen and Sadie Mae Wilshusen, bearing date October 8, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 12 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 certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109023, recorded on Microfilm Roll No. 56, accepting deed of Harry A. Cross, bearing date October 14, 1952, conveying an easement and right of way for storm drain in portion of Lot 44 Block 65 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 certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109024, recorded on Microfilm Roll No. 56, accepting deed of A. E. Rippey, bearing date October 1, 1952, conveying an easement and right of way for storm drain in portion of Pueblo Lot 1224; 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 Dail, adopted.

RESOLUTION NO. 109025, recorded on Microfilm Roll No. 56, accepting deed of Union Title Insurance and Trust Company, bearing date October 1, 1952, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1224; 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 Dail, adopted.

RESOLUTION NO. 109026, recorded on Microfilm Roll No. 56, accepting deed of Union Title Insurance and Trust Company, bearing date October 15, 1952, conveying easement and right of way for storm drain in Pueblo Lot 1227; 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 Dail, adopted.

RESOLUTION NO. 109027, recorded on Microfilm Roll No. 56, accepting deed of United States of America, Housing and Home Finance Agency, Public Housing Administration, bearing date September 10, 1952, conveying easement and right of way for sewer purposes in portion of Pueblo Lot 1198; authorizing and directing the Mayor to execute acceptance of deed for and on behalf of, and as the act and deed of The City of San Diego; directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the Property Supervisor for recording; rescinding Resolution No. 108629 authorizing the acceptance of said deed, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109028, recorded on Microfilm Roll No. 56, accepting 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 September 10, 1952, conveying an easement and right of way for street purposes in portion of Pueblo Lots 1179, 1190 and 1196, setting aside and dedicating portions thereof as and for Tecolote Valley Road and East Tecolote Road, and naming the same; authorizing the Mayor to execute acceptance of said deed for and on behalf of, and as the act and deed of The City of San Diego; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution to the Property Supervisor for recordings; rescinding Resolution No. 108622, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5361 (New Series), recorded on Microfilm Roll No. 56, approving the annexation to The City of San Diego of certain territory in the County of San Diego, State of California, to the City of San Diego, designated as Las Alturas Villa Sites Tract No. 2, 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 Dail, 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.

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

In connection with the Next Ordinance, Councilman Swan asked for the reason for the amendment. The City Manager said that an incorrect figure had appeared in the original ordinance, and that the amending ordinance is for the purpose of correcting the same.

ORDINANCE NO. 5362 (New Series), recorded on Microfilm Roll No. 56, repealing Ordinance No. 5336 (New Series) amending Section 6705 of the San Diego Municipal Code; and adopting a new Section 67.05 of the San Diego Municipal Code, Regulating the Water System, Cost of Water Service Connection and Meter Installations, determining said Ordinance to be an emergency measure and take effect on the date of adoption and passage, 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, 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.

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

Councilman Swan questioned the next matter, having to do with the definition of the word "Cabaret", and at his request, the Ordinance was read by the Clerk.

ORDINANCE NO. 5363 (New Series), recorded on Microfilm Roll No. 56, amending Section 31.0110 of the San Diego Municipal Code by adding thereto a new Subsection to be known as and numbered "(t)", covering cabarets, providing for the type of entertainment, 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 Swan, 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, it was read in full.

ORDINANCE NO. 5364 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$15,500.00 from the Traffic Safety Fund for the purpose of providing funds for furnishing and installing Traffic Signals, Safety Lighting and an Underground Primary System at the intersection of Sunset Cliffs Boulevard and Midway Drive, 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 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.

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

In connection with the next Ordinance, the City Manager made a brief report relative to use of funds, at the request of Councilman Schneider.

ORDINANCE NO. 5365 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$5,800.00 from the Capital Outlay Fund, for the purpose of providing funds for improvement of Roswell Street, Hanover Street, Derby Street, and Selma Place, 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.

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

ORDINANCE NO. 5366 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$1,500.00 from the Capital Outlay Fund, for the purpose of providing funds in addition to funds heretofore appropriated by Ordinance No. 5206 (New Series), for construction of alterations to the Jail Office at the Police Headquarters and Courts Building, 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 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.

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

ORDINANCE NO. 5367 (New Series), recorded on Microfilm Roll No. 56, creating positions of Assistant Director of Finance, Office Services Supervisor, and Supervising Key Punch Operator, in the Classified Services of The City of San Diego, and establishing schedule of compensation therefor, 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, 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.

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

ORDINANCE NO. 5368 (New Series), recorded on Microfilm Roll No. 56, establishing the grade of the Alley in Block 189 Pacific Beach, between the westerly line of Dawes Street and the easterly line of Cass 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, Godfrey, Dail, 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, Godfrey, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5369 (New Series), recorded on Microfilm Roll No. 56, establishing the grade of Eureka Street, between the south line of Lauretta Street and the south line of Mildred Street, within the limits and as set forth in said Ordinance, 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. 5370 (New Series), recorded on Microfilm Roll No. 56, establishing the grade of Hill Street, between a line drawn northerly at right angles to the southerly line of Hill Street from a point thereon distant 330.00 feet easterly from the intersection of the southerly line of Hill Street with the easterly line of Azure Vista, and the northerly prolongation of the westerly line of Sunset Ridge, 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 Swan, 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.

ORDINANCE NO. 5371 (New Series), recorded on Microfilm Roll No. 56, establishing the grade of Ingulf Street, between the easterly line of Frankfort Street and the westerly line of Galveston 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, 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.

ORDINANCE NO. 5372 (New Series), recorded on Microfilm Roll No. 56, establishing the grade of Landis Street, between the southeasterly line of Altadena Street and the southwesterly line of 52nd 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--Councilmen None.

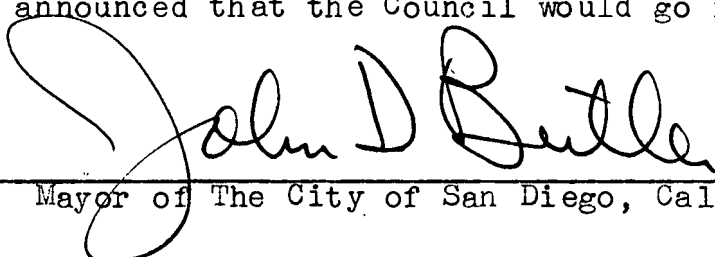
Thereupon, on motion of Councilman Wincote, seconded by Councilman Dail, said Ordinance was adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

At this time, Councilman Dail referred back to the item on the agenda appropriating \$5,800.00 from the Capital Outlay Fund for improvement of Roswell Street, Hanover Street, Derby Street and Selma Place. Mr. Dail said that the amount appropriated is for the purpose of applying the same on the contract price bid and to bring the ultimate cost down.

No action was taken, in addition to what had been done, it apparently being Councilman Dail's purpose to discuss the matter and call its importance to the Council's attention.

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 10:20 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

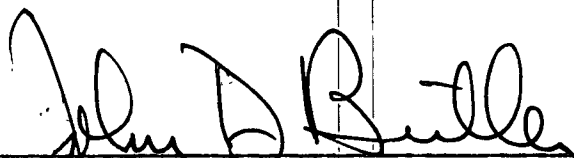
REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Wednesday, November 5, 1952

The Regular Meeting, scheduled for Tuesday, November 4, 1952, was not held inasmuch as Tuesday fell on Election and said date is a legal holiday in California.


In lieu of said November 4, 1952, meeting, a regular meeting of the Council would have been held. It was determined by the Council, however, not to meet on Wednesday but to conduct the week's business ordinarily transacted in two meetings, on Thursday, November 6, 1952.

Mayor John D. Butler appeared in the Council Chamber at 10:00 o'clock, on Wednesday, and declared that the Meeting would be held on Thursday, November 6, 1952, at the hour of 10:00 o'clock A.M. He also declared that bids and hearings set, previously, would be considered on Thursday, November 6, 1952, instead of on the Wednesday, November 5, 1952, meeting.



Mayor of The City of San Diego, California

ATTEST:
FRED W. SICK, City Clerk

By 

Deputy

REGULAR MEETING (ADJOURNED) AND
REGULAR MEETING, Thursday, November
6, 1952

A Regular Meeting of the Council was held this date, including the Regular meeting scheduled for November 4, 1952 but not held on account of Election Day, which meeting was to be conducted the next day but continued until this date, and the Regular Meeting scheduled for today.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.
Absent---Councilmen None
Clerk----Fred W. Sick

The meeting was called to order by Mayor Butler at the hour of 10:04 o'clock A.M.

The Minutes of the Regular Meetings of Tuesday, October 28, 1952 and of Thursday, October 30, 1952, were presented to the Council by the Clerk.

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

At this time, the Mayor presented service awards to the following employees, honoring their long-time service with the City of San Diego:

20 years; Milton E. Rader, Assistant to the Superintendent, Division of Streets -
years; Lester E. Denham, Senior Foreman of Maintenance, Water Department - 25
Joe E. Delgado, Senior Foreman of the Division of Streets - 35 years.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for the paving and otherwise improving of the Alley in Block 3 West, Teralta, 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 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 \$500.00, which bid was given Document No. 458489.

Councilman Godfrey was excused from the meeting at this time.

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.

Prior to the motion, a question was asked about there being only 1 bid, and it was reported that the job is a difficult one.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for the paving and otherwise improving of Bancroft Street, 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.

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$850.00, which bid was given Document No. 458494;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 458493;

Councilman Dail 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 \$1,000.00, which bid was given Document No. 458492;

The bid of R. E. Hazard Contracting Company, accompanied by bond written by Pacific Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 458491;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$900.00, which bid was given Document No. 458490.

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 hour of 10:00 o'clock A.M. having arrived, being the latest time set for receiving of bids for installation of sewers in Catoctin Drive, La Dorna Street and Montezuma Road, with 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 Walter H. Barber, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of \$2500.00, which bid was given Document No. 458498;
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. 458497;

Councilman Dail returned to the meeting at this time.

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of \$3,000.00, which bid was given Document No. 458496;

Councilman Godfrey returned to the meeting at this time.

The bid of Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of \$2,400.00, which bid was given Document No. 458495.

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, the latest time set for the receiving of protests on Resolution of Intention No. 108553 for the paving and otherwise improving of the Alleys in Blocks 2 and 27 Ocean Beach, 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 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 latest time set for the receiving of protests on Resolution of Intention No. 108554, for the paving and otherwise improving of 51st Street and Alley in Block 42 Tract 1368, 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 Swan, 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 latest time set for the receiving of protests on Resolution of Intention No. 108555, for the paving and otherwise improving of E Street, 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 Schneider, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

Petition requesting that City-owned property in Old San Diego, occupied by the pitch and putt golf course, baseball diamond and community center be preserved for all time for park and recreation purposes, that the same be protected in the future by formally dedicating the same for park purposes and making it a part of Presidio Park, was presented.

The heading on said large petition was read to the Council by the Clerk.

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

Petition of D.A.V., signed by Richard J. Cosgriff, Ajt., by Francis B. Morgan, requesting that November 8, 9, 10 and 11, 1952, be proclaimed D.A.V. "Forget-Me-Not" days, and permission be granted San Diego Chapters Numbers 2 and 70 to hold "Forget-Me-Not" Sale on the streets of San Diego on said days and at the stadium on November 11, was presented.

It was moved by Councilman Kerrigan, seconded by Councilman Schneider, to refer the matter to the City Manager, which motion was amended to include power to act.

RESOLUTION NO. 109029, recorded on Microfilm Roll No. 56, referring the petition of San Diego Chapters Numbers 2 and 70 of D.A.V., for "Forget-Me-Not" sale on the streets during November 8, 10, 11, 1952, and at the stadium on November 11, 1952, to the City Manager with power to act, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent reporting on bids for the installation of an 8-inch Fire Line at Lindbergh Field, Units I and II; awarding contract to Moffitt and Waddington Irrigation Co. of San Diego, low bidder; was presented.

RESOLUTION NO. 109030, recorded on Microfilm Roll No. 56, accepting bid of Moffitt & Waddington Irrigation Company for installing 8-inch Fire Line at Lindbergh Field, Units I and II, awarding contract and authorizing and instructing a majority of the members of the Harbor Commission to enter into contract, 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 furnishing the City's requirements of Clay Sewer Pipe, Fittings and Couplings for a period of 6 months beginning November 1, 1952, received October 29, 1952, was presented. The report stated that due to prices set by manufacturer both bids received were identical; recommending award to Mission Pipe & Supply Co. of San Diego inasmuch as Industries Supply Company of San Diego was the contractor for the past 6 months, was presented.

RESOLUTION NO. 109031, recorded on Microfilm Roll No. 56, accepting bid of Mission Pipe & Supply Company for furnishing City of San Diego requirements of Clay Sewer Pipe, Fittings and Couplings for a period of 6 months beginning November 1, 1952; awarding contract and authorizing and directing the City Manager to enter into and execute contract, 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 1 Dual-Drive Truck Tractor for the Department of Public Works from 6 bidders, recommending award to Mac Motor Truck Corporation, was presented.

RESOLUTION NO. 109032, recorded on Microfilm Roll No. 56, accepting bid of Mac Motor Truck Corporation for the furnishing of 1 Model LJSW-G 6 wheel, 4-wheel drive Mack Truck Tractor at a price of \$11,930.80 plus State Sales Tax, with trade-in allowance of \$1,500 on the City's present old unit; awarding contract and authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing the Purchasing Agent to advertise for bids for handling and hauling services for cast iron pipe and fittings for the Stores Division as per specifications on file in the office of the City Clerk bearing Document No. 458312, was presented.

RESOLUTION NO. 109033, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with hauling services and handling for cast iron pipe and fittings, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent submitting Resolution authorizing bids for furnishing 1 Wheel-Type Tractor for the Harbor Department as per specifications on file in the office of the City Clerk bearing Document No. 458313, was presented.

RESOLUTION NO. 109034, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 1 Wheel-Type Tractor, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109035, recorded on Microfilm Roll No. 56, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the reconstruction of curb and pavement in a portion of Adams Avenue between Florida and Alabama Streets, filed in the office of the City Clerk on the 3rd day of November, 1952, and bearing official Document No. 458314, authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109036, recorded on Microfilm Roll No. 56, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a drainage system on Tierra Del Fuego Island, Mission Bay, filed in the office of the City Clerk on the 3rd day of November, 1952, bearing official Document No. 458315; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109037, recorded on Microfilm Roll No. 56, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of connecting sewer from Sunset St., Juan St., et al, Old San Diego, to existing 27" V. C. Mission Valley Trunk Sewer, filed in the office of the City Clerk on the 3rd day of November, 1952, bearing official Document No. 458316; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109038, recorded on Microfilm Roll No. 56, 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 sanitary sewer in Pacific Highway from Balboa Avenue southerly to existing trunk sewer, filed in the office of the City Clerk on the 3rd day of November, 1952, bearing official Document No. 458317; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Department, signed by the Assistant Planning Director, submitting amended Tentative Map for revision of portion of Tentative Map of North Clairemont Extension, approved by Resolutions Nos. 106107 and 106579 adopted April 1 and May 1, 1952, recommending approval of amendment subject to extension of Third and Sixth Streets, a closed loop, was presented. It stated that they should be widened to 56 feet instead of 50 feet as shown on the tentative map attached to the recommendation. The report stated that the proposed amendment would not require any changes in the resolutions mentioned above, but would require supplemental approval for the revised tentative map.

RESOLUTION NO. 109039, recorded on Microfilm Roll No. 56, approving the supplement to Tentative Map of North Clairemont Extension, approved by Resolutions Nos. 106107 and 106597 (marked "tentative map revision, Clairemont Village," dated Sept. 26, 1951), subject to Third and Sixth Streets extensions being widened to 56 feet in width, setbacks and easements as shown and subject to the amended water plan attached, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Department, signed by the Assistant Planning Director, recommending amendment to Resolution No. 107331 in connection with Resolution No. 107331 dated June 26, 1952 (granting suspension of certain sections of the Municipal Code, including additional suspensions: 102.10-3, 102.05, was presented.

RESOLUTION NO. 109040, recorded on Microfilm Roll No. 56, suspending Sections Nos. 102.10-3, 102.05 of the Municipal Code, in connection with the amendment of the Tentative Map of Scripps Estates Associates, Resolution No. 107331, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Department, signed by the Assistant Planning Director, reporting approval of the communications from Douglas L. Inman and Byrl D. Phelps requesting amendment to tentative map of Scripps Estates Associates which was approved by Resolution No. 107332 and as amended by Resolution No. 108607 relative to condition 9, was presented.

RESOLUTION NO. 109041, recorded on Microfilm Roll No. 56, amending condition No. 9 of Resolution No. 107332 adopted June 26, 1952, approving Tentative Map of Scripps Estates Associates, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Department, signed by the Senior Planning Technician reporting on petition for rezoning two areas, containing portions of Pueblo Lots 1237 and 1238 and portion of Clairemont Unit No. 9 - in the northerly portion of the Clairemont development, part of a plan for development of several thousand acres; rezoning in Clairemont Unit 9 will change from R-4 to R-2; recommending rezoning, ordinance to contain provision to the effect that it is not effective until date of filing in the County Recorder's office of a final map or maps for the subdivision of the area proposed to be rezoned, was presented.

RESOLUTION NO. 109042, recorded on Microfilm Roll No. 56, adopting recommendation of the City Planning Commission for rezoning portions of Pueblo Lot 1237 and 1238 (Clairemont) from R-4 to R-2; directing the City Attorney to prepare and present to the Council the necessary ordinance making the change in zones, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Department, signed by the Assistant Planning Director, reporting on communication from Henry R. Dutton and others offering to dedicate right of way for extension of La Jolla Scenic Drive through P.L. 1255 - a portion of the Major Street Plan - stating that there appeared to be no particular objection to the alignment of the streets and widths proposed by the Planning Commission in the Community Plan but there were objections to recommended improvement of La Jolla Scenic Drive; recommending acceptance of offer of dedication, subject to resolution submitted for Council's consideration and approval, was presented.

RESOLUTION NO. 109043, recorded on Microfilm Roll No. 56, favoring the improvement and dedication of street (La Jolla Scenic Drive) between westerly and northerly lines of P.L. 1255 on the various conditions set forth in said Resolution; declaring it to be the intention of the Council to accept and dedicate the street if and when the improvements specified therein are completed and acceptable to the City Engineer, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Assistant City Engineer's stamp of approval, recommending that Change of Grade proceedings be started on Dawes Street between Emerald Street and Felspar Street, that funds be allocated by the City to pay the cost of proceedings, estimated to cost \$300.00 - because improvements on Felspar and Emerald Streets are constructed to a grade of proposed improvement, was presented. Said report stated that Tavares and Burgener Construction Company is requesting permission to pave Dawes Street from Emerald Street to Felspar Street by private contract.

RESOLUTION NO. 109044, recorded on Microfilm Roll No. 56, adopting the recommendation of the City Engineer, that Change of Grade proceedings be started on Dawes Street between Emerald Street and Felspar Street; and his recommendation that the City pay the cost of Change of Grade proceedings thereon in an estimated cost of \$300.00, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Assistant City Engineer's stamp of approval, recommending that proceedings be amended for improving 33rd Street and

Gillette Street, to include grading, paving and surfacing as required in the northerly half of the intersection of Imperial Avenue and 33rd Street, as well as the southerly half of the intersection, also in Imperial Avenue between a line 25 feet easterly of the easterly line of 33rd Street and a line 25 feet westerly of the westerly line of 33rd Street, also that the job include grading and paving Gillette Street and Steel Street each for a distance of 25 feet westerly of 33rd Street, and 33rd Street for a distance 25 feet southerly of the south line of Steel Street, was presented. The recommendation said that the complete job will then include paving around the curb returns at each intersection - and that it will include grading, paving, surfacing and construction of gutters, curbs and a cutoff wall.

RESOLUTION NO. 109045, recorded on Microfilm Roll No. 56, adopting the recommendation of the City Engineer under date of October 27, 1952, and bearing Document No. 458130, relative to the proceedings for paving of 33rd Street and Gillette Street, etc., was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, and the City Manager's stamp of approval, reporting on petition to close Quince Street from Home Place to Euclid Avenue, and to close Baily Street from the north line of Lots 19 and 24 Wadsworth's Olive Grove to Euclid Avenue, was presented. Said communication recommended that Quince Street between Home Place and Euclid Avenue, and Baily Street between Euclid Avenue and the northerly line of Lots 19 and 24 Wadsworth's Olive Grove, be closed.

RESOLUTION NO. 109046, granting petition for closing portions of Quince Street and portion of Baily 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, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication bearing date October 28, 1952, from Albertson's signed by Frank P. Albertson, Tropical Awning Co. by R. F. Bojack, West Coast Awning Co. by J. A. Daley, All Season Awning Co. by T. D. Glaspey, Harold A. Bacon by Harold G. Bacon, relative to the need for regulations in connection with the installation of Metal Awnings, recommending amendment to the Uniform Building Code by additions thereto covering the same, was presented.

Said petition, detailing the requested changes and reasons therefore, was read by the Clerk at the request of the Mayor.

Councilman Schneider asked that the last 2 paragraphs be re-read relative to signs and lettering.

Discussion followed by members of the Council, particularly in connection with the height of the metal awnings and advertising thereon.

Councilman Godfrey moved to refer the petition to the City Manager and to City Attorney for study and report. The motion was not seconded.

RESOLUTION NO. 109047, recorded on Microfilm Roll No. 56, referring the communication from Harold A. Bacon and others relative to use of metal awnings over public property to Council Conference, for consideration on November 18, 1952, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from C. L. Kathol, making request for 30' of ground lying on the easterly side of Lorence Ave. from the northerly end of said St. to its southerly extension, necessary to complete development of lots facing the dedicated street - the parcel now known as Kathol-Beall Tract, was presented.

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

The next matter was read in its entirety to the Council by the Clerk, at the request of Councilman Schneider:

Communication from San Diego Municipal Employees' Assn., dated October 29, 1952, signed by Ellen M. Murray, president, thanking the Council for its generous commendations of its efforts in connection with the recent open house program, was presented. It referred to the two resolutions adopted by the Council relative to success of the program and its request that the future open house should include a Saturday program. It stated that preliminary meetings are being held for the purpose of setting up a permanent City-County employees committee to guide long-range planning for future open house programs. On motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was filed.

RESOLUTION NO. 109048, recorded on Microfilm No. 56, directing notice of filing of the Street Superintendent's Assessment No. 2084 for the paving and otherwise improving of Savoy Street, within the limits and as particularly described in Resolution of Intention No. 104946, and of the time and place thereof, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 109049, recorded on Microfilm Roll No. 56, 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 Landis Street, within the limits and as particularly described in Resolution of Intention No. 108055, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

A written report from the City Engineer stated that the bid was 3.7% below the estimate.

RESOLUTION OF AWARD NO. 109050, recorded on Microfilm Roll No. 56, accepting bid of Charles J. Dorfman for the installation of water mains in Nashville Street, Lapwai Street, Western Street, La Salle Street and Jupiter Street, within the limits and as particularly described in Resolution of Intention No. 107941, and awarding contract, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

A written report from the City Engineer reported that the low bid is 13.8% above his estimate; that return postcards from property owners show that 56% of the owners of the area want the contract awarded, 10% want the job abandoned, 34% did not reply.

RESOLUTION OF AWARD NO. 109051, recorded on Microfilm Roll No. 56, accepting the bid of Griffith Company for the paving and otherwise improving of Roswell Street, Hilltop Drive, Selma Place, Creston Drive and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108056, and awarding contract, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

A written report from the City Engineer stated that the low bid is 1.4% below the estimate.

RESOLUTION OF AWARD NO. 109052, recorded on Microfilm Roll No. 56, accepting bid of V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Co. for the installation of sewers in Sunset Street, Juan Street, Gaines Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108057, and awarding contract, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

A written report from the City Engineer stated that the low bid is 14.7% below the estimate.

RESOLUTION OF AWARD NO. 109053, recorded on Microfilm Roll No. 56, accepting bid of San Diego Gas & Electric Company for the furnishing of electric current 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 for a period of one year from and including September 1, 1952 to and including August 31, 1953, in accordance with plans and specifications contained in report of the City Engineer filed August 1, 1952 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109054, recorded on Microfilm Roll No. 56, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of sewers in 44th Street and C Street; approving Plat No. 2382 showing the exterior boundaries of the district to be included in the assessment for the work and improvement 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 109055, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of Landis Street, within the limits and as particularly described in Resolution of Intention No. 108351, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 109056, recorded on Microfilm Roll No. 56, for the closing of portion of Escuela 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. 109057, recorded on Microfilm Roll No. 56, closing portion of State 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. 109058, recorded on Microfilm Roll No. 56, closing portion of 29th 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. 109059, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of the Alley in Block 87 Point Loma Heights, 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. 109060, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of the Alley in Block 12 Sunset Cliffs, 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. 109061, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of portion of Beta Street, within the limits and as particularly described in Resolution of Intention, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 109062, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of portions of Diamond Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 109063, recorded on Microfilm Roll No. 56, for installation of sewers in Olinda Vista Road, Riley Street, Gaines Street, Napa Street, Public Right of Way in Block 387 of the Pueblo Lands of San Diego, Public Rights of Way in Pueblo Lot 1101, Andrade Street, Public Rights of Way in Lots 1 and 2 Reiner's Subdivision, Yuma Street, Gaines Street, Riley Street, Alley in Block G Addition to Silver Terrace, Alley Block 2 Amended Map of Silver Terrace, Alley in Block 3 Amended Map of Silver Terrace, Alley in Block 4 Amended Map of Silver Terrace, Lauretta Street, Alley in Block D Addition to Silver Terrace, Alley in Block 7 Amended Map of Silver Terrace, Alley in Block 6 Amended Map of Silver Terrace, Mildred Street, Alley in Block 12 Amended Map of Silver Terrace, Alley in Block 14 Amended Map of Silver Terrace, Alley in Block C Amended Map of Silver Terrace, Mollie Street, Azusa Street, Benicia Street, Josephine Street, Colusa Street, Donahue Street, Eureka Street, Fresno Street, Public Rights of Way in Lots 14 and 15 Block 2 Amended Map of Silver Terrace, Public Rights of Way in Lots 5 and 6 Block 2 Amended Map of Silver Terrace, Public Rights of Way in Lots 1, 2, 3 and 4 Block 8 Amended Map of Silver Terrace, Public Rights of Way in Lots 1 to 8 inclusive Block 13 Amended Map of Silver Terrace, Eureka Street, Hueneme Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 109064, recorded on Microfilm Roll No. 56, for installation of sewers in public right of way in Cabrillo Heights, public right of way in Lots 7 and 8 New Riverside, public rights of way in Lots 9, 10 and 11 New Riverside, State Highway known as U.S. 395 in Lot 11 New Riverside, Public Rights of Way northerly from Manhole No. 10 in State Highway and in Lots 11, 12 and 13 New Riverside, Public Rights of Way in Lot 33 of The Highlands; Public Rights of Way in the easterly 10 feet of the northerly 270 feet of Lot 48 easterly 10 feet of Lots 47, 46, 45 and 44, Westerly 10 feet of the Northerly 270 feet of Lot 33, Westerly 10 feet of Lots 34, 35, 36 and 37 of The Highlands and extending northerly across unnamed street to the northerly lines of Lots 37 and 44; Public Rights of Way in the northerly 10 feet of Lot 37 and the Southerly 10 feet of Lot 38 and the Southerly 10 feet of the Easterly 10 feet of Lot 43 of The Highlands; Mesa Street; Public Rights of Way in the Southerly 10 feet of Lots 26 and 23, the Northerly 10 feet of Lots 27 and 22 The Highlands; State Highway known as U.S. 395; Public Right of Way in the Northerly 10 feet of Lot 22 and the Southerly 10 feet of Lot 23 of The Highlands; Public Right of Way and Road Survey No. 1220; Public Rights of Way in Lots 10 and 9 The Highlands and Lot 78 Rancho Mission of San Diego, State Highway Right of Way, Public Rights of Way in portion of Lot 78 Rancho Mission of San Diego, Public Right of Way between Manhole 40 and point distant 1400 feet northeasterly therefrom; Linda Vista Road, Olive Avenue; Public Rights of Way in Lots 6, 5, 10, 11 New Riverside; State Highway Right of Way between the northerly end of the public right of way in Lot 11 New Riverside and the northerly line of Lot 22 The Highlands; State Highway Right of Way in the northerly line of Lot 22 The Highlands; Public Rights of Way in portions of Lots 22 and 11 The Highlands, Road Survey No. 1220 and Public Rights of Way; referring to work to be constructed in the manner, at the locations, within the limits, and of the materials, etc., as shown on Document No. 457703; portion of costs and expenses to be paid by The City of San Diego in the sum of \$60,000.00; setting forth the assessment district, description of bonds, time and place of hearing, the Improvement Act, prevailing Wages, publication of Resolution of Intention, Posting of Notice of Improvement, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said improvement is known as Kearny Mesa Improvement District, for the installation of Sewer Mains and Water Mains therein.

RESOLUTION OF INTENTION NO. 109065, recorded on Microfilm Roll No. 56, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District Number One, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 109066, recorded on Microfilm Roll No. 56, 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, 1952, to and including December 15, 1953, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 109067, recorded on Microfilm Roll No. 56, for the changing of the grade of Monmouth Drive, within the limits and as particularly described in said Resolution - graded to have a uniform ascent and descent - was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109068, recorded on Microfilm Roll No. 56, appointing time and place for hearing protests, and directing notice of said hearing, for Adams Avenue Lighting District No. 1

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

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109069, recorded on Microfilm Roll No. 56, for installation of sewers in 44th Street and C Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109070, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage scale for the Alley in Block 231 University Heights, and Richmond Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109071, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage scale for Cottonwood Street, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109072, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage scale for Thomas Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109073, recorded on Microfilm Roll No. 56, approving the 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 44 W. P. Herbert's Subdivision, within the limits and as particularly described in Resolution of Intention No. 106558, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109074, recorded on Microfilm Roll No. 56, approving the diagram of the property affected or benefited by the work of improvement to be done on the Alley in Block 6 Mountain View, within the limits and as particularly described in Resolution of Intention No. 105353, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109075, recorded on Microfilm Roll No. 56, approving the diagram of the property affected or benefited by the work of improvement to be done on Reed Avenue and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 105452, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109076, recorded on Microfilm Roll No. 56, approving the diagram of the property affected or benefited by the work of improvement for installation of sewer in Sharmand Street, Alley in Block 2 Subdivision of Pueblo Lot 277 Houston Street, Kurtz Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 106118, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109077, recorded on Microfilm Roll No. 56, approving the diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Wawona Drive, within the limits and as particularly described in Resolution of Intention No. 106459, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109078, recorded on Microfilm Roll No. 56, 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 Meade Avenue, within the limits and as particularly described in Resolution of Intention No. 107267, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, referring to Resolution No. 106925 which granted petition for installing sewers in portion of Block G Encanto Heights, Resubdivision of Blocks H, and Lots 26 to 38 inclusive of Block G Encanto Heights; recommending amendment to include portion of the unnumbered lot lying easterly of and contiguous to the Regal Tract, was presented.

RESOLUTION NO. 109079, recorded on Microfilm Roll No. 56, adopting recommendation of the City Engineer filed in the office of the City Clerk on October 31, 1952, under Document No. 458138; authorizing and directing the City Engineer to amend proceedings for the improvement in Encanto Heights in accordance with his said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109080, recorded on Microfilm Roll No. 56, granting petition contained in Document No. 457413 for installation of sewers to serve Blocks A, B and the westerly half of Blocks C and D Garden Grove Subdivision; 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 of the installation of sewers as mentioned, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The proposed Resolution, directing the City Clerk to publish proposed amendment to the Rules of the Civil Service Commission - which had been before the Council previously, relative to promotional examinations, and which the Council had directed the City Attorney to prepare, together with the necessary ordinance - was presented at this time.

Members of the Council asked Councilman Godfrey, a former City Service Commissioner, for his views on the subject.

Councilman Godfrey made an explanation of the proposal, after having heard from Raymond Krah, Personnel Director, and said that individuals to be affected under the proposed rules amendment would come under service provisions. He contended that the proposal would provide greater flexibility, but that it provides for no favoritism. He pointed out that indoctrination is needed in certain cases. He said that the City Manager has given a good report on the proposal.

Councilman Wincote expressed the belief that the matter should apply to all - "across the board".

The City Manager made a verbal report in which he said that certain jobs and classes would be applicable. He stressed that the matter would not be applicable to all people and classes - particularly not policemen.

Councilman Wincote thought that a shift from one department to another might be avoided.

Councilman Godfrey said that it is for promotional purposes, and not for transfer. He talked about it being an advantage to permit people to go into other jobs.

Councilman Wincote said that he wanted the matter delayed, so that he can know what is provided.

The City Clerk sent for the ordinance in connection with the matter.

No action was taken at this time, and the proposed resolution was continued temporarily.

See page 105 for further action.

RESOLUTION NO. 109081, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the construction of alterations to the basement of the Civic Center Building by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has recommended the construction of the alterations, that he 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. 109082, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the construction of a triple 72-inch concrete pipe culvert on Friars Road near the Hazard Company Plant, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has recommended the construction of the alterations, that he 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. 109083, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the construction of a 24 lineal feet of 18-inch centrifugal concrete pipe on Lot 21 Lemon Villa, in accordance with City Engineer's Drawing No. 4496-B, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that The Engineering Department of The City of San Diego has recommended such installation, 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. 109084, recorded on Microfilm Roll No. 56, authorizing the City Manager to execute an agreement with the Clairemont Company, whereby the City will reimburse the Clairemont Company in the sum of \$79,097.60 for installation of certain improvements in Clairemont Drive, Ute Drive, Waco Street and Dakota Drive, in subdivisions known as Clairemont Units 5, 6 and 7, which improvements will benefit certain property owned by the City and the San Diego Unified School District, which property is surrounded by said streets, all in accordance with terms and conditions contained in form of agreement filed in the Office of the City Clerk as Document No. 458538, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109085, recorded on Microfilm Roll No. 56, authorizing the City Manager to execute an agreement with the San Diego Unified School District, whereby the District will reimburse the City in the sum of \$62,825.85 for the installation of certain improvements in Clairemont Drive, Ute Drive, Waco Street and Dakota Drive in subdivisions known as Clairemont Units 5, 6 and 7, which improvements will benefit certain school sites owned by the District and surrounded by said streets, all in accordance with terms and conditions contained in form of agreement heretofore filed in the office of the City Clerk as Document No. 458542, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109086, recorded on Microfilm Roll No. 56, authorizing the City Manager to enter into a contract with the United States Department of the Interior, Bureau of Geological Survey, wherein said Bureau will undertake to install and equip a gauging station at the upper end of Dulzura Conduit, just below Barrett Dam, in the County of San Diego, and to do some additional work at the existing Jamul Creek gauging station, in consideration that The City of San Diego will contribute one half of the cost thereof which is estimated to be the sum of \$1650.00, payable on the basis as set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager through the Director of the Water Department has recommended that it will be in the interests of the City to have the United States Department of the Interior maintain and publish runoff records of Cottonwood Creek just below Barrett Dam; that the Manager advises that it will be necessary to install a gauging station and equipment at the upper end of Dulzura Conduit just below Barrett Dam in order to measure accurately the draft from Barrett Reservoir; that the Manager has further advised that the Bureau of Geological Survey is willing to aid and assist the City in installing the necessary station and equipment; that the Council believes that it will be in the interests of The City of San Diego to accept said offer.

RESOLUTION NO. 109087, recorded on Microfilm Roll No. 56, directing the City Attorney to file with the Board of Supervisors of the County of San Diego a petition requesting that all taxes of record against various properties in Bayside, Electric Line Addition, Sellors' Addition, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith be cancelled; authorizing and directing him to take whatever steps he may deem necessary otherwise to secure cancellation of said taxes, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109088, recorded on Microfilm Roll No. 56, 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 portions of Marilou Park, Old San Diego, Paradise Hills Unit No. 3, Sub. of P.L. 219, as more particularly described in said Resolution - tax-deeded lands which the City of San Diego desires to acquire for public purposes, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109089, recorded on Microfilm Roll No. 56, accepting and consenting to the decree of distribution of the Superior Court, dated September 26, 1952, conveying interest of Estate of Nellie W. Koop in and to that certain lease filed in the office of the City Clerk as Document No. 452384 to Mary Louis Smith and Jack W. Koop and further consents to the acceptance of the assignment filed in the office of the City Clerk and executed September 29, 1952, by Mary Louise Smith, assignor, to Jack W. Koop, assignee of said lease, covering Area No. 16 of Pueblo Lot 1340; authorizing and directing the City Manager to sign the acceptance of said assignment for and on behalf of The City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109090, recorded on Microfilm Roll No. 56, granting revocable permit to San Diego Transit System to install, operate and maintain floodlights on pole numbers 1453R and 1465R that are now installed on Imperial Avenue between 14th and 15th Streets on property owned by The City of San Diego, upon terms and conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109091, recorded on Microfilm Roll No. 56, denying claim of Arthur W. and Natalie L. Farlee, on file in the office of the City Clerk under Document No. 454691; approving claim of Arthur W. and Natalie L. Farlee on file in the office of the City Clerk under Document No. 455788, in the amount of \$170.14; authorizing and directing the City Auditor to draw his warrant in favor of Arthur W. and Natalie L. Farlee in said sum, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109092, recorded on Microfilm Roll No. 56, approving claim of Evelyn L. Hildebrandt, on file in the office of the City Clerk under Document No. 456797, in the sum of \$50.00; directing the City Auditor to draw his warrant in favor of Evelyn L. Hildebrandt in said sum in full payment of said sum, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109093, recorded on Microfilm Roll No. 56, denying claim of Judson R. Humphreys, on file in the office of the City Clerk under Document No. 456098, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109094, recorded on Microfilm Roll No. 56, denying claim of Mrs. Marie Magerfleisch, on file in the office of the City Clerk under Document No. 457314, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109095, recorded on Microfilm Roll No. 56, denying claim of Charles T. Perry Mingle, on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109096, recorded on Microfilm Roll No. 56, denying claim of E. F. Mulhall, filed in the office of the City Clerk under Document No. 452629, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109097, recorded on Microfilm Roll No. 56, denying claim of the North America Companies, on file in the office of the City Clerk under Document No. 457885, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said claimant was subrogated by law and by contract to the rights of the Anderson Furniture Company, owner of a vehicle involved in collision with a City-owned vehicle.

RESOLUTION NO. 109098, recorded on Microfilm Roll No. 56, denying claim of Mrs. Roy A. (Juanita) Novak, on file in the office of the City Clerk under Document No. 454701, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109099, recorded on Microfilm Roll No. 56, approving the claim of Floyd L. Patterson, on file in the office of the City Clerk under Document No. 457007 in the amount of \$38.17; directing the City Auditor to draw his warrant in favor of said Floyd L. Patterson in the sum of \$38.17 in full payment of said claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109100, recorded on Microfilm Roll No. 56, denying claim of Edith B. Scott, on file in the office of the City Clerk under Document No. 456770, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109101, recorded on Microfilm Roll No. 56, approving claim of D. J. Weidman, on file in the office of the City Clerk under Document No. 457876, in the sum of \$22.65; directing the City Auditor to draw his warrant in favor of said D. J. Weidman in said sum in full payment of the claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109102, recorded on Microfilm Roll No. 56, accepting deed of Etta Marie Drake, bearing date September 17, 1952, conveying an easement and right of way for public street purposes in portion of Lot 92 Las Alturas Villa Sites, setting aside and dedicating said property to the public use as and for a public street, and naming the same Arroyo Avenue; authorizing and directing the City Clerk to file said deed for 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 Godfrey, adopted.

RESOLUTION NO. 109103, recorded on Microfilm Roll No. 56, accepting deed of Roy E. Hall, bearing date August 22, 1952, conveying an easement and right of way for public street purposes in portion of Lot 93 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Arroyo 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109104, recorded on Microfilm Roll No. 56, accepting deed of Frank Y. Ikeda and Jeannie H. Ikeda, bearing date October 1, 1952, conveying an easement and right of way for public street purposes, and naming the same Arroyo Avenue; authorizing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109105, recorded on Microfilm Roll No. 56, accepting deed of Ernest R. Reaves and Evelyn N. Reaves, bearing date of September 8, 1952, conveying easement and right of way for public street purposes in portion of Lot 92 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public 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 Godfrey, adopted.

RESOLUTION NO. 109106, recorded on Microfilm Roll No. 56, accepting deed of John Sedlack, bearing date October 2, 1952, conveying easement and right of way for public street purposes in portion of Lot 81 Las Alturas Villa Sites, setting aside and

dedicating the same to the public use as and for a public street, and naming the same Arroyo 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109107, recorded on Microfilm Roll No. 56, accepting deed of Andrew A. Carcano and Olive H. Carcano, bearing date August 13, 1952, conveying easement and right of way for public street purposes, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita Drive; authorizing and directing the City Clerk to file said deed for 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 Godfrey, adopted.

RESOLUTION NO. 109108, recorded on Microfilm Roll No. 56, accepting deed of the Department of Veterans Affairs of the State of California, Jasper H. Best and Maxine A. Best, bearing date September 8, 1952, conveying easement and right of way for public street purposes in portion of Lot 75 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita 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. 109109, recorded on Microfilm Roll No. 56, accepting deed of Furlow and Associates, bearing date August 18, 1952, conveying easement and right of way for public street purposes in portion of Lot 74 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita Drive; authorizing and directing the City Clerk to file said deed for 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. 109110, recorded on Microfilm Roll No. 56, accepting deed of Charles W. Grimwood and Ethel M. Grimwood, bearing date August 21, 1952, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita Drive; authorizing and directing the City Clerk to file said deed of records 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. 109111, recorded on Microfilm Roll No. 56, accepting deed of Kenneth M. Hawkins and Josephine Marie Hawkins, bearing date August 21, 1952, conveying an easement and right of way for public street purposes in portion of Lot 74 Las Alturas Villa Sites; setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita Drive; authorizing and directing the City Clerk to file said deed for 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. 109112, recorded on Microfilm Roll No. 56, accepting deed of Harvey H. Heaton and Christine Heaton, bearing date August 27, 1952, conveying easement and right of way for public street purposes in portion of Lot 83 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita 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. 109113, recorded on Microfilm Roll No. 56, accepting deed of Hirshall Junior Carson and June Rita Carson, bearing date August 27, 1952, conveying easement and right of way for street purposes in portion of Lot 82 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita 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. 109114, recorded on Microfilm Roll No. 56, accepting deed of Frank Y. Ikeda and Jeanne H. Ikeda, bearing date October 1, 1952, conveying easement and right of way for public street purposes in portion of Lot 83 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109115, recorded on Microfilm Roll No. 56, accepting deed of N. F. Ivarson and Clara E. Ivarson, bearing date August 18, 1952, conveying easement and right of way for public street purposes in portion of Lot 75 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109116, recorded on Microfilm Roll No. 56, accepting deed of Lillian M. Jansen, bearing date October 27, 1952, conveying an easement and right of way for street purposes in portion of Lot 74 Las Alturas Villa Sites, setting aside and dedicating the same to the public use and for a public street, and naming the same Bonita 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109117, recorded on Microfilm Roll No. 56, accepting deed of Paul J. Nevling and Betty A. Nevling, bearing date September 10, 1952, conveying easement and right of way for public street purposes in portion of Lot 74 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita 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. 109118, recorded on Microfilm Roll No. 56, accepting deed of Frank Perez and Betty Lee Perez, bearing date August 27, 1952, conveying easement and right of way for public street purposes in portion of Lot 83 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109119, recorded on Microfilm Roll No. 56, accepting deed of Louis P. Prudhomme and Winifred S. Prudhomme, bearing date August 21, 1952, conveying an easement and right of way for public street purposes in portion of Lot 83 Las Alturas Villa Sites, setting aside and dedicating to the public use as and for a public street, and naming the same Bonita Drive; authorizing and directing the 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. 109120, recorded on Microfilm Roll No. 56, accepting deed of John Sedlack, bearing date October 2, 1952, bearing date October 2, 1952, conveying easement and right of way for public street purposes in portion of Lot 81 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita 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.

RESOLUTION NO. 109121, recorded on Microfilm Roll No. 56, accepting deed of Bertha E. White, bearing date August 27, 1952, conveying easement and right of way for public street purposes in portion of Lot 82 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita 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. 109122, recorded on Microfilm Roll No. 56, accepting deed of Consuelo Williams and Willie T. Williams, bearing date August 28, 1952, conveying easement and right of way for public street purposes in portion of Lot 82 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bonita 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 certified copy of said Resolution 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. 109123, recorded on Microfilm Roll No. 56, accepting deed of Andrew A. Carcano and Mrs. Olive H. Carcano, bearing date August 13, 1952, conveying easement and right of way for public street purposes in portion of Lots 74 and 75 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban 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, adopted by Councilman Swan, adopted.

RESOLUTION NO. 109124, recorded on Microfilm Roll No. 56, accepting deed of Cherry Carcano, bearing date August 13, 1952, conveying easement and right of way for public street purposes in portion of Lot 75 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban 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. 109125, recorded on Microfilm Roll No. 56, accepting deed of J. C. Chandler and Hazel G. Chandler, bearing date September 17, 1952, conveying easement and right of way for public street purposes in portion of Lot 75 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban Street; authorizing and directing the City Clerk to file said deed 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. 109126, recorded on Microfilm Roll No. 56, accepting deed of Furlow and Associates, bearing date August 18, 1952, conveying easement and right of way for public street purposes in portion of Lot 74 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban 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. 109127, recorded on Microfilm Roll No. 56, accepting deed of William P. Hudson and Clara Hudson, bearing date September 22, 1952, conveying easement and right of way for public street purposes in portion of Lot 74 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109128, recorded on Microfilm Roll No. 56, accepting deed of D. L. Jensen and Mary E. Jensen, bearing date September 22, 1952, conveying easement and right of way for public street purposes in portion of Lot 74 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban Street; authorizing and directing the City Clerk to file said deed for 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. 109129, recorded on Microfilm Roll No. 56, accepting deed of Lillian M. Jensen, bearing date September 22, 1952, conveying easement and right of way for public street purposes in portion of Lot 74 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban Street; authorizing and directing the City Clerk to file said deed for 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. 109130, recorded on Microfilm Roll No. 56, accepting deed of Ross S. Killgore and Kathryn E. Killgore, bearing date August 12, 1952, conveying easement and right of way for public street purposes in portion of Lots 75 and 79 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban 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. 109131, recorded on Microfilm Roll No. 56, accepting deed of Cecil G. McAnally and Henrietta McAnally, bearing date August 13, 1952, conveying easement and right of way for public street purposes in portion of Lot 74 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109132, recorded on Microfilm Roll No. 56, accepting deed of Paul J. Nevling and Betty A. Nevling, bearing date September 10, 1952, conveying easement and right of way for public street purposes in portion of Lot 74 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street; and naming the same Coban 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. 109133, recorded on Microfilm Roll No. 56, accepting deed of Ira T. Scott and Dell M. Scott, bearing date August 13, 1952, conveying easement and right of way for public street purposes in portion of Lot 75 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban Street; authorizing and directing the City Clerk to file said deed for 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. 109134, recorded on Microfilm Roll No. 56, accepting deed of Norvil A. Scott and Cora H. Scott, bearing date August 19, 1952, conveying easement and right of way for public street purposes in portion of Lot 75 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109135, recorded on Microfilm Roll No. 56, accepting deed of Albert M. Smith and L. Berneice Smith, bearing date August 19, 1952, conveying easement and right of way for public street purposes in portion of Lots 75 and 79 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109136, recorded on Microfilm Roll No. 56, accepting deed of Take Taniguchi and Nellie R. Taniguchi, bearing date August 19, 1952, conveying easement and right of way for public street purposes in portion of Lot 75 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban Street; authorizing and directing the City Clerk to file said deed for 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. 109136, recorded on Microfilm Roll No. 56, accepting deed of Leonard F. Tugman and Leona Tugman, bearing date August 14, 1952, conveying easement and right of way for public street purposes in portion of Lots 75 and 79 Las Alturas Villa Sites as and for a public street, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109138, recorded on Microfilm Roll No. 56, accepting deed of H. L. Weston and Stella E. Weston, bearing date August 15, 1952, conveying easement and right of way for public street purposes in portion of Lots 75 and 79 Las Alturas Villa Sites, setting aside and dedicating the same to the public use as and for a public street, and naming the same Coban 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

The proposed Ordinance, amending San Diego Municipal Code relative to Fake Sales, Adjustor's Sale, Adjustment Sale, Assignee's Sale, Bankrupt Sales, Closing Out Sales, etc., and sales of various sorts, which had been before the Council several times previously and which had been postponed various times, was brought up again.

The Mayor recognized R. Sherman Platt, representing the San Diego Better Business Bureau, spoke. Mr. Plat said that the Bureau, despite several requests for continuances, is still interested in the matter and desires that the Ordinance be adopted. He pointed out that requests had been made by some merchants for the continuance again, inasmuch as all are not in agreement as it had been supposed. It was requested that the matter be continued again to January 13.

Councilman Wincote thought that questions on the part of the Council would have been fulfilled, if Mr. Plat had not appeared. He said that the Council wants to know what is done.

There was considerable discussion of the proposal by members of the Council during which it was indicated that it is not a good thing to keep the matter on the docket and then continue it from time to time.

Councilman Godfrey said that there would be no prejudice in the Council's filing, but that there will still be interest maintained.

Councilman Schneider said that the subject had been on the docket for 3 months, and that the Council does not like to continue postponing the matter.

Mr. Plat referred to military tactics on the part of opponents, to cause delay after delay.

Councilman Wincote said that the Ordinance as drawn is not satisfactory. He referred to Mr. Levenson (attorney for the opposition) having said that it is not legal.

Councilman Dail said that the Better Business Bureau wants the ordinance, but that the Council cannot continue and continue. He suggested that perhaps it could be tabled, and that thereby it could be brought back and be listed on the agenda at any time.

The Mayor informed Mr. Platt that if the proposal is approved a hearing would be set for the ordinance is adopted.

RESOLUTION NO. 109139, recorded on Microfilm Roll No. 56, tabling the the proposed Ordinance amending the San Diego Municipal Code relative to various sorts of Sales, was on motion of Councilman Dail, seconded by Councilman Schneider, tabled, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen Swan, Wincote. Absent---Councilmen None.

After action had been taken on the proposed Ordinance, there was further discussion by members of the Council, but there was no further action.

ORDINANCE NO. 5373 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$79,100.00 from the Capital Outlay Fund, for the purpose of providing funds to cover the cost of the installation of certain improvements in Clairemont Drive, Ute Drive, Waco Street and Dakota Drive, in accordance with agreement on file in the office of the City Clerk, 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 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.

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

ORDINANCE NO. 5374 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$5,500.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing for construction of a triple 72-inch concrete pipe culvert on Friars Road near the Hazard Company Plant, 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, 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.

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

ORDINANCE NO. 5375 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$800.00 from the Traffic Safety Fund for the purpose of providing funds in addition to the funds heretofore appropriated by Ordinance No. 5302 (New Series), for the purchase of 225 parking meter pipes and flanges, 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, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

In connection with the next Ordinance, prior to its passage, the Mayor said that it would provide clarification of the existing regulation.

ORDINANCE NO. 5376 (New Series), recorded on Microfilm Roll No. 56, amending the San Diego Municipal Code by amending Section 25.0203 - Duties of the Fire Marshal - being a detailed definition of his duties relative to prevention of fires and elimination of causes thereof; storage and use of explosives and inflammables; installation and maintenance of fire alarm systems and fire extinguishing equipment; maintenance and regulation of fire escapes, etc.; inspections of various types of buildings; providing for performance of certain duties; to do whatever may be deemed necessary for safety and protection of persons and property from fire hazards - 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.

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

ORDINANCE NO. 5377 (New Series), recorded on Microfilm Roll No. 56, changing the name of portion of Hobart Street to Millar Street and changing portion of Rose Street to Millar 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, 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. Prior to the final reading of such Ordinance, a written or printed copy was furnished to each member of the Council.

Proposed Ordinance incorporating portions of Pueblo Lots 1256, 1773 and 1774 into "R-B" Zone and "R-1C" Zone, as defined by Sections 101.0403 and 101.0404 of the San Diego Municipal Code, and repealing Ordinance No. 13294 adopted August 31, 1931, insofar as the same conflicts, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, December 4, 1952.

Mayor Butler referred to the matter of a previously-adopted Resolution in connection with the Miramar lease.

(Resolution No. 108968 was adopted October 28, 1952, together with several other Resolutions, under one motion. Said Resolution, as adopted, authorized the City Manager to execute a termination of lease-agreement with the United States of America, under direction of the Secretary of the Navy, etc., cancelling Lease NOy(4)043039 and Supplemental Agreement No. 1 affecting U.S. Naval Air Station, Miramar).

RESOLUTION NO. 109140, recorded on Microfilm Roll No. 56, repealing Resolution No. 108968 adopted October 28, 1952, and rescinding action in connection therewith on said date, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Councilman Schneider moved to direct the Mayor to intervene relative to the City's reinstatement, which motion was seconded by Councilman Godfrey.

RESOLUTION NO. 109142, recorded on Microfilm Roll No. 56, requesting the Mayor to intervene in the matter of the Miramar Airfield termination rights, and endeavor to reach an agreement if at any future time the Navy abandons use of the Field, the City's present rights to take effect, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Prior to adoption of said Resolution, Councilman Godfrey attempted to make a motion, and asked that it be read back. He did not agree with the wording, whereupon Councilman Schneider made the motion resulting in Resolution No. 109142. The City Manager proposed addition of wording to the motion, which the Clerk could not understand due to discussion by several Councilmen at one time. Later, the City Manager said that no additional wording was needed, and he approved of the Resolution as stated by Councilman Schneider.

Following the adoption of the Resolution, the Mayor and the members of the Council spoke regarding the effect of their action.

The next matter came up under Unanimous Consent granted to the Mayor:

RESOLUTION NO. 109141, recorded on Microfilm Roll No. 56, requesting members of the Joint Committee on Water Problems of the Legislature of the State of California to take such means and adopt such measures as may result in the Committee recommending that the Governor of the State of California asking the Secretary of State of the United States to urge the International Boundary Commission to negotiate and adopt a plan which will result in the early solution of the problem involving the beneficial use of the waters of the Tia Juana River, both within the United States and in the Republic of Mexico; authorizing and directing the City Clerk to send a certified copy of said Resolution to the Executive Secretary and Consultant of said Joint Committee on Water Problems, 613 State Building, San Francisco, 2, California, for presentation to and consideration by said Joint Committee on Water Problems of the State of California, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

At this point Councilman Dail requested unanimous consent present the next matter, which consent was granted.

Councilman Dail spoke about his having been instrumental, together with a committee which appeared before the Council, in securing a picture of President Harry Truman which hangs in the Chambers. He said that General Dwight D. Eisenhower's picture be secured and hung in its place. Councilman Dail recommended that there be a committee appointed in the matter, and that Councilman Wincote should serve. He thought that the next picture should be a larger one than the present photograph.

The Mayor suggested that Councilman Dail serve on the City, also.

It was determined that the Manager take the appropriate action.

RESOLUTION NO. 109143, recorded on Microfilm Roll No. 56, requesting the City Manager to take the necessary action to acquire a picture of General Dwight D. Eisenhower, president-elect of the United States, and have the same hung in the Council Chambers, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

At this time the Council went back to the item which had been considered earlier, and continued temporarily, in connection with amendment to Rules of the Civil Service Commission. Earlier mention of that matter is shown on page 97 of these Minutes.

Said Resolution stated that the Civil Service Commission has recommended amendment to Rule VIII Section 2 of the Rules of the Civil Service Commission relative to promotional examinations; and directing the City Clerk to publish the proposed amendment and setting a date for hearing on the amendments as well as directing posting thereof in 3 public places.

Councilman Wincote asked that the matter be brought up here.

At the request of Councilman Wincote, the Clerk read the affected sections.

Councilman Wincote said that he thought that the promotional examinations should be available to everyone, instead of to individuals in certain classes.

Councilman Godfrey said that there is no haste in the matter, and stressed the point that the amendment proposed would provide better flexibility. He said that the Personnel Director has the right to evaluate, and he reviewed the terms.

Councilman Wincote pointed out that individuals can often pass theoretical examinations, and then referred to the authority given. He pointed out that that could develop favoritism.

Councilmen Godfrey and Schneider both said that an equitable arrangement can be provided.

Mary Harvey, Secretary of the City Employees' group was present at the meeting. Councilman Schneider said he wanted to hear from Miss Harvey, and also spoke about the effect.

Miss Harvey said that she thought that the proposal is satisfactory, but that she did not have the rules at hand for immediate reference.

Councilman Godfrey said that discriminatory action can be taken, and said that there is no hurry to act.

The Mayor declared that there are safeguards in the system.

Councilman Wincote said he wants a change "in the tail end" He said that the Civil Service Commission does not always have time to consider each case.

RESOLUTION NO. 109144, recorded on Microfilm Roll No. 56, referring to Council Conference for consideration next Thursday - November 13, 1952 - the proposal having to do with amendment to the Rules of the Civil Service Commission, having to do with promotional examinations, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

The next matter came up under unanimous consent, granted to the Mayor:

RESOLUTION NO. 109145, recorded on Microfilm Roll No. 56, authorizing O. W. Campbell, City Manager, J. F. DuPaul, City Attorney, and Shelley J. Higgins, Assistant City Attorney, to go to San Francisco November 13 and 14, 1952, for the purpose of attending the meeting of the attorneys for the League of California Cities, and for conferences on water problems involving the TiaJuana River and Coronado water supply; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next matter came up under unanimous consent, granted to the City Manager:

A proposed Resolution permitting the San Diego Gas and Electric Company to commence construction and installation of a power transmission line over and across portions of Pueblo Lots 206, 212, 217, et al, to supply electric energy to the Company's Point Loma Substation from Old Town Substation, was brought up.

Mr. Owen (his first name or initials were not given, or asked for), spoke. He told about a situation with which the Company is faced, and spoke about the proposed route of the transmission line. He said it cannot be completed by November 15; if started now, it will just make the peak load. Mr. Owen said that it will be a permanent improvement, but that there is an emergency necessitating action now.

RESOLUTION NO. 109146, recorded on Microfilm Roll No. 56, stating that the San Diego Gas and Electric Company has made application to The City of San Diego for permission to make installation, operation, repair, replacement, maintenance and use of a power transmission line over and across portions of Pueblo Lots 206, 212, 217, 246, et al, to supply electric energy to the Company's Point Loma Substation from Old Town Substation; that said company is ready to begin construction of said transmission and requires a temporary permit for construction and installation until terms and conditions of a permit for a period of years is agreed upon and prepared; that the City Manager has recommended granting of a temporary permit on conditions and upon land as set forth in said Resolution, was on motion of Councilman Schneider, 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 11:15 o'clock A.M., on motion of Councilman Dail, seconded by Councilman Wincote, adopted.


Mayor of The City of San Diego, California

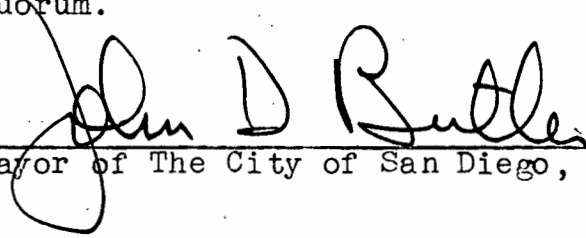
ATTEST:
FRED W. SICK, City Clerk

By 
Deputy

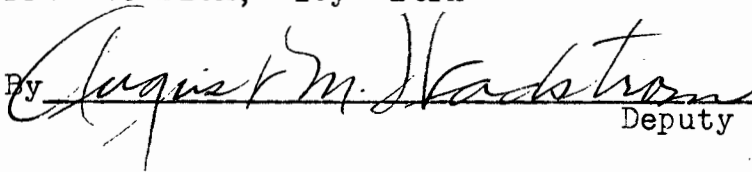
REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Wednesday, November 12, 1952

The Regular Meeting scheduled for Tuesday, which would ordinarily have been held this date inasmuch as Tuesday, November 11, 1952, was a holiday, was not conducted. Mayor John D. Butler appeared in the Council Chambers at the hour of 10:30 o'clock A.M., and declared the meeting adjourned until Thursday, November 13, 1952, at the hour of 10:00 o'clock A.M., due to lack of quorum.


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, November 13, 1952

The matters which would have been considered at the meeting of November 12, 1952, and the matters which were scheduled to be brought up this date, were considered at this meeting.

Mayor Butler. Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Absent---Councilmen None
Clerk----Fred W. Sick

A.M.. The meeting was called to order by Mayor Butler at the hour of 10:07 o'clock

At this time the Mayor recognized a group representing the El Cajon Valley Mother Goose Parade Association, several of whose members had appeared before the Council at this time by request, to make a presentation and offer an invitation to view the parade. He invited members to come forward and be heard.

Ralph May, Secretary-Treasurer, of the Organization spoke about previous Mother Goose Parades held, and told about the parade to be held in the Valley beginning at 2:00 P.M. on Sunday, November 23. He invited members to be present to view the parade. Next he introduced participants, including the Maid of Honor and the attendants.

The Maid of Honor and the other girls who are appearing, came forward, and the Maid of Honor made a speech in which she invited the Mayor and members of the Council to attend.

The Mayor thanked all for attending and for their invitation. He said that many would attend.

Colored slides from last year's parade were shown.

The Minutes of November 4, 1952 (not held on account of Election Day), and of November 6, 1952, 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 Clerk.

At this time the Mayor welcomed members of the Woodrow Wilson Jr. High School 8th Grade Social Studies Class, Edgar Hebert, teacher; student body officers, Dr. Troge, Principal. He told them about the procedure followed during the meeting, and explained that Councilman Schneider had talked to the group previously. He then invited them to his office following the meeting.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for furnishing of electric current for the lighting of the ornamental street lights located in La Jolla Shores Lighting District No. 1, the Clerk reported that one bid had been received, which 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 \$103.50, which bid was on motion of Councilman Kerrigan, seconded by Councilman Schneider, referred to the City Manager and to the City Attorney for report and recommendation. Said bid was given Document No. 458832.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for installation of Sewer in Balboa Avenue, Pasadena Street, Albuquerque Street, DeSoto Street, Del Rey Street, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108134, 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 Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of Two Thousand Dollars, which bid was given Document No. 458819;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of Twenty Five Hundred Dollars, which bid was given Document No. 458818.

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 Commercial Street, within the limits and as particularly described in Resolution of Intention No. 108136, 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 thirteen hundred dollars, which bid was given Document No. 458813;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of One Thousand Three Hundred Dollars, which bid was given Document No. 458814;

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. 458815;

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. 458816;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of Fifteen Hundred Dollars, which bid was given Document No. 458817.

Thereupon, said bids were, on motion of Councilman Schneider, seconded by Councilman Wincote, 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 Missouri Street, Jewell Street and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 108137, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion 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 Five Thousand Dollars, which bid was given Document No. 458812;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of Six Thousand Dollars, which bid was given Document No. 458811;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of Five Thousand Dollars, which bid was given Document No. 458810;

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 Six Thousand Dollars, which bid was given Document No. 458809;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of Six Thousand Dollars, which bid was given Document No. 458808.

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 construction of De Anza Point Sewage Pump Station and Appurtenances, Specification No. 288, the Clerk reported that 7 bids had been received, which bids were presented to the Council.

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

The bid of Pace Construction Co., 1120 - 28th Street, San Diego, accompanied by bond written by American Surety Company in the sum of ten percent of amount of bid, which bid was given Document No. 458825;

The bid of Trepte Construction Co., Inc., 2001 Kettner Boulevard, San Diego, accompanied by bond written by Fire Association of Philadelphia in the sum of ten percent of amount bid, which bid was given Document No. 458826;

The bid of Rogers Construction Co., 3669 California Street, San Diego, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of ten percent of the amount bid, which bid was given Document No. 458827;

The bid of Walter H. Barber, 7309 El Cajon Blvd., La Mesa, 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. 458828;

The bid of Johnson Western Constructors, P.O. Box 248, Coronado, accompanied by bond written by Fidelity and Deposit Company in the sum of ten percent of amount bid, which bid was given Document No. 458829;

The bid of Ofeco Construction Co., Inc., 2650 Cherry Ave., Long Beach, accompanied by bond written by Continental Casualty Company in the sum of ten per cent of the amount of the bid, which bid was given Document No. 458830;

The bid of Nielsen Construction Co., 3127 Jefferson St., accompanied by bond written by United States Fidelity and Guaranty Company in the sum of ten per cent of the amount bid, which bid was given Document No. 458831.

Thereupon, on motion of Councilman Swan, 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 embankment protection, Wabash Boulevard, (Revised) Specification No. 260, the Clerk reported that 2 bids had been received, which bids were presented to the Council.

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

The bid of Trepte Construction Company, Inc., accompanied by bond written by Fire Association of Philadelphia in the sum of ten percent of amount bid, which bid was given Document No. 458806;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co., accompanied by bond written by American Surety Company in the sum of 10% of the aggregate of the sum of the Bid, which bid was given Document No. 458807.

E. W. Blom, Assistant City Manager, asked by Councilman Schneider for a report on the estimate for the improvement, replied \$29,000.00.

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, the time set for the continued hearing on the proposed Ordinance incorporating portion of Lot 16 C. C. Seaman's Subdivision and Lots 1-4 inclusive Furlow Heights Unit No. 3 into "R-4" Zone as defined by the San Diego Municipal Code, and repealing conflicting ordinances, was brought up again.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said hearing was continued to the hour of 10:00 o'clock A.M., Tuesday, December 2, 1952.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed ordinance incorporating Lots 9, 10, 11 and 12 Block 98 and Lots 1, 2, 3, and 4 Block 107 Roseville into "R-c" Zone, as defined by the Municipal Code, and repealing conflicting Ordinance, the Clerk told the Council that Ed Hervey, Attorney for the opposition, had telephoned and requested a continuance of the matter. He said his son, also an attorney who was to represent the opposition is on his honeymoon.

Albert F. Herney, attorney, appeared, and announced that he had been retained to represent property owners opposing the proposed Ordinance. He said that he would speak in place of Mr. Hervey.

The Clerk read a Planning Department letter, opposing the rezoning.

Glenn A. Rick, City Planning Director, made a verbal report. He said that there was no recommendation from the Commission, inasmuch as not a sufficient number of commissioners had voted in favor of the rezoning to constitute a recommendation.

Members of the Council looked at a map with Mr. Rick, which map showed where Wabaska Drive will be extended, which matter Mr. Rick explained during the over-the-table discussion.

Frank Volz, who said that he owns 2 lots (next to DeFalco's market and across the street) spoke. He said that traffic is a problem, that the roadway is 34 feet now, and that he will have to "give" land for widening. He said that he was in favor of the rezoning, and contended that such would be better for business.

Mrs. Esther E. Bradberry, 3046 Lowell Street, spoke in favor of the rezoning. She said that there is only one commercial lot left south of the Lowell development, with 5 lots left north of Lowell. She pointed out that 100 x 100 parcel is used by the B.O.P., although it is supposed to be used commercially. She said that on Macaulay there is commercial property, unused. Mrs. Bradberry declared that lending companies contend that the property is commercial. Residences, she said, are built on the R-4 property.

She told about reactions on the part of neighbors. Asked about the property she owns which would be affected, Mrs. Bradberry said that she has 1 lot on Rosecrans, not commercial, and another lot.

Mr. Herney, attorney, showed a plat to the Council, which was colored to indicate opposition to the rezoning, which he referred to as a "graph". He pointed out developments in the area. He said that the matter of traffic is important, and spoke of the existing commercial property on Rosecrans. He said that 2 members on the Commission who had voted for the rezoning had not gone out to look at the property. He told of the request for rezoning under zone variance for parking lot, by DeFalco's. He passed around photographs for the benefit of the Council, which were returned. He referred to objections to the application, which had been sent in. (There were letters and petitions in the Clerk's file both for and against the proposal for rezoning). It was his contention that the rezoning for commercial purposes is not needed, inasmuch as there is sufficient property for commercial purposes on Rosecrans.

Henry Hester, 1265 Rosecrans, spoke. He referred to 11 or 12 C Zone lots on Rosecrans, and said that there are numerous R-4 lots left on Rosecrans. He said that he is trying to develop his property on Rosecrans, and that some of it is now built upon.

Mr. Rick referred to 12 lots, from the Planning Commission's report, signed by Mr. Burton.

Mrs. Bradberry said that there is only 100 x 100 property available.

Mr. Hester did not agree with Mrs. Bradberry's statement.

Mr. Rick said that there are 12 business lots still vacant, and many R-4 lots available.

Councilman Swan said that there are sufficient lots left for business development for the area. (That is Mr. Swan's district).

Councilman Schneider said there is interest in need for R-C and future development under R-4.

Mr. Hester said that many are used for property originally intended.

Councilman Wincote objected by saying that there is much R-1 use in the R-4 area.

Mrs. Joe Silva, 3029 Lowell Street, Lot 10 Block 98 opposed the rezoning. She said, upon being questioned, that she knew it was R-4 when she built the single-family residence. Also upon questioned, Mrs. Silva said that she thought the C Zone would not increase the value.

Mr. Hester referred to parking not being permitted now, and said no parking would be permitted in the future on Lowell. He said that the DeFalco market has a tremendous service problem. He said that De Falco wants to buy the Volz property for \$10,000.00, and then rezone. It was Mr. Hester's contention that would decrease the value of his property.

Councilman Wincote expressed the belief that it will be commercial.

Mr. Rick spoke again, and said that Mrs. Bradberry needs the rezoning inasmuch as she conducts a real estate office in her home. He referred to expansion of the Pastore parking on the Volz property, but that there is nothing pending. He told of increased traffic which will result from Wabaska extension. He said that he believed that R-4 may be changed to R-4.

Warren Patterson, 1654 Locust - at Locust and Keats - opposed the rezoning effort. He said that it will hurt property, and that it would result in too much traffic. He pointed out, also, that traffic will be heavier when Wabaska is opened. He asked that the zoning be left as it is.

Bernice Costa, 3919 Keats, said that no more commercial property is needed. She said she had appeared before the Council previously on other rezoning attempts. She pointed out that some have gone broke, and that more businesses are not needed, inasmuch as existing businesses have gone broke, she reiterated. She said again that a business zone is not needed. She said that she and others had built there for the quiet, which is now gone. She said that the DeFalco employees cannot park in the market lot, that they park in front of her house and in her driveway.

Harold Hoffman asked about the purpose of zoning. He said that it was his belief that it was for the purpose of protecting property, and said that he believed the proposed change is only for property speculation.

Councilman Wincote said that zoning has to do with development, and some day the area will be C Zone. He pointed out, in that connection, that there had been at one time lizards and jack rabbits on El Cajon Boulevard, which is now a heavily-travelled street built up with businesses.

Mr. Hoffman said that a zone in itself constitutes progress.

Mrs. Albert Larson spoke in opposition to the rezoning. She said that she lives on Lowell Street, and that it is almost impossible to get in and out of the drive now, and she spoke against the heavier traffic which would result from rezoning.

Adeline DeMotta opposed the move, and contended that it is not needed, that there is sufficient C Zone property and business now. She contended that traffic would not help. She, too, said that she cannot get in and out of her property.

Marilyn Arfman said that the property is R-4. She pointed out that owners do not have to develop as such, but that is the maximum. Mrs. Arfman said that owners have certainly not broken the law by building R-1 zone houses. She pleaded that no more stores be brought in. She said that there is neighborhood opposition to the plan, which is only for speculation. She said that the plan is for only some; against others who are opposed. She said that they do not want it. Mrs. Arfman said that it would create a bigger evil to change over. It was her contention that the change would hurt property owners.

Councilman Schneider moved to file the ordinance.

At this time the Mayor declared the testimony closed, indicating that the Council had heard all it needed to know from the affected property owners.

Councilman Swan asked Mr. Rick about the policy.

Mr. Rick replied that it is the policy to concentrate businesses, instead of stringing them out.

Councilman Schneider moved to file the ordinance again, which motion was seconded by Councilman Swan.

Over objections, Mr. Volz spoke again, and said that 2 men did not know what they were voting on. He said that there is no deal now.

Councilman Schneider amended his motion to file the proposed ordinance, and reject the proposal for rezoning, which amendment was accepted by the second to the original motion.

RESOLUTION NO. 109147, recorded on Microfilm Roll No. 56, filing the proposed Ordinance to incorporate Lots 9, 10, 11 and 12 Block 98 and Lots 1, 2, 3 and 4 Block 107 Roseville into R-C Zone, and rejecting any proposal for rezoning of said area, was on

motion of Councilman Schneider, seconded by Councilman Swan, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--Councilmen None.

No separate disposition was made of the various documents filed with the Clerk for and against the proposed rezoning.

Petition of Cordtz Co., Outdoor Advertising, 3904 Mason Street, San Diego 10, appealing to the Council from the action of the Planning Commission in denying a permit "under the Architectural Control Ordinance" for a sign structure to be located at 4334 Taylor Street, Lots 1, 2, 3, 4 Block 392 Old San Diego, on the property of General H. A. Withers, was presented. The communication set out that the lots involved are in C zone upon which signs are authorized. It said that it is adjacent to other commercial structures privately owned, including motel, trailer court, grocery store, etc. That it is enclosed by what the Planning Commission has termed "a traffic circle", it said it would be inconsistent to deny another commercial venture the same privilege. The communication said that although not written in the reason for denying the application it would appear that aesthetics has again entered into the thinking. It said, also, that the question has arisen as to whether or not such structure would constitute a traffic hazard and referred to tests and research which has shown that such structures tend to reduce traffic accidents. In addition to several other assertions in the communication, it referred to communication from the City Traffic Engineer under date of November 3, 1952, which said "with reference to your recent question regarding the following subject, I am happy to advise that, to the best of my knowledge there has been no traffic accidents in San Diego caused by billboards". The communication referred to the ordinance under which the permit was refused as giving the Planning Commission only the power to adjudicate "as to the exterior design of structures within certain areas of the City of San Diego". It said that no other reasons for refusal are established under the Architectural Control Ordinance, and that the commission was in error in its ruling and exceeded its authority. It asked the Council to reverse the action of the Planning Commission and authorize issuance of a building permit for said sign.

Mr. Cordtz, whose first name and initials were not given, or asked by the Chairman, appeared before the Council.

The Mayor pointed out that the Council has not yet seen the petition, does not know its contents. He asked Douglas Deaper, representing the Legal Department, if he knew of the action.

Mr. Deaper replied that he did not.

Mr. Cordtz passed up a letter from the Planning Commission, signed by Mr. Burton, which was not in the Clerk's file. (It was a new matter, and no report had been made by City departments.) The letter to the Company from the Planning Department, was read by the Clerk, then returned to Mr. Cordtz.

Mr. Deaper pointed out that if the permit were denied solely on architectural control basis, the Council can act. He said that if there is no setback for buildings, that would apply to a sign as well as to a building.

Councilman Schneider said that the Cordtz Company might agree to set back the sign.

Mr. Cordtz said that he had asked the Planning Commission to clarify the matter, and expressed the opinion that it is a matter of aesthetics. He said he had not been allowed to be heard.

Councilman Wincote said that he wanted the sign to be set back if it would be a traffic hazard.

Mr. Cordtz reiterated that it is the intention to locate the sign in a commercial Zone, as outlined.

The Mayor pointed out that while a hearing had not been set, the matter was developing into a hearing.

Mr. Cordtz said that a hearing is not needed, and said that he was asking only for a commercial use in a commercial area.

Councilman Godfrey said that that it should be determined if a hearing is needed. He showed a picture of the location of the proposed sign.

No action was taken on Councilman Godfrey's suggestion.

RESOLUTION NO. 109148, recorded on Microfilm Roll No. 56, granting the appeal of Cordtz Co., 3904 Mason Street, San Diego 10, California, from the decision of the Planning Commission in denying a building permit for a sign to be located at 4339 Taylor Street, on Lots 1, 2, 3, 4 Block 392 Old San Diego, overruling and denying said Commission's decision; directing the Traffic Engineer to look into the matter and report for taking persuasive action relative to said request in connection with traffic hazard if any would exist, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

On motion of Councilman Dail, seconded by Councilman Schneider, 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 reconvening, at the hour of 2:22 o'clock P.M., the roll call showed the following:

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

Communication from L. P. Wessell, Comdr. USN (Ret.), 6419 Estelle Street, under date of November 7, 1952, submitting appeal from the Psychological Commission's denial of his application (dated October 24, 1952) to practice the definite and specific branch of psychology - Alcoholic, Basis and Reeducational - was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, a hearing was set in said matter for the hour of 10:00 o'clock A.M., Thursday, December 4, 1952.

Communication from Charles Elwyn Karpinski, attorney at law, 1130 San Diego

Trust & Savings Building, San Diego, in behalf of Margaret T. Gregory, appealing from denial of denial of application for license to engage in the counseling and guiding of people with mental, emotional, marital, and employment problems, by the Psychology Commission, was presented.

Said communication had been referred by the City Council to the City Manager on October 16, 1952, was brought up at this time although not on today's agenda.

A hearing at the hour of 10:00 o'clock A.M., December 4, 1952, was set on motion of Councilman Schneider, seconded by Councilman Wincote.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing the City's requirements of Bulk Ferric Sulphate for water purification for a period of six months beginning November 1, 1952, received October 29, 1952, was presented. Said communication stated that the Stauffer Chemical Company was the sole bidder, and recommended that award be made thereto, and stated that the Director of Water Department concurs.

RESOLUTION NO. 109149, recorded on Microfilm Roll No. 56, accepting bid of Stauffer Chemical Company for the furnishing to The City of San Diego its requirements of Bulk Ferric Sulphate for a period of six months beginning November 1, 1952; awarding contract and authorizing and instructing the City Manager to enter into and execute on behalf of The City of San Diego a contract therefor, 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 improvement of Imperial Avenue between the northerly prolongation of the easterly line of the Alley in Block M Tract No. 2 Alta Vista Suburb, and the northerly prolongation of the easterly line of 49th Street, received by the Purchasing Agent October 29, 1952, was presented. Said communication recommended award to V. R. Dennis Construction Co., the low bidder, being 8.5% below the Engineer's estimate. Attached to the report was compilation showing that there were two bids. It stated, further, that by agreement, the San Diego Transit Company will pay for increased thickness of pavement at the bus stop, and that the San Diego Unified School District will pay the balance of the cost.

RESOLUTION NO. 109150, recorded on Microfilm Roll No. 56, accepting bid of V. R. Dennis Construction Company for furnishing the improvement of Imperial Avenue between the northerly prolongation of the easterly line of the Alley in Block M Tract No. 2 of Alta Vista Suburb and the northerly prolongation of the easterly line of 49th St.; awarding contract and authorizing and instructing the City Manager to enter into and execute the same, 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 Small Water Main Replacement Group II, 1952-53, recommending rejection of the two bids received from E. C. Losch Company and from Moffitt & Waddington Irrigation Company. (The Water Department estimate was \$61,000.00), while bids submitted are substantially higher than previous bids for similar work. Also submitted was Resolution authorizing re-advertising for bids for said work, which recommendation is concurred in by the Director of Water Department.

RESOLUTION NO. 109151, recorded on Microfilm Roll No. 56, rejecting all bids received October 21, 1952, for installation of small water main replacements, Group No. II, 1952-1953; authorizing and directing the Purchasing Agent to re-advertise for bids therefor, 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 requisitions from the Superintendent of the Water Distribution Division for procurement of various items of repair parts, and expendable drills and tools to be used in connection with the Department's Mueller tapping machines, value of parts required being approximately \$3,473.27, was presented. Said communication stated that the Western Metal Supply Company of San Diego is the sole agency through which the parts can be procured and no benefit would be derived from advertising for bids. It was also recommended that the Purchasing Agent be authorized to purchase parts required in accordance with list attached to his communication, without advertising for bids.

RESOLUTION NO. 109152, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids, various items of repair parts and expendable drills and tools to be used in connection with the Water Department's Mueller tapping machines, at a cost of approximately \$3,473.27, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing the Purchasing Agent to advertise for bids for removal of 48 Eucalyptus trees and 7 tree stumps as per specifications on file in the office of the City Clerk under Document No. 458591, was presented.

RESOLUTION NO. 109153, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the removal of 48 Eucalyptus Trees and 7 tree stumps, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Department, signed by P. Q. Burton, Senior Planning Technician, reporting on proposed rezoning of portion of Lot 67 Ex-Mission Rancho being 20x100 feet, located 80 feet south of the south line of Boston Avenue on the east side of 43rd Street, was presented. The report stated that the owner of the original 10 acres retained an 80-foot strip of land in C zone leaving the 20 foot strip of land in said zone under a different ownership. Change to R-4 zone was recommended.

RESOLUTION NO. 109154, recorded on Microfilm Roll No. 56, adopting recommendation of the City Planning Commission for rezoning portion of Lot 67 Ex-Mission Rancho, located 80 feet south of the south line of Boston Avenue on the east side of South 43rd Street, et al, from the present C Zone to R-4; directing the City Attorney to prepare and present the necessary Ordinance making said change, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Department, signed by P. Q. Burton, Senior Plan. Tech., reporting on proposed rezoning of portions of Bayview Quarter Acres and Bayview Addition - consisting of 15 blocks of subdivided property into R-4 Zone from R-1A, was presented. It stated that property is bounded on the north by R-4 zoning, but on the west, south and east by R-1A. It pointed out that the R-1A zoning around the area is not subdivided. The communication also stated that Block E of Bayview Quarter Acres and Blocks 9, 10, 11 and 12 of Bayview Addition, are subject to zone variances permitting operations of what is generally known as the Polo Grounds, including public stable, track and show ring, on which a charge is made for use of facilities. It said, further, that it is suggested that the Planning Commission should consider whether or not the variances permitting the public stable in Block E and other privileges granted in the immediate vicinity should be revoked. The communication said that the Planning Commission has no objection to the proposed rezoning.

RESOLUTION NO. 109155, recorded on Microfilm Roll No. 56, adopting recommendation of the City Planning Commission for rezoning portions of Bayview Quarter Acres and Bayview Addition, from R-1A to R-4; directing the City Attorney to prepare and present the necessary Ordinances making said change in zones, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Department, signed by the City Planning Director, advising that the Planning Commission has made an attempt to enforce one of the conditions of the zone variance granted by the Council at the Ray Smith Drug Store, 3210 Mission Boulevard, Lot A Block 96 Mission, was presented. The communication stated that while the property is in Zone R-4 the Council on January 4, 1949, granted zone variance by Resolution 92216, and quoted the Resolution.

Mr. Rick made a verbal report in which he told about sign painted contrary to the Sign ordinance and to the Zone Variance. He asked that the sign be painted out. He referred to the Council Resolution, and wondered if the Council wanted to act. He said he did not "want the rug yanked out from under him, if he prosecutes" the offender. Mr. Rick read the Resolution sustaining the appeal and overruling the Commission's denial.

Councilman Godfrey said that the offender should be advised that the area required to be rubbed out be painted out again.

Mr. Rick he thought the "Ray Smith" sign not to be removed.

Councilman Kerrigan said that the side of the building should not be used as a billboard.

Councilman Godfrey asked that the Planning Director be advised that Ray Smith be requested to comply with the terms of the variance, and that he remove the present sign from the present area on the side. He said that it was the intention of the Council, and it still is, that the north side of the building be unpainted, except for Ray Smith and that Rick be authorized to take action.

Councilman Kerrigan said that it should be required that there be removal of the sign from the side of the building.

Councilman Schneider stated that unless he obtains the necessary variance from the Planning Commission, the Council requests the removal of all signs from the building.

The above Councilmanic opinions as voiced were in the forms of motions, none of which was seconded.

Douglas Deaper, Assistant City Attorney, said that the Council could direct the Planning Department what action to take regarding the variance.

Councilman Wincote said that the area was not to be repainted, was the intention.

Councilman Schneider said that the matter should be referred to Mr. Rick.

RESOLUTION NO. 109156, recorded on Microfilm Roll No. 56, instructing the Planning Director to cause removal of the signs from the sides of the drug store at 3210 Mission Boulevard, except "Ray Smith" on the top of the north side, and the south sign - based on the fact that the other signs are contrary to the variance granted by the Council, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Department, signed by D. E. South, Senior Planning Technician, enclosing letter from Mrs. Laura Mitchell requesting six-months extension to Council Resolution No. 106358 which granted permission to Venus L. and Laura Mitchell to erect a single-family residence with a 25-foot setback on Brooklyn Avenue, where the average of the block is 33 feet, and a 15-foot setback on 60th Street, on the east 70 feet of the south 150 feet of Block 4 Larchmont, at 5958 Brooklyn Avenue, in Zone R-4, was presented. The report said, further, that the request was originally denied by the Zoning Committee and subsequently overruled by the Council. It said that the Committee at its last previous regular meeting unanimously recommended that the letter be referred to the Council with no recommendations. Said report was read to the Council.

The letter from Mrs. Laura Mitchell was addressed to the Zoning Committee, and said that due to financial difficulties they have been unable to start building the home.

RESOLUTION NO. 109157, recorded on Microfilm Roll No. 56, granting extension for a period of six months from the date of this Resolution, on Council Resolution No. 106358 which granted appeal of Murray F. Skelton and Esther Skelton, owners, and Venus L. Mitchell, purchaser, for construction of single-family residence with 25-foot setback on Brooklyn Avenue on the east 70 feet of the south 150 feet of Block 4 Larchmont, 5958 Brooklyn Avenue, in Zone R-4, and 15-foot setback on 60th Street, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Planning Director recommending that the Council authorize extension of the contract with Kenneth A. Gardner, City Planning Consultant, which contract was begun in May, 1952, was presented. The communication stated that funds are included for the purpose in the current budget, that Mr. Gardner is well qualified to perform said services, that the only change in the contract is that the monthly remuneration will be \$360 instead of \$300.00, for part-time services. Said communication bore the City Manager's signature of approval.

RESOLUTION NO. 109158, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to execute a contract with Kenneth A. Gardner, for furnishing services as City Planning Advisor for the purpose of assisting the City Planning Department in processing subdivision maps, preparation of reports and studies pertaining to zoning and other parts of the City plan, for a period of 8 months beginning November 1, 1952, and for such additional time as is mutually agreed upon at and for a monthly compensation of \$360.00, 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 that proceedings be amended under Resolution No. 107497 granted for improvement of Date Street between Dale and Fern Streets, to include installation of gutters and reconstruction of curbs as required, was presented.

RESOLUTION NO. 109159, recorded on Microfilm Roll No. 56, adopting recommendation of the City Engineer for amendment to proceedings under Resolution No. 107497 for improvement of Date Street between Dale and Fern Streets, to include gutters and reconstruction of curbs as required, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommendation to proceedings for improvement of Vista Del Mar Avenue northerly of Marine Street, to include water main and appurtenances, sewer main and water services and sewer laterals as required, was presented.

RESOLUTION NO. 109160, recorded on Microfilm Roll No. 56, adopting recommendation of the City Engineer relative to Resolution No. 107505 granting petition for paving and installing curbs on Vista Del Mar Avenue northerly of Marine Street, to include installation of water main and appurtenances, sewer main and water services and sewer laterals as required, 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, reporting on petition for operation of the ornamental street lights installed in Collwood Terrace Units No. 1 and 2, signed by the owners of over 60% of the area in the district; recommending that the Council grant the petition and start proceedings to form a lighting district to be assessed for furnishing current for said district, the district to be called Collwood Lighting District No. 1, was presented.

RESOLUTION NO. 109161, recorded on Microfilm Roll No. 56, adopting the City Engineer's recommendation that that petition be granted and proceedings be started to form a lighting district to be assessed to furnish current for Collwood Lighting District No. 1, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Johnson, Hatch & Wulff and Frank L. Hope, dated November 4, 1952, signed by George W. Divine, relative to the Donald N. Sharp Memorial Hospital, was presented. Said communication enclosed one copy of drawing A-1, prepared by Stone & Mulloy, architects, showing road work for the said project, now out for bids. It said that inasmuch as a portion of the work is on City dedicated road and requested review of the work and approval. It stated that the drawing is also being submitted to the State Highway Division for approval. Said letter was read to the Council.

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

Communication from San Diego Public Safety Committee, dated November 4, 1952, signed by Hal H. Hobson, Secretary, soliciting early consideration in the adoption of an ordinance covering a paragraph in the Mayor's Traffic Advisory Committee and Consultants' recommendation recently presented to the Council, as follows: "As an initial step in strengthening and streamlining street traffic management, a Division of Street Transportation should be created by ordinance within the City Engineering Department", was presented.

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

RESOLUTION NO. 109162, recorded on Microfilm Roll No. 56, directing notice of filing of the Street Superintendent's Assessment No. 2085 made to cover the costs and expenses of the work done upon installation of a sanitary sewer main in Brodiaea Way, Carizzo 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 Resolution of Intention No. 103893, and of the time and place of hearing thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109163, recorded on Microfilm Roll No. 56, approving and adopting plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 195 City Heights, approving Plat No. 2383 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 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 Wincote, adopted.

RESOLUTION NO. 109164, recorded on Microfilm Roll No. 56, ordering Work for the paving and otherwise improving of the Alleys in Blocks 2 and 27 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 108553, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109165, recorded on Microfilm Roll No. 56, ordering work for the paving and otherwise improving of E Street, within the limits and as particularly described in Resolution of Intention No. 108555, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109166, recorded on Microfilm Roll No. 56, ordering work for the paving and otherwise improving of 51st Street and Alley in Block 42 Tract 1368, within the limits and as particularly described in Resolution No. 108554, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

In connection with the next Resolution, the City Planning Director made a verbal report as to the need for the closing.

RESOLUTION NO. 109167, recorded on Microfilm Roll No. 56, ordering work of closing of portion of Ingelow Street, within the limits and as particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109168, recorded on Microfilm Roll No. 56, ordering work for the closing of portions of Whitman Street and Morena Boulevard, within the limits and as particularly set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109169, recorded on Microfilm Roll No. 56, 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, 1952, to and including November 15, 1953, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109170, recorded on Microfilm Roll No. 56, appointing time and place for hearing protests, and directing notice of hearings, 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, 1952, to and including November 4, 1953, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109171, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of the Alley in Block 195 City Heights and Lincoln Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109172, recorded on Microfilm Roll No. 56, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on paving and otherwise improving of the Alley in Block 12-1/2 Subdivision of Blocks 3, 6, 9 and 12 City Heights Annex No. 1, and in Block 4 City Heights Annex No. 2, Chamoune Avenue, and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 107266, and to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109173, recorded on Microfilm Roll No. 56, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of 46th Street, within the limits and as particularly described in Resolution of Intention No. 107589, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending granting petition for installation of sewers in Kemper Street and portion of P.L. 242 by private contract, in accordance with plans and specifications filed in the Office of the City Clerk under Document No. 457957; said work, including preparation of plans specifications and inspection to be done at no cost to the City, was presented.

RESOLUTION NO. 109174, recorded on Microfilm Roll No. 56, granting permission to W. F. Troop and Susie E. Troop to install sewers in Kemper Street and a portion

of Pueblo Lot 242, by private contract, in accordance with Document No. 457957, was on motion of Councilman Wincote, adopted.

The next matter had been referred to Council Conference, for consideration this date, and was listed on the agenda by request:

RESOLUTION NO. 109175, recorded on Microfilm Roll No. 56, 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 at least once in the official newspaper of the City at least 10 days prior to a hearing to be held by the Council upon the question of adopting amendment to Rule VIII Section 2 of the Rules of the Civil Service Commission, regarding eligibility for promotional examinations, hearing fixed for the 4th day of December, 1952, and also to cause a copy of such proposed amendment to be posted in three public places at least ten days prior to the date of said hearing, setting out in words and figures the proposed amendment, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109176 shown on Page 117

RESOLUTION NO. 109177, recorded on Microfilm Roll No. 56, declaring the following intersection of streets to be an "Intersection Stop": 43rd Street and Orange Avenue, affecting 43rd Street traffic; directing and authorizing the installation of the necessary signs and markings to be made on said streets, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

*Before adoption of the Next Resolution, Councilman Wincote said he observed on Washington Street, where no parking has been established, a need for checking in connection with "Sunday excepted". He thought the matter might well be checked by the Traffic Engineer, and by the City Manager.

(That matter will be found, later, as Resolution No. 109180).

RESOLUTION NO. 109178, recorded on Microfilm Roll No. 56, creating and establishing a "Through Highway" on Lewis Street, between the easterly line of First Avenue and the westerly line of Fifth Avenue; also creating intersection stops on West Lewis Street and Hawk Street, affecting westbound traffic on West Lewis Street; Upas Street and Arizona Street, affecting Arizona Street traffic; Ivanhoe Avenue and Silverado Street, affecting westbound traffic on Silverado Street; authorizing and directing the installation of the necessary signs and markings, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109179, recorded on Microfilm Roll No. 56, prohibiting the parking of automobiles between the hours of 7:00 A.M. and 9:00 A.M. and between the hours of 3:00 P.M. and 6:00 P.M. (Sundays excepted) on the northeasterly side of Pacific Highway between Sutherland and Witherby Streets; authorizing and directing the installation of the necessary signs and markings; providing that said Resolution shall become effective upon the 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; also that said Resolution shall become 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 Schneider, seconded by Councilman Wincote, adopted.

*RESOLUTION NO. 109180, recorded on Microfilm Roll No. 56, requesting the City Manager to check and see if the No Parking established on Washington Street should be excepted on Sunday, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109181, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with repairs and installations to the City-owned building recently moved from Kettner Boulevard and Grape Street to Chollas, consisting of the construction of foundations and front and rear steps; repair of moving damage; installation of new sink and cabinet and asphalt tile in the kitchen; bathroom and dining room; repair of wiring and fixtures, installation of exterior lighting, by appropriate City forces, was on motion of Councilman Schneider, 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. 109182, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the construction of an extension to the existing 24" concrete pipe culvert a distance of 88 feet across Lots 591 and 592 Talmadge Park Unit #3, situated on Aldine Drive north of Monroe Avenue, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Engineering Department of The City has recommended extension of said culvert, that the City Manager has indicated that the same, by his submitted estimates, can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 109183, recorded on Microfilm Roll No. 56, approving request of L. B. Butterfield, contained in Change Order No. 1, for extension of time of 30 days to and including November 23, 1952, heretofore filed with the City Clerk as Document No. 458617, in which to complete contract for construction of Turquoise Street Storm Drain, contract contained in Document No. 453886, and extending time of completion to November 23, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109184, recorded on Microfilm Roll No. 56, approving request of Guy F. Atkinson Company, contained in Change Order No. 2, for extension of 82 days, to and including December 3, 1952, heretofore filed with the City Clerk as Document No. 458619, in which to complete contract for construction of the Sunset Cliffs Bridge, contract on file in the office of the City Clerk as Document No. 431315, extending time of completion under contract to December 3, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109185, recorded on Microfilm Roll No. 56, directing application for State aid for construction of public works project to the Director of Finance, requesting allocation of \$8,050.36 or an allotment of such amount as may be allotted by the State Allocation Boards, etc., in connection with construction of Sewer Replacement from Pacific Beach Drive Pump Station for which the City is making application for \$26,962.00 under Chapter 20 Statutes of 1946 (First Extra Session) as amended of the State of California for financial assistance, was on motion of Councilman Schneider, seconded by Councilman Schneider, adopted.

In connection with Resolution No. 109175, adopted this date, relative to the Civil Service Rules proposed amendment, Douglas Deaper, Assistant City Attorney, said that he had looked into the matter, and reported on his findings to the Council.

RESOLUTION NO. 109176, recorded on Microfilm Roll No. 56, requesting the City Attorney to discuss with the Civil Service Director and the Civil Service Commission and make needed recommendations to Conference relative to Rules of the Civil Service, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109186 will be shown at the end of today's meeting minutes, under unanimous consent. (P. 123)

RESOLUTION NO. 109187, recorded on Microfilm Roll No. 56, authorizing and directing the City Manager to make application to the Board of Supervisors of the County of San Diego, State of California, and to take all necessary steps to acquire from the State, land in Pueblo Lot 1773, more particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109188, recorded on Microfilm Roll No. 56, authorizing and directing the City Attorney to file with the Board of Supervisors of the County of San Diego, State of California, request that all taxes of record against various parcels of land in City Gardens, Bayside, Old San Diego, P/L 262, Sellar's Addn., Electric Line Addition, more particularly set forth in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; also that all deeds to the State for delinquent taxes of said property be cancelled; authorizing and directing the City Attorney to take whatever steps he may deem necessary otherwise to secure cancellation of said taxes and deeds; repealing Resolution No. 108783 adopted October 16, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109189, recorded on Microfilm Roll No. 56, compromising dispute regarding payments due from Hercules Oil Company under Ordinance No. 5369 and Ordinance No. 5921, by paying \$570 of which \$285 shall be payable to The City of San Diego and \$285 shall be made payable to the City-County Administration Building Control Committee, as payment in full of all monthly payments required under said Ordinances to and including December 31, 1952; said Resolution and compromise to be ineffective unless and until the County of San Diego by Resolution approves and authorizes said compromise, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109190, recorded on Microfilm Roll No. 56, granting revocable permit, effective January 1, 1953, to the Hercules Oil Company, to construct, repair and maintain 2 pipe lines from the site of its present plant at California and Cedar Streets, along and across California Street, Beech Street and Pacific Highway to the easterly boundary of the Civic Center site in accordance with plat and plans and specifications referred to in its application heretofore filed in the office of the City Clerk as Document No. 457970 and subject to the conditions set forth in said Resolution; determining that no surety bond shall be required in connection with the permit granted, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109191, recorded on Microfilm Roll No. 56, granting revocable permit, effective January 1, 1953, to the Hercules Oil Company, to construct, repair and maintain 2 pipe lines across the Civic Center site from the easterly to the westerly

boundary thereof, in a straight line extending westerly from the pipe lines which are the subject of the permit granted by Resolution No. 109190, in accordance with the plat and plans and specifications contained or referred to in application, heretofore filed in the office of the City Clerk as Document No. 457970, upon and subject to the conditions set forth in said Resolution; determining that no surety bond shall be required in connection with the permit therein granted; stating that said Resolution shall be ineffective unless and until the County of San Diego, by resolution, joins in the permission granted in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109192, recorded on Microfilm Roll No. 56, granting to E. G. Conklin, C.P.O., U.S. Navy, 4104 Alicia Drive, San Diego, permission to use vitrified clay sewer pipe to connect with cast iron lines and fittings under a cement floor slab in a garage at said location; for the reason that clay pipe under garage is covered with 5 feet of earth and protected by 4" concrete slab, subject to approval of the City Manager, Inspection Department, Engineering Department and Department of Public Health, on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109193, recorded on Microfilm Roll No. 56, granting permission to Richard H. Gillam, 2164 Felspar Street, San Diego, to install a 4" cast iron sewer line between the property line and the sidewalk, to be placed 1.0 feet outside the property line and run in a southerly direction parallel to the westerly line of Lot 1 Block 89 Pacific Beach Subdivision, to point of intersection with public sewer, to serve property at 4477 Jewell Street, subject to approval of the City Manager, Department of Public Health, Engineering Department and Properties Department, and on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109194, recorded on Microfilm Roll No. 56, granting permission to Sam Nesbitt, Jr., 3612 50th Street, San Diego 5, to widen the existing 12-foot driveway at 3532 47th Street, 26 feet to the south, so as to provide a 38-foot driveway, measured at the top of the full-height curb, on the west side of 47th Street, between points 156 feet and 194 feet north of the line of Myrtle Avenue, adjacent to Lots 30 and 31 Block 3 Bungalow, to provide access to off-street parking area for 4 cars, in accordance with all rules, regulations and ordinances of The City of San Diego governing same, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109195, recorded on Microfilm Roll No. 56, granting permission to San Diego Transit System, 235 Broadway, to remove 50 feet of curb on the south side of L Street between points 3 feet and 53 feet west of the west line of 15th Street, and to remove 30 feet of curb on the north side of Imperial Avenue between points 0 feet and 30 west of the west line of 15th Street for installation of 2 driveways adjacent to Lots 3, 4 and 13 Block 55 Sherman's Addition, to provide access to additional off-street parking area needed for new buses presently on order by the Transit Company for delivery in November, 1952, subject to the conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109196, recorded on Microfilm Roll No. 56, granting permission to Gordon E. Wiggins, 351 West Robinson Avenue, San Diego 3, to install a 50-foot driveway, measured at the top of the full-height curb on the west side of 31st Street, between points 50 and 100 feet south of the south line of Grape Street, adjacent to Block 3 N. P. Christensen's Subdivision, to provide driveway for off-street parking for 4 cars at site of new 4-unit residential building located near intersection of Grape and 31st Streets, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Councilman Swan entered the meeting.

RESOLUTION NO. 109197, recorded on Microfilm Roll No. 56, approving bill of San Diego City & County Convention Bureau, dated November 6, 1952, in the sum of \$2573.03; authorizing requisition on the Advertising & Publicity Fund in sum for the fiscal year 1952-1953, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109198, recorded on Microfilm Roll No. 56, authorizing and directing the City Clerk to send, free of charge, to the U.S. Conference of Mayors and The National Institute of Municipal Clerks, and upon recommendation of the City Manager, to similar organizations, copies of the San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109199, recorded on Microfilm Roll No. 56, approving claim of Lowell M. McCauley in the sum of \$89.97; authorizing and directing the City Auditor to draw his warrant in favor of said Lowell M. McCauley in the said sum in full payment of of said claim, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109200, recorded on Microfilm Roll No. 56, approving claim of Clifford W. Morris in the sum of \$63.23; authorizing and directing the City Auditor to draw his warrant in favor of said claimant in said sum in full payment of the aforesaid claim, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109201, recorded on Microfilm Roll No. 56, denying claim of Jeanne Burns, on file in the office of the City Clerk under Document No. 454937, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109202, recorded on Microfilm Roll No. 56, denying claim of Maybelle Shipley Burns, on file in the office of the City Clerk under Document No. 454994, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109203, recorded on Microfilm Roll No. 56, denying claim of Robert E. Burns, Sr., on file in the office of the City Clerk under Document No. 454995, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109204, recorded on Microfilm Roll No. 56, denying claim of Albert Hancock and Alma Hancock, on file in the office of the City Clerk under Document No. 455497, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109205, recorded on Microfilm Roll No. 56, denying claim of Emma Heaton, on file in the office of the City Clerk under Document No. 454087, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109206, recorded on Microfilm Roll No. 56, denying claim of Roscoe G. Lair, on file in the office of the City Clerk under Document No. 457960, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109207, recorded on Microfilm Roll No. 56, accepting subordination agreement, executed by R. C. Landry, beneficiary, and The Hollingsworth Corporation, trustee, bearing date August 18, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Block D Morena, and Lots 1 and Lots 15 through 22 Block 8 Morena, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego across portion of said property; authorizing and directing the City Clerk to file said subordination agreement for 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. 109208, recorded on Microfilm Roll No. 56, accepting subordination agreement, executed by R. C. Landry, beneficiary, and The Hollingsworth Corporation, trustee, bearing date August 18, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 1 Block 22 Morena, to the right of way and easement for public 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109209, recorded on Microfilm Roll No. 56, accepting subordination agreement, executed by R. C. Landry, beneficiary, and The Hollingsworth Corporation, trustee, bearing date August 18, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 1 Block 22 Morena, to the right of way easement for earth excavation or embankment slope purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109210, recorded on Microfilm Roll No. 56, accepting subordination agreement, executed by Harvey L. Lewis, W. A. Wiedenbeck, Cora Wiedenbeck and Lois E. Storr, beneficiaries, and Bank of America National Trust and Savings Association, trustee, bearing date October 14, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 4 Block F Southlook, 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109211, recorded on Microfilm Roll No. 56, accepting deed of Donald Norman Charleson and Joan C. Charleson, bearing date July 14, 1952, conveying a portion of Pueblo Lot 1288, setting aside and dedicating the same to the public use as and for a public street, and naming the same Ardath Road; authorizing and directing the City Clerk to transmit said deed, together with 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. 109212, recorded on Microfilm Roll No. 56, accepting deed of Carlos Tavares, Marjorie Claire Tavares, Louis C. Burgener and Patricia W. Burgener, bearing date August 7, 1952, conveying an easement and right of way for public street in portion of Lots 3, 4, 5, 6, 7 Block 103 Morena, setting aside and dedicating the same to the public use as and for a public street, and naming the same Clairemont Drive; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109213, recorded on Microfilm Roll No. 56, accepting deed of Agnes M. Allen, bearing date October 18, 1952, conveying easement and right of way for public street purposes in portion of Pueblo Lot 1174, setting aside and dedicating the same to the public use as and for a public street, and naming the same Friars Road; authorizing and directing the City Clerk to transmit said deed, together with 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. 109214, recorded on Microfilm Roll No. 56, accepting deed of San Diego Urban Company, bearing date August 18, 1952, conveying easement and right of way for public street purposes in portion of Lot 1 Block 22 Morena, setting aside and dedicating the same to the public use as and for a public street, and naming the same Huxley Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109215, recorded on Microfilm Roll No. 56, accepting deed of Carl A. Whittenton and Gladys B. Whittenton, bearing date August 12, 1952, conveying easement and right of way for public 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 Mesa Drive; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109216, recorded on Microfilm Roll No. 56, accepting deed of San Diego Urban Company, bearing date August 18, 1952, conveying easement and right of way for public street purposes in all of Block D Morena, and portions of Lot 1 and Lots 15 through 22 Block 8 Morena, 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 file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109217, recorded on Microfilm Roll No. 56, accepting deed of W. K. Todd and Annie M. Todd, bearing date October 17, 1952, conveying easement and right of way for public street in portion of Pueblo Lot 1291, setting aside and dedicating the same to the public use as and for a public street, and naming the same Pacific Highway; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109218, recorded on Microfilm Roll No. 56, accepting deed of Etta Griffith, bearing date October 15, 1952, conveying portion of Lot 1 Block 83 San Diego Homestead Union, 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 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. 109219, recorded on Microfilm Roll No. 56, accepting deed of Wilbur Plumlee and Esther Plumlee, bearing date October 4, 1952, conveying portion of Lots 46, 47 and 48 Block 8 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 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. 109220, recorded on Microfilm Roll No. 56, accepting deed of Malcolm H. Heisman and Lillian Heisman, bearing date October 27, 1952, conveying portion of Lot 9 Block 83 San Diego Homestead Union as and for a public street, and dedicating the same to the public use; authorizing and directing the City Clerk to transmit said deed, together with 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. 109221, recorded on Microfilm Roll No. 56, accepting deed of Carl A. Whittenton and Gladys B. Whittenton, bearing date August 12, 1952, conveying easement and right of way for public street purposes in portion of Pueblo Lot 1774; authorizing and directing the City Clerk to file said deed in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109222, recorded on Microfilm Roll No. 56, accepting quitclaim deed of Herbert C. Kelly and Helen G. Kelly, bearing date April 16, 1947, quitclaiming all right, title and interest in Lots 5 and 6 Block 13 Sellar's Addition; authorizing and directing the City Clerk to file said deed for record with the Registrar of Land Titles in 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. 109223, recorded on Microfilm Roll No. 56, accepting deed of Delfin L. Medina and Maria L. Medina, bearing date October 25, 1952, conveying portion of Lot 3 Block "D" El Nido; authorizing and directing the City Clerk to transmit said deed, together with 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. 109224, recorded on Microfilm Roll No. 56, accepting deed of Jose Medino and Mary Medina, bearing date October 25, 1952, conveying portion of Lots 2, 20 and 21 Block "D" El Nido; authorizing and directing the City Clerk to transmit said deed, together with 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. 109225, recorded on Microfilm Roll No. 56, accepting deed of Tarquino H. Salmon and Maria P. Salmon, bearing date September 29, 1952, conveying easement and right of way for public culvert in portion of Lots 2 and 3 Block E Turnbull's Subdivision; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109226, recorded on Microfilm Roll No. 56, accepting deed of Carlos Tavares, Marjorie Claire Tavares, Louis G. Burgener and Patricia W. Burgener, bearing date August 7, 1952, conveying easement and right of way for earth excavation or embankment slope purposes in portion of Lots 1, 2, 3, 4 and 5 Block 103, and portion of Lots 7, 8 and 9 Block 103 Morena; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109227, recorded on Microfilm Roll No. 56, accepting deed of San Diego Urban Company, bearing date August 18, 1952, conveying easement and right of way for earth excavation and embankment slope purposes in portion of Lot 1 Block 22 Morena; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109228, recorded on Microfilm Roll No. 56, accepting deed of Isaac Jackson, Jr. and Hazel Ruth Jackson, bearing date October 14, 1952, conveying easement and right of way for storm drain purposes in portion of Lot 4 Block "F" 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 certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109229, recorded on Microfilm Roll No. 56, accepting deed of Clarence LeRoy Sperry, bearing date October 18, 1952, conveying easement and right of way for storm drain purposes in portion of Lots 17 and 18 Block "H" Turnbolls' Subdivision; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

ORDINANCE NO. 5378 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$12,000.00 from the Capital Outlay Fund, for the purpose of providing funds for improvement of Imperial Avenue, between the northerly prolongation of the easterly line of The Alley in Block "M" Tract #2 of Alta Vista Suburb, and the northerly prolongation of the easterly line of 49th 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 Godfrey, 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.

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

ORDINANCE NO. 5379 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$7,400.00 from the Unappropriated Balance Fund, and transferring the same to the Engineering Department Fund - because of an increase in the program of aerial mapping 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, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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

ORDINANCE NO. 5380 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$800.00 from the Traffic Safety Fund, for the purpose of providing funds for purchase and installation of 92 Boulevard Stop Signs, 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 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 final reading, a written or printed copy was furnished to each member of the Council.

ORDINANCE NO. 5381 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$365.00 from the Acquisition and Investigation Bond Fund, for the purpose of providing funds to pay portion of the cost of installing a Gauging Station at the upper end of Dulzura Conduit just below Barrett Dam, in cooperation with the Bureau of Geological Survey, United States Department of the Interior, 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 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, a written or printed copy was furnished to each member of the Council.

ORDINANCE NO. 5382 (New Series), recorded on Microfilm Roll No. 56, repealing Ordinance No. 5369 adopted December 9, 1913, and Ordinance No. 5921 adopted December 2, 1914 - granting permits to Pacific Wood and Coal Company and to Hercules Oil Company for extension of oil pipe lines - 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.

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.

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

ORDINANCE NO. 5383 (New Series), recorded on Microfilm Roll No. 56, establishing the grade of "A" Street, between the west line of 34th Street and the east line of 33rd 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 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.

ORDINANCE NO. 5384 (New Series), recorded on Microfilm Roll No. 56, establishing the grade of Midway Street, between the northeasterly line of Sea Rose Place and a line drawn from the point of intersection of the southeasterly line of Midway Street with the easterly line of Calumet Avenue to the point of intersection of the northwesterly line of Midway Street with the northerly line of Calumet 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 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. 5385 (New Series), recorded on Microfilm Roll No. 56, establishing the grade of 63rd Street, between the northerly line of Montezuma Road and a line drawn northwesterly at right angles to the southeasterly line of 63rd Street from a point on the southeasterly line of 63rd Street, said point being distant 50.75 feet northeasterly from the intersection of the southwesterly prolongation of the southeasterly line of 63rd Street with the westerly prolongation of the northerly line of Montezuma 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, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen Kerrigan, men 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.

A proposed Ordinance incorporating Lots 135 to 145 inclusive in National Vista and a portion of Re-Subdivision of Florence in the City of San Diego, into "R-1" Zone and "R-C" Zone, was presented.

On motion of Councilman Swan, seconded by Councilman Godfrey, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, December 4, 1952.

A proposed Ordinance incorporating Lots 94 to 111 inclusive Vista Park Unit No. 1 into "CP" Zone and "C" Zone, repealing Ordinance No. 13457 insofar as the same conflicts, was presented.

On motion of Councilman Swan, seconded by Councilman Godfrey, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, December 4, 1952.

Councilman Swan was excused at this time.

The Mayor requested and was granted, unanimous consent to present the next matter, not listed on the agenda:

RESOLUTION NO. 109230, recorded on Microfilm Roll No. 56, authorizing Richard Gallagher, Director of Public Works of The City of San Diego to attend the special meeting of the fact-finding committee to study needs on major highways in metropolitan areas, to be held in Sacramento, California, November 18 and 19, 1952; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

While Resolution No. 109186 was adopted at this point, it was numbered earlier by the Clerk, upon request, as a matter of expediency.

RESOLUTION NO. 109186, recorded on Microfilm Roll No. 56, determining and declaring that the public interest, convenience and necessity of The City of San Diego require the construction, operation and maintenance of a public freeway, I.E., a limited access highway, to be known as Wabash Boulevard, across Lots 17 and 18 Block "K" Teralta Heights Subdivision No. 2; that the public interest, convenience and necessity demand the acquisition of the land to be used by the City for construction of said public freeway within the area aforesaid; declaring the intention of the City to acquire said lands under Eminent Domain Proceedings; directing the City Attorney of the City of San Diego to commence an 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 (Land consists of Lots 17 & 18 Block K Teralta Heights; only), was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Said Resolution was introduced by the Assistant City Manager.

Councilman Swan returned.

At this time Mayor Butler brought the matter of saving time in connection with opening of bids by the Council. He said that he believed it would be well to have lump sum bids, instead of units as is now the case in certain instances.

There was general discussion by members of the Council as to the merits of the suggestion, but no action taken here.

The Mayor pointed out that the proposed method would provide for simplification. Even if unit bids are necessary, a lump bid could be included and read.

Councilman Wincote said that the method proposed by the Mayor could provide for cheating.

In discussing the matter further, the Mayor said that he had been informed by the City Attorney that the bids do not have to be read.

No action was taken.

There being no further business to come before the Council at this time, the Mayor declared the meeting adjourned. He announced that the Council would go into Conference immediately.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Harrison

Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Council of The City of San Diego, California, Tuesday,
November 18, 1952

A Regular Meeting was held in the Council Chamber, and was called to order by the Mayor at the hour of 10:05 o'clock A.M.

Present--Councilmen Wincote, Schneider, Dail, Mayor Butler

Absent---Councilmen Swan, Kerrigan, Godfrey

Clerk----Fred W. Sick

The Minutes of the Meetings of Wednesday, November 12, 1952, and of Thursday, November 13, 1952, were presented to the Council by the Clerk.

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

After approval of said Minutes, Councilman Godfrey and Councilman Kerrigan entered the meeting.

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 7 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 108279, 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 Al E. Riley, Inc., accompanied by bond written by The Fidelity Company of New York in the sum of \$600.00, which bid was given Document No. 459061;

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. 459062;

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 \$600.00, which bid was given Document No. 459063;

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. 459064.

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 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 Central Avenue, within the limits and as particularly described in Resolution of Intention No. 108135, 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 \$5,000.00, which bid was given Document No. 459065;

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. 459066;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$5,000.00, which bid was given Document No. 459067;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$5,000.00; which bid was given Document No. 459068.

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 furnishing of electric current for the lighting of Midway Drive Lighting District No. 1, for a period of one year from and including October 1, 1952, to and including September 30, 1953, in accordance with Resolution of Intention No. 108138, 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 \$192.96, written by San Diego Trust and Savings Bank, which bid was given Document No. 459060.

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, the time set for hearing on Resolution No. 108768 of Preliminary Determination for the paving and otherwise improving of the Alleys in Blocks 246, 243, 244, 241, 241 and 238 Mission Beach, and Mission Boulevard, 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. 109231, recorded on Microfilm Roll No. 56, determining that the proposed improvement of the Alleys in Blocks 246, 243, 244, 242, 241 and 238 Mission Beach, and Mission Boulevard, within the limits and as particularly set forth in Resolution No. 108768 of Preliminary Determination is feasible and that the lands to be assessed 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 Resolution No. 108769 of Preliminary Determination for the paving and otherwise improving of Arista Street, 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. 109232, recorded on Microfilm Roll No. 56, determining that the proposed improvement of Arista Street, within the limits and as particularly set forth in Resolution of Preliminary Determination No. 108769 is feasible and that the lands to be assessed 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 108770 of Preliminary Determination for the paving and otherwise improving of Woden Street, 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. 109233, recorded on Microfilm Roll No. 56, determining that the proposed improvement of Woden Street, within the limits and as particularly set forth in Resolution of Preliminary Determination No. 108770 is feasible and that the lands to be assessed 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 108840 of Preliminary Determination for the paving and otherwise improving of the Alleys in Blocks 103 and 104 University Heights, 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. 109234, recorded on Microfilm Roll No. 56, determining that the proposed improvement of the Alleys in Blocks 103 and 104 University Heights, within the limits and as particularly set forth in Resolution of Preliminary Determination No. 108840 is feasible and that the lands to be assessed 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 Resolution No. 108841 of Preliminary Determination for the paving and otherwise improving of Thor Street, 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. 109235, recorded on Microfilm Roll No. 56, determining that the proposed improvement of Thor Street, within the limits and as particularly set forth in Resolution of Preliminary Determination No. 108841 is feasible and that the lands to be assessed 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 the proposed annexation to The City of San Diego of Lots 25 to 28 inclusive, Lots 33, 34, 35, 37, 38, Lots 46 to 49, portions of Lots 20 to 22; Lots 20 to 23, 29 to 32, portions of 36, 43 and 44 of The Highlands; all of Lots 2 to 6 inclusive, portions of 8, 9, 10, 11, 12, 13 New Riverside; Orcutt's Subdivision of Lot 1 of New Riverside; portion of Lot 78 Rancho Mission of San Diego; the Clerk reported that no written protests had been received.

The Chairman did not ask if there were any protests in the audience.

Instead, Councilman Schneider said that a request had been made that the hearing be continued for one week.

On motion of Councilman Schneider, seconded by Councilman Wincote, said hearing was continued for one week - until the meeting of November 25, 1952.

Petition of The Salvation Army, dated November 12, 1952, signed by Daniel Rody, Major, Commanding Officer, requesting permission to place Salvation Army Christmas kettles in the several places mentioned in said petition, was presented. The request was for the period of November 28 to December 24.

Councilman Schneider moved to grant the request, and it was pointed out that no Resolution accompanied the petition. It was then suggested that the matter be referred to the City Manager with power to act.

RESOLUTION NO. 109236, recorded on Microfilm Roll No. 56, referring petition of the Salvation Army, 830 Eighth Avenue, requesting permission to place the Salvation Army Christmas kettles in prominent locations, starting Friday November 28, 1952, to continue through Wednesday December 24, 1952, with power to act, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received for 260 Rainsuits and approximately 40 Raincoats, received from 6 bidders on November, 1952, was presented. It recommended award to C. J. Hendry Company of San Diego, low bidder, for furnishing Rainsuits; and rejection of all bids for furnishing 40 Raincoats. The report stated that the City will revise its specifications for raincoats and purchase same on the open market at a total cost not exceeding \$200.000.

Members of the Council asked about the recommendation, and the City Manager replied that the bids were too high on the one item, and that specifications would be rewritten.

RESOLUTION NO. 109237, recorded on Microfilm Roll No. 56, rejecting all bids received November 6, 1952, for approximately 40 Raincoats, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109238, recorded on Microfilm Roll No. 56, accepting bid of C. J. Hendry Company for furnishing 260 Rainsuits; awarding contract, and authorizing and instructing the City Manager to enter into and execute a contract for the furnishing of 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 received October 29, 1952, for furnishing 2 Tractor Bulldozers, from 3 bidders, for the Sanitation Division, was presented.

It recommended award to Southern Equipment & Supply Company of San Diego, low bidder, for furnishing item I, one TD-24 International Tractor Bulldozer, less trade-in of HD-7 Tractor Bulldozer; award to San Diego Tractor & Equipment Company, low bidder, for furnishing item II on its proposal to furnish one Caterpillar D-8 Tractor Bulldozer, plus extras listed therein.

RESOLUTION NO. 109239, recorded on Microfilm Roll No. 56, accepting bid of Southern Equipment & Supply Company for furnishing one TD-24 International Tractor Bulldozer less trade-in of HD Tractor Bulldozer; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109240, recorded on Microfilm Roll No. 56, accepting bid of San Diego Tractor & Equipment Company for furnishing one Caterpillar D-8 Tractor Bulldozer, plus extras consisting of track roller guards, reverse blower fan, radiator guard, front pull hook, electric lighting, and engine guard; authorizing contract, authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent reporting on bids received for the construction of a Sanitary Sewer on Shelter Island October 22, 1952, from 2 bidders; recommending award to Drainage Construction Company and James W. Huntley (Joint Venture) on their low bid, was presented.

RESOLUTION NO. 109241, recorded on Microfilm Roll No. 56, accepting bid of Drainage Construction Company and James W. Huntley (joint venture) for construction of a Sanitary Sewer on Shelter Island; awarding contract, and authorizing a majority of the members of the Harbor Commission to enter into and execute contract therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager, bearing the Purchasing Agent's stamp of approval, reporting on bids received for improvement of Idaho Street south of El Cajon Boulevard (curbs, grading, paving, sidewalks and driveways); recommending award to T. B. Penick & Sons, low bidder - bid 10.4% above estimate - was presented.

RESOLUTION NO. 109242, recorded on Microfilm Roll No. 56, accepting bid of T. B. Penick & Sons for improvement of Idaho Street south of El Cajon Boulevard; awarding contract, and authorizing and directing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109243, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing portable radio equipment (walkie-talkies) in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements, on file in the office of the City Clerk bearing Document No. 458956, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution was submitted by communication from the Purchasing Agent, bearing the City Manager's stamp of approval.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing advertising for bids for furnishing and delivering a 36" Venturi type water meter for Sutherland-San Vicente Conduit, was presented.

RESOLUTION NO. 109244, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing and delivering a 36" Venturi type water meter for Sutherland-San Vicente Conduit, in accordance with Document No. 458957, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109245, recorded on Microfilm Roll No. 58, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for guniting portion of Dulzura Conduit, filed as Document No. 458958; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Wincote; adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending suspensions to the Municipal Code on the Revised Tentative Map of Clairemont Unit No. 4, was presented.

RESOLUTION NO. 109246, recorded on Microfilm Roll No. 56, suspending Sections Nos. 102.11-2, 102.12-8, 102.16-8, 102.18, 102.17-c of the Municipal Code insofar as they relate to the Tentative and Final Maps of Clairemont Unit No. 4, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending approval of the Revised Tentative Map of Clairemont Unit No. 4, for subdivision of portions of P.L.'s 1191 and 1194, proposed subdivision located easterly of the presently developed and occupied area of Clairemont and a subdivision of 118 lots previously approved by Resolution No. 98422, subject to 7 conditions, was presented.

At the request of the Council, Glenn A. Rick, City Planning Director, made a brief verbal report.

RESOLUTION NO. 109247, recorded on Microfilm Roll No. 56, approving the revised tentative map of Clairemont Unit No. 4, subdivision of portions of Pueblo Lots 1191 and 1194 into 118 lots, subject to the conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending approval of the Final Map of Clairemont Unit No. 10, subject to the posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 109248, recorded on Microfilm Roll No. 56, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Clairemont Rental Housing Company, a corporation, subdivider of Clairemont Unit No. 10, Trustee, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Unit No. 10, and for the making of a cash deposit in Deposit Trust Fund No. 302; directing the City Engineer to present an ordinance establishing the official grades of all streets within said subdivision, was Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109249, recorded on Microfilm Roll No. 56, adopting Map of Clairemont Unit No. 10, a subdivision of portions of Pueblo Lots 1226, 1227, 1237, 1238; accepting on behalf of the public Clairemont Mesa Boulevard, Hatteras Avenue, Hedionda Court, Idlewild Way, Jutland Drive, Jemez Drive, Kickapoo Court, Luna Avenue, Moraga Avenue, Nido Lane, Norwalk Avenue, Oak Glen Lane, Otomi Avenue, alleys and unnamed easements shown thereon for public purposes; declaring said streets, alleys and unnamed easements to be public streets, alleys and unnamed 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, alleys 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 Kerrigan, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending suspension of Sections 102.12-1, 102.18, 102.17-c of the Municipal Code in connection with the Tentative Map of Clearview Heights, was presented.

RESOLUTION NO. 109250, recorded on Microfilm Roll No. 56, suspending Sections 102.12-1, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Clearview, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Asst. Planning Director, recommending approval of the Tentative Map of Clearview Heights, a subdivision of portion of Lots 18 and 19 Horton's Purchase, into 83 lots, southerly of Federal Boulevard and westerly of 47th Street, subject to 10 conditions, was presented. RESOLUTION NO. 109251, recorded on Microfilm Roll No. 56, approving the Tentative Map of Clearview Heights, subject to the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending suspension of 5 sections re the Tentative Map of Kearney Park Extension, subdivision of portion of Lot 72 Rancho Mission of San Diego, was presented.

RESOLUTION NO. 109252, recorded on Microfilm Roll No. 56, suspending Sections 102.07-5, 102.11-2, 102.11, 102.18, 102.17-c of the Municipal Code in connection with the Tentative Map of Kearney Park Extension, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending approval of the Tentative Map of Kearney Park Extension for the subdivision of a portion of Lot 72 Rancho Mission of San Diego, located westerly of Cabrillo Freeway, approximately 3/4 mile southerly of Camp Elliott; consisting of approximately 350 lots, providing for portion of an elementary school site, an area of approximately 4.6 acres as an alternate park site, a local business center of 2.5 acres, and a canyon area (formerly labelled "Park") which it recommended be deeded to the City; subject to 10 conditions, was presented.

RESOLUTION NO. 109253, recorded on Microfilm Roll No. 56, approving the Tentative Map of Kearney Park Extension, subject to the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending suspension of 6 sections of the San Diego Municipal Code, in connection with the Tentative Map of Lomita Villa Unit No. 3, was presented.

RESOLUTION NO. 109254, recorded on Microfilm Roll No. 56, suspending Sections 102.10-3, 102.07-5, 102.11-2, 102.12-8, 102.18, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Lomita Village Unit No. 3, and the Final Map thereon, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by the Assistant Planning Director, approving the Tentative Map of Lomita Village Unit No. 3, for a 125-lot subdivision westerly of Cardiff Street and easterly of Jamacha Road in the Narragansett Heights area of Encanto, subject to 10 conditions, was presented.

RESOLUTION NO. 109255, recorded on Microfilm Roll No. 56, approving the Tentative Map of Lomita Village Unit No. 3, subject to the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, Senior Planning Technician, reporting on the proposed rezoning on the easterly side of Home Avenue about 1800 feet east of Federal Boulevard in Zone R-1 - bounded on three sides by R-1 and on the south side by Zone R-4. Said Rezoning covers portion of Lot 10 Horton's Purchase of Ex-Mission Lands, is in proposed Zone R-2 for a school site. It was recommended that the matter be forwarded to the City Attorney's office for drafting of a proper ordinance prior to setting a public hearing before the Council.

RESOLUTION NO. 109256, recorded on Microfilm Roll No. 56, adopting recommendation of the City Planning Commission for rezoning portion of Lot 10 Horton's Purchase of Ex-Mission Lands, from the present R-1 Zone, to R-2; directing the City Attorney to prepare and present the necessary ordinance making the change in zone, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Glenn A. Rick, City Planning Director, reporting that at its last meeting the City Traffic Engineer presented a proposal which met with the general acceptance on the part of the Commission, was presented. The report had to do with neon signs near traffic signals. It stated that suggestions contained in the report are not within the authority of the Planning Commission, and that the matter had been referred to the Council with general endorsement of the provisions and with the suggestion that some regulations might be in order.

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

Communication from the Planning Commission, signed by P. Q. Burton, Senior Planning Technician, reporting on applications of Sidney L. Davis, Lawrence O'Connell and D. M. Denton Estate for the enlargement of Trailer Camp District No. 1, was presented. The report stated that the district referred to is in the vicinity of Old San Diego and includes the vicinity of Morena Boulevard and Knoxville Street. It mentioned that the district now extends northeasterly from Morena Boulevard at Knoxville Street about 585

feet, and northwesterly and southeasterly from Knoxville Street some distance. It pointed out that the application was to extend the district northeasterly approximately 400 feet to the northeast line of P.L. 264 along the southeast side of Knoxville Street, and that it would extend southeasterly from Knoxville Street to Dorcas Street a distance of about 1060 feet. It said, further, that the property is in Zone R-1, a portion is adjacent to Knoxville Street, is low, flat and subject to flooding and is crossed by Tecolote Creek. The report went into great detail, and also said that the Planning Commission inspected the property and after studying the effect of a trailer camp on the surrounding areas and the possibility of a major street running thru the property proposed to be added to the trailer park district, and studying the possible effects of flood waters from Tecolote Creek on the low-lying area, voted 4-0 to recommend that the petitions referred to in the report be denied.

The City Planning Director made a verbal explanation relative to existing conditions. He said that the Planning Commission is not favorable to extension of the permit and area.

Les Halcom, Assistant to the City Manager, brought in a map at which the Council looked. The Planning Director pointed out the area in question to the Council, on the map. He said that the Commission has not approved the area and the request. He pointed out that the request is not in a Trailer Park Zone.

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

Communication from the Planning Commission, signed by Glenn A. Rick, City Planning Director, reporting on action taken by the City Planning Commission authorizing him to recommend certain amendments to the Municipal Code - Section 102.02, was presented. (Although the communication makes no mention of the subject involved, the Municipal Code refers to Tentative and Final Subdivision Maps). It recommended that the City Attorney's office be authorized to prepare the necessary amendments to be adopted by the Council in accordance with the wording set out in the communication.

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

Communication from the City Manager reporting on communication from Guillermo Patterson, Jr., Consulado de Panama, inquiring as to why the name of "Panama Plaza" Balboa Park has been changed, was presented. The report transmitted copy of letter from Leo B. Calland, Director of Parks and Recreation, addressed to Mr. Patterson advising that the name of the Plaza has not been changed nor is it contemplated. The Director's letter went into the fact that The City of San Diego and patrons of Balboa Park appreciate the world-renowned architectural features of the buildings and plazas in the park of which the names are certainly a definite part.

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

Application of Crispulo Egipto, 402 Island Avenue, for a Class "C" License to conduct public dance at Mabuhay Cafe, was presented, together with recommendations from various interested City departments for granting.

RESOLUTION NO. 109257, recorded on Microfilm Roll No. 56, granting application of Crispulo Egipto, 402 Island for a Class "C" license to conduct public dance at Mabuhay Cafe, 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.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition to close Webb Place from Blackton Drive to Laurel Street and a portion of Lolly Circle as required in the resubdivision of portions of Blocks B and I, Balboa Vista (Map 2142), was presented. The report stated that the streets are entirely unimproved and the closings are required in connection with the Tentative Map of Balboa Vista Heights, a resubdivision of portions of Blocks B and I Balboa Vista, as approved by Resolution No. 108543 adopted September 30, 1952, and recommended closing as requested.

RESOLUTION NO. 109258, recorded on Microfilm Roll No. 56, granting petition for closing Webb Place from Blackton Drive to Laurel Street and a portion of Lolly Circle as required in the resubdivision of portions of Blocks B and I of Balboa Vista - signed by Capital Incomes Corporation - 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 Wincote, adopted.

Communication from G. Hamilton Hammon, 1212 Johnson Ave., San Diego, dated Nov. 9, 1952, relative to need for a smooth covering on the foot bridge just north of Sears Roebuck's new building, used by a great many people every day, was presented. The communication referred to the increased foot traffic bridge and various street patching improvements, which might be extended to the bridge.

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

Communication from Pacific Indemnity Company, signed by J. M. MacConnell, dated November 10th, 1952, stating that claim of Jesse Gant had been closed by cancellation on November 7th, 1952, was presented.

The claim stated that the City through its agents, servants and employees, without and against claimant's consent and with force broke and entered Lot 8 Block 9 Hart Addition, located at 512 N. 29th St., and that land, shrubs, flowers, and peach

trees were destroyed - and claim was in the sum of \$700.00.
RESOLUTION NO. 109259, recorded on Microfilm Roll No. 56, denying claim of Jesse Ghant was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from Harry Marks, Mayor, Modesto, California, stating that the City Council had asked him to express its sincere thanks and appreciation to all at the San Diego League of California Cities convention. It mentioned the way it was handled and that it was most helpful, and that visitors enjoyed being in the City.
At the request of members of the Council, the letter was read by the Clerk.
On motion of Councilman Godfrey, seconded by Councilman Schneider, said communication was ordered filed.

RESOLUTION NO. 109260, recorded on Microfilm Roll No. 56, directing notice of filing of assessment No. 2086, and of the time and place of hearing thereof, for the paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Loring Street, within the limits and as particularly described in Resolution of Intention No. 104767, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF AWARD NO. 109261, recorded on Microfilm Roll No. 56, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract, for the paving and otherwise improving of the Alley in Block 3 West Teralta, within the limits and as particularly described in Resolution of Intention No. 108052, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.
5.4% below estimate.

RESOLUTION OF AWARD NO. 109262, recorded on Microfilm Roll No. 56, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract, for the paving and otherwise improving of Bancroft Street, within the limits and as particularly described in Resolution of Intention No. 108053, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.
17.5% below estimate.

RESOLUTION OF AWARD NO. 109263, recorded on Microfilm Roll No. 56, accepting bid of V. R. Dennis, an individual doing business under the firm name and style of V. R. Dennis Construction Co., for the installation of sewers in Catoctin Drive, La Dorna Street and Montezuma Road, within the limits and as particularly described in Resolution of Intention No. 108054, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.
1.0% above estimate.

RESOLUTION NO. 109264, recorded on Microfilm Roll No. 56, approving plans, drawings, typical cross-sections, profiles and specifications for improvement of the Alley lying Northerly of and Contiguous to Lots 26 to 36 Resubdivision of Block H and Lots 26 to 38 Block G Encanto Heights, and 63rd Street, filed in the office of the City Clerk under Document No. 458584; approving Plat No. 2380 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 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 NO. 109265, recorded on Microfilm Roll No. 56, approving plans, drawings, typical cross-sections, profiles and specifications for street lights in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive and Hyacinth Drive, Wisteria Drive, filed in the office of the City Clerk under Document No. 458586; approving Plat No. 2393 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 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 NO. 109266, recorded on Microfilm Roll No. 56, approving plans, drawings, typical cross-sections, profiles and specifications for paving and otherwise improving of Steel Street, Gillette Street, 33rd Street, Imperial Avenue, filed in the office of the City Clerk under Document No. 458588; approving Plat No. 2364 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 for said improvement, to file said plat in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 109267, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of the Alley in Block 231 University Heights, and Richmond 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. 109268, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of portion of Cottonwood 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. 109269, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109270, recorded on Microfilm Roll No. 56, for the installation of sewers in the Alley lying northerly of and contiguous to Lots 26 to 36 Resubdivision of Block H and Lots 36 and 38 Block G Encanto Heights, and 63rd 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. 109271, recorded on Microfilm Roll No. 56, for the installation of lights in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive and Wisteria Drive, 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. 109272, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of Steel Street, Gillette Street, 33rd Street, and Imperial Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109273, recorded on Microfilm Roll No. 56, approving the diagram of the property affected or benefited by the work of improvement to be done on paving and otherwise improving of the Alley in Block 12 La Jolla Strand, within the limits and as particularly described in Resolution of Intention No. 106322, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109274, recorded on Microfilm Roll No. 56, approving the diagram of the property affected or benefited by the work of improvement to be done on paving and otherwise improving of the Alley in Block 20 Fairmount Addition to City Heights, within the limits and as particularly described in Resolution of Intention No. 105352, 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109275, recorded on Microfilm Roll No. 56, approving the 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 207 and 206 Mission Beach, within the limits and as particularly described in Resolution of Intention No. 106664, 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 Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109276, recorded on Microfilm Roll No. 56, granting petition contained in Document No. 458549 for the paving and otherwise improving of Chicago Street, between Jellet Street and Milton 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 assessment district heretofore ordered by Resolution No. 108355 for improvement of Denver Street, Erie Street and Lister Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109277, recorded on Microfilm Roll No. 56, granting petition contained in Document No. 456273 for the paving and otherwise improving of Dawes Street, between Opal Street and Tourmaline 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 said improvement; directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 102476 for improvement of portion of Dawes Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109278, recorded on Microfilm Roll No. 56, granting petition contained in Document No. 450148 for the paving and otherwise improving of Sycamore Drive, between Snowdrop Street and Hollywood Park; 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, including other improvements if required, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109279, approving the claim of Engineer of Work, J. R. Lester Boyle, for engineering services rendered in the matter of the Kearny Mesa Improvement District, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that under provisions of Section 79 of The Charter, petitioners have heretofore deposited with the City Clerk \$40,000.00 as guarantee of the payment of incidental expenses as evidenced by Resolution No. 107525; that subsequent to the deposit, the Council by Resolution No. 107526 appointed said J. R. Lester Boyle as Engineer of Work and in Section 3 thereof fixed the compensation; in an amount equal to 5% of the estimated construction cost shall be paid to Boyle out of the guaranteed deposit within 15 days after said Engineer of Work has presented complete plans and specifications; and says that the Engineer of Work has completed plans and specifications, approved by Resolution No. 108851 adopted October 23, 1952, by the Council.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of Agreement for Amendment of the M. H. Golden Construction Company Lease, covering premises occupied on Belt Street, was presented. The communication stated that due to realignment of Belt Street made possible through purchase of Santa Fe property, additional area was made available between the Street and premises leased by Golden. It stated that amendment was initiated by the Department in order that the Company would have frontage on the thoroughfare. It pointed out that since the rental in the master lease is on a square footage basis, the rental will be automatically increased in direct proportion to the area added.

Prior to adoption of the next Resolution, Carl Reupsch from the Harbor Department made an explanation along the lines of the communication just referred to, and told of the area. He said that the last 7 or 8 are similar to the amendment proposed.

RESOLUTION NO. 109280, recorded on Microfilm Roll No. 56, ratifying, confirming and approving the agreement for amendment of Tideland Lease, amendment No. 1, with M. H. Golden Construction Company; directing the City Clerk to cause certified copies of said Resolution attached to the original and duplicate original of said amendment. A copy of the Amendment is contained in Document No. 458701 on file in the office of the City Clerk refers to the Original Lease filed under Document No. 367569, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of lease with Arthur LaShelle covering approximately 31,000 square feet of land and 25,000 square feet of water at the north end of Shelter Island, was presented. The communication recites that the lease is for a term of 5 years with 4 5-year options to renew. The Lessee has agreed to begin construction of a restaurant costing approximately \$50,000.00 by January 1, 1953, and to complete construction by June 1, 1953; rental for the premises is based upon 3% of the gross receipts, or \$125.00 per month, whichever is greater; and that terms and provisions conform to established Harbor Commission policy otherwise.

Prior to adoption of the next Resolution, Carl Reupsch from the Harbor Department made an explanation along the lines of the communication just referred to, and spoke particularly about the rental of the land and the restaurant. He said that the Commission has had a number of applications, but all others had been turned down. He told the Council that they either had not enough money or had not proposed construction and operation of a big enough restaurant. Mr. Reupsch pointed out that the Commission is more interested in getting the right type of establishment and operator at Shelter Island than in the amount of revenue received. He said that the Lessee is an experienced operator, and cited the establishments he operates now. He also said that it is important to bring the money into port which will come from yacht owners who will come to San Diego as a result of good facilities at Shelter Island.

The Mayor said that the Shelter Island and the recreation for this area is of interest to all. He said that the Council should be kept advised of development. (A Resolution on that subject will be found, later, on Page 133 of these Minutes).

RESOLUTION NO. 109281, recorded on Microfilm Roll No. 56, approving tideland lease with Arthur LaShelle, a copy of which is on file in the Office of the City Clerk under Document No. 458695; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of Agreement for Amendment of Tideland Lease with the San Diego Yacht Club, covering premises occupied at the Foot of Talbot Street, was presented. Said communication said that the amendment modifies description in order that it will conform to recently-modified U.S. Bulkhead and Pierhead Lines. It said that also is added an area formerly occupied by a Coast Guard building which was recently removed. In consideration of the modification, the Club has agreed to increase rental from \$1.00 per year per member to \$2.00 per year per member and \$1.00 per year per junior member, and increase minimum payment from \$600.00 per year to \$1,200.00 per year. It stated that because the Club has gone to considerable expense in developing their premises and have contributed \$1,000.00 toward removal of an undesirable building from the immediate area, the Harbor Commission agreed to credit the annual rental under the new provisions in the amount of \$1,000.00. It stated that the remaining terms and provisions of the Lease remain unchanged.

Prior to adoption of the next-mentioned Resolution, Carl Reupsch of the

Harbor Department, explained regarding the rearrangement, relative to the Army Engineer's activity on the Bulkhead and Pierhead lines. He spoke of the general development, and of the use of the land. He pointed out the doubling of the rental on the minimum rental and on the per-member basis. He said that yacht clubs are a necessary facility, bringing in a lot of money (in this instance also) from yacht owners.

RESOLUTION NO. 109282, recorded on Microfilm Roll No. 56, ratifying, confirming and approving agreement for amendment of Tideland Lease Amendment No. 1 with the San Diego Yacht Club - amendment No. 1 contained in Document No. 458698 on file in the Office of the City Clerk; lease on file under Document No. 391510 - was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109283, recorded on Microfilm Roll No. 56, requesting Mayor Butler to set up a meeting with members of the Harbor Commission, at the earliest possible date, to discuss Shelter Island development and other matters, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution was not on the agenda, but was brought up as a result of the proposed tideland lease with Arthur LaShelle, shown on Page 132 of these Minutes.

The next matter was brought up by the City Manager, in connection with the following Resolution - numbered out of Order by the Clerk as a matter of expediency, at the request of the City Attorney.

Communication from the Street Superintendent, dated November 14, 1952, bearing the Assistant City Manager's signature of approval, submitting petition to vacate and close portions of Portrero Street and Spreckels Avenue - both entirely unimproved, and their closing is a condition for filing the Final Map of Lomita Village Unit No. 2 - was presented. The communication said that the owners have dedicated a street as shown on Drawing 4702-B and required by the City, to give access to property served by Potrero Street easterly from Lomita Village Unit No. 2, and are dedicating adequate streets in the new subdivisions to provide access to all property being resubdivided. The communication recommended that portions of Portrero Street and Spreckels Avenue be closed.

RESOLUTION NO. 109284, recorded on Microfilm Roll No. 56, granting petition for closing portions of Potrero Street and Spreckels Avenue in Narragansett Heights, Map No. 1041, 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109285, recorded on Microfilm Roll No. 56, authorizing the City Attorney to file a disclaimer in that certain action entitled "Lomita Homes, Inc., a corporation, Plaintiff, vs. The City of San Diego, a Municipal Corporation, Defendant" - No. 176807 now pending in the Superior Court of the State of California, in and for the County of San Diego - was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that Lomita Homes, Inc., has instituted said suit seeking to quiet title to real property set forth therein, and states that the Council is advised by the City Manager that the City has no interest in and to said real property and that it will be in the interest of the City and its inhabitants to save the City unnecessary expense and costs in defending said litigation if the City exercises its statutory right and files a disclaimer in said proceedings.

RESOLUTION NO. 109286, recorded on Microfilm Roll No. 56, declaring Mission Avenue to be a one-way street, for northeasterly-bound traffic only, between the east line of Park Boulevard and the south line of Monroe Avenue; declaring said Mission Avenue, between the east line of Park Boulevard and the south line of Monroe Avenue to be a through highway; authorizing and directing the installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109287, recorded on Microfilm Roll No. 56, declaring an intersection stop affecting traffic in all four directions at University Avenue and College Avenue, affecting eastbound traffic on University Avenue; authorizing and directing the installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted. (Part of the area is in the County, and has been covered by the County of San Diego).

RESOLUTION NO. 109288, recorded on Microfilm Roll No. 56, declaring an intersection stop at Voltaire Street and Sunset Cliffs Boulevard; directing installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Proposed Resolution establishing 3 Taxicab Stands, on Broadway and C Street in accordance with request made by Lo-Fare Cab Co., 605 G Street, San Diego 1, was presented. On motion of Councilman Schneider, seconded by Councilman Wincote, said matter was continued for 2 weeks from this date - to December 2, 1952.

Proposed Resolution authorizing and empowering the City Manager to do all the work in connection with the abandonment of the existing drain draining north, and the reconstruction of the street surface to divert the drainage flow to the south, on Adams Avenue, between Florida and Alabama Streets, by appropriate City forces, was presented.

The City Manager requested cancellation of said proposed Resolution. On motion of Councilman Schneider, seconded by Councilman Godfrey, said Resolution was cancelled, and ordered filed.

RESOLUTION NO. 109289, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the installation of a new primary cable in the Fire Alarm Building in Balboa Park, by appropriate City forces, in accordance with recommendation, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has recommended said installation, that he 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 and empowering the City Manager to do all the work in connection with the construction of ten two-way radios for the Fire Department by appropriate City forces, in accordance with his recommendation, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said proposed Resolution was continued two weeks - to December 2, 1952.

RESOLUTION NO. 109290, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with the construction of certain improvements to the Press Box at Balboa Stadium, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution that the City Manager has recommended said improvements, that he 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. 109291, recorded on Microfilm Roll No. 56, authorizing and directing the City Manager to enter into contract with the Zoological Society of San Diego, wherein the City will agree, through its Department of Health, to furnish the Society with the full-time service of one Pest Control Worker, together with necessary supplies and equipment to be utilized in the exercise of rodent and fly control in Balboa Park and the Zoological Exhibit, which activity is to be under the direction of the Director of said Society, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that said agreement shall commence December 1, 1952, and continue until either party signifies in writing at least 60 days prior to June 30th of any calendar year a desire to terminate the agreement; said Society to pay to the City during the remainder of 1952-1953 fiscal year \$1,253 in seven equal monthly installments of \$179.00 each, the first payment to be made December 31, 1952, and the remaining installments on or before the last day of each month; the agreement further to provide that each fiscal year thereafter said Society shall pay to the City for said services one-half of the total operating costs of said services in equal monthly installments; the Manager to determine the annual cost of such services.

RESOLUTION NO. 109306, recorded on Microfilm Roll No. 56, authorizing the City Manager to enter into and execute a lease with the Young Men's Christian Association of San Diego, for the leasing of a certain parcel of land known as a portion of De La Cruz Park, in compliance with the terms and conditions set forth in form of Lease Agreement filed in the Office of the City Clerk as Document No. 459009, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109292, recorded on Microfilm Roll No. 56, approving request of V. R. Dennis Construction Co., contained in Change Order No. 1, for an extension of time of 31 days, to and including October 23, 1952, heretofore filed with the City Clerk as Document No. 459043 in which to complete contract for construction of improvements on Norwood Street and Chamoune Avenue, which contract is contained in Document No. 452618 on file in the Office of the City Clerk; extending time of completion to October 23, 1952; waiving the provisions of the specifications with respect to liquidated damages until the termination of the contract period as extended, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109293, recorded on Microfilm Roll No. 56, granting request of Ofcco Construction Company contained in Change Order No. 1 for extension of 63 days to and including December 31, 1952, heretofore filed with the City Clerk, in which to complete contract for construction of the Chesterton Pumping Plant, contract contained in Document No. 453162 on file in the office of the City Clerk; extending time of completion to December 31, 1952; waiving the provisions of the specifications with respect to liquidated damages until the termination of the contract period as extended, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109294, recorded on Microfilm Roll No. 56, approving Change Order No. 1, dated October 12, 1952, heretofore filed with the City Clerk as Document No. 458840, issued in connection with contract between The City and V. R. Dennis Construction Co. for construction of Sanitary Sewer at the foot of 28th Street, contract contained in

Document No. 457105, on file in the office of the City Clerk; changes amounting to increase in the contract price of \$782.80, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109295, recorded on Microfilm Roll No. 56, approving Change Order No. 1, dated October 30, 1952, heretofore filed with the City Clerk, issued in connection with contract between The City and Ets-Hokin & Galvan for installation of traffic signals and safety lighting at University Avenue and Richmond Street, contract contained in Document No. 453424; changes amounting to increase in the contract price of \$126.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109296, recorded on Microfilm Roll No. 56, granting permission to Associated Construction Corporation, 1277 Rosecrans Street, San Diego 6, to install a 35-foot driveway as measured at the top of the full-height curb, on the northerly side of Newell Street between points 10 feet and 45 feet east of the easterly line of Locust Street, adjacent to Lot 1 Block 123 Roseville; subject to moving of a utility pole, removal of 35 of curb and installation of excess-width driveway to be in accordance with all rules, regulations and ordinances of The City of San Diego governing the same, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109297, recorded on Microfilm Roll No. 56, granting permission to Consolidated-Vultee Aircraft Corp. (George Crawford Plumbing Co.) to install a 4" cast iron soil line from a proposed toilet room in building No. 39, 3302 Pacific Highway, to an existing four inch soil line on an approximate 10% grade - length of soil line approximately 250 feet, subject to approval by the Harbor Commission and Health Department, on conditions set forth in said Resolution was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109298, recorded on Microfilm Roll No. 56, granting revocable permit to W. Harrington, 3409 30th Street, at Upas Street, to install and maintain a low-voltage bell wire across 30th Street, next to Upas Street, between two buildings owned by said W. Harrington, upon the terms and conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109299, recorded on Microfilm Roll No. 56, granting permission to San Diego Unified School District (J. Thomas Erchul, Staff Architect) to install 2" one-piece brass pipe (exposed) plumbing vent from sink in Euclid Elementary School Kindergartens Nos. 1, 2, 3 located at 47th Street and Orange Avenue, in lieu of 1-1/2" cast iron pipe vent; permission granted upon approval of the City Health Department, the City Engineer's Department, and upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109300, recorded on Microfilm Roll No. 56, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light on Brockbank Place approximately 200 feet north of 63rd Street and at the extreme north end thereof, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The next proposed Resolution was presented, and the Clerk directed on motion of Councilman Schneider, seconded by Councilman Godfrey, to amend the same by adding "or City Council" after the City Manager.

RESOLUTION NO. 109301, recorded on Microfilm Roll No. 56, authorizing the Mayor and such members of the City Council as may desire to go, and also city officials having approval of the City Manager or City Council, to attend the Annual Conference of the American Municipal Association to be held in Los Angeles December 1, 2, 3, 1952; authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109302, recorded on Microfilm Roll No. 56, denying claim of Henry F. Egley, on behalf of himself and Ronney Mark Egley, on file in the office of the City Clerk under Document No. 456914, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109303, recorded on Microfilm Roll No. 56, accepting deed of Republic Development Company and Lomita Homes Inc., bearing date November 14, 1952, conveying easement and right of way for public street purposes in portions of Lots 6, 7, 8 Block C Narragansett Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Carsbad Avenue and Wade Street; authorizing and directing the City Clerk to file said deed for 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 Kerrigan, adopted.

RESOLUTION NO. 109304, recorded on Microfilm Roll No. 56, accepting deed of Joseph Peralto and Vera Peralto, bearing date October 9, 1952, conveying portion of Pueblo Lot 1152, 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 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 Kerrigan, adopted.

RESOLUTION NO. 109305, recorded on Microfilm Roll No. 56, accepting quitclaim deed executed on the 4th day of November, 1952, by O. D. Arnold & Sons, a partnership quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Westwood Hills Unit No. 6, being a subdivision of portion of the East Half of Lot 15 Horton's Purchase; 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 Godfrey, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 5386 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$45,200.00 from the Unappropriated Balance, and transferring the same to the Central Garage and Machine Shop Division, Public Works Department Fund, for the purpose of providing funds for the purchase of 2 Tractor-Bulldozers, was on motion of Councilman Godfrey, seconded by Councilman Schneider, placed on its final passage at its first reading, at its first reading, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

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

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

ORDINANCE NO. 5387 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$21,500.00 from the Capital Outlay Fund, for providing additional funds for improvement of Afton Road and Hurlbut Street, in addition to funds heretofore appropriated by Ordinance No. 5357 N.S., 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, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

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

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

ORDINANCE NO. 5388 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$9,200.00 from the Capital Outlay Fund, for providing funds to pay the City's share of the cost of a storm drain in Shafter and Keats Streets, to San Diego Bay, 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 Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

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

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

ORDINANCE NO. 5389 (New Series), recorded on Microfilm Roll No. 56, appropriating the sum of \$1,500.00 from the Unappropriated Balance, for providing funds to cover the costs of making improvements to the Press Box at the Balboa Stadium, was on motion Councilman Wincote, 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, Mayor Butler. Nays--Councilmen None. Absent--Councilman Swan.

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

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

A proposed Ordinance incorporating portion of Pueblo Lots 1237 and 1238, Lots 1563, 1564 and Lots 1710 to 1738 inclusive Clairemont Unit No. 9, into "R-2 Zone, as defined by The San Diego Municipal Code, and repealing Ordinance No. 13456, approved February 15, 1932, and Ordinance No. 5265 New Series adopted July 10, 1952, insofar as the same conflicts, was presented.

On motion of Councilman Godfrey, seconded by Councilman Dail, a hearing

was set for the hour of 10:00 o'clock A.M., Tuesday, December 9, 1952.

RESOLUTION NO. 109306 shown on page 134.

The agenda listed a meeting of the San Diego County Division, League of California Cities, to be held Friday, November 21, 1952, at Casper's Rancho, El Cajon.

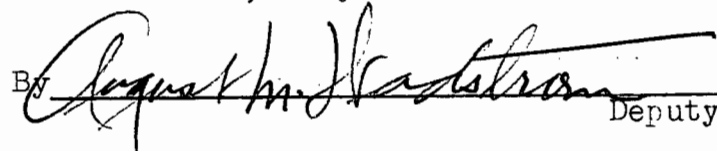
There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 10:42 o'clock A.M.

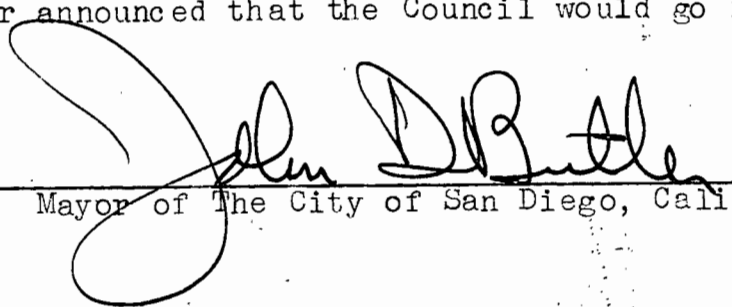
Upon adjournment, the Mayor announced that the Council would go into conference within 5 minutes.

ATTEST:

FRED W. SICK, City Clerk

By


Deputy


Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, November 20, 1952

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor at the hour of 10:08 o'clock A.M.

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

In the absence of Mayor Butler, Vice Mayor Franklin F. Swan acted as Chairman.

The first item on the agenda, being an Ordinance relative to Zoning, was passed over inasmuch as five members of the Council were needed for its passage and adoption. Instead, the Council began with the second item.

Petition of Ben L. Hansen, one of the partners as lessees of the City-owned Driftwood Dining Room on Santa Clara Point - Ben. L. Bensen, Mrs. Algie Hopfe and Dean Hansen), requesting permission to erect a directional sign at the intersection of Santa Clara Place and Mission Boulevard, was brought up at this time.

Mr. Hansen (he was not identified to the Clerk as being Mr. Ben L. or Mr. Hansen, explained the matter along the lines of the petition.

Councilmen Wincote and Schneider entered the meeting at this time.

Councilman Kerrigan moved to refer the petition to the City Manager with power to act, which motion was seconded by Councilman Dail.

Before the vote was taken, Glenn A. Rick, City Planning Director, said that inasmuch as a zoning matter might be involved, perhaps the Manager could not act on the petition. He told of steps that had been taken, also that the property is in Zone R-4 and referred to permission being needed from property owners. He spoke of several violations relative to zoning and to the sign ordinance. Then he took up the matter with the owner in Zone C (the petitioner did). Mr. Rick pointed out that R-C would be more applicable to the site, but that owners could not comply with that zone as proposed, because the sign would not be on a building, but would be free-standing.

Councilman Godfrey said that a petition should be filed in the regular way, and that it should go to the Planning Department.

The motion and second were withdrawn.

Councilman Godfrey moved to file the petition, which motion was seconded by Councilman Kerrigan. The motion was followed by Councilman Godfrey's comment, again, that the matter should go through regular channels.

Mr. Hansen said that he had been told that he could apply for the permit, but that it would be denied by the Planning Department.

Councilman Wincote pointed that a different situation was involved, and emphasized that the operators were on City-owned property.

Mr. Rick said that the Planning Department is not in a position to suspend the Ordinance because Mr. Hansen is a tenant of the City, and could not act illegally.

Mr. Hansen told of his futile effort on the permitted signs.

Councilman Schneider referred to the "Santa Clara Point" and the Yacht Club sign on Mission Boulevard. He said that a stranger driving down Mission Boulevard would recognize Santa Clara Point as a recreation area only.

Mr. Rick then told the Council of the existing signs.

Councilman Godfrey said that the matter should be filed and go through the usual channels. He said that everyone follows the same procedure.

Councilman Kerrigan wanted the petition referred to the City Manager for him to advise the petitioners.

Councilman Godfrey favored a "reasonable sized sign" - modified, and under a variance.

Councilman Dail seconded Councilman Godfrey's motion to file the petition, which had already been seconded.

The roll was called, with no dissenting vote.

There was further discussion, after action had been taken on the petition. The conversation was not recorded, although several different suggestions were offered - none of which was made as a motion, or seconded. (Action having already been taken).

Next, Councilman Godfrey requested that on reasonable efforts be made by the Planning Department in connection with the sign, relative to the seasonableness of the business.

That motion was not seconded.

There was more discussion on the subject, relative to the surrounding area and the affects on other business and upon other signs.

Mr. Rick outlined, when the point was brought up by Councilman Dail, the property use regarding the parking lot, etc., in connection with the Marine Room, La Jolla Beach and Tennis Club. He told of an injunction which has been filed by nearby property owners against use of the parking lot. He also told of the Attorney's office ruling on the use of the property for parking. At the request of Councilman Dail, he told of ways to make the zone applicable.

Councilman Wincote then suggested polling the Councilmen on their wishes. That was not done.

Councilman Kerrigan said that the matter ought to be referred to the City Manager to explore all phases, and that he be requested to report back to the Council. There was no action at this point, but there was further discussion.

Councilman Schneider pointed out that the matter had been filed - and he announced to the petitioners, as well as members of the Council that it had been filed.

At the request of Councilman Wincote, Mr. Rick spoke about the changes for putting up the sign. He said that he thought the request should not be granted for the purpose of directing travel to a private business.

It was then suggested by Vice Mayor Swan that members of the Council tour the City to look at signs.

Mr. Rick said that he could report to the Council regarding the signs referred to in the petition (The La Jolla Beach & Tennis Club; Casa de Manana, La Jolla; Ringulet's, Pacific Beach; Tom Lee's, San Diego; Harbor House, San Diego). When Councilman asked Mr. Rick a question about the sign, Mr. Rick said that he felt he should not be asked to rule on the question.

Councilman Wincote agreed that he should not have asked Mr. Rick the question.

Mr. Hansen told of the drop of business, and said that people cannot find the location. Asked about the operation, he said that the lease says that the restaurant shall be operated "48 weeks a year, 6 days a week."

Another gentleman, whose name the Chairman did not ask, and who went unidentified, spoke along the same lines. It was assumed that he was one of the lessees.

Although the Chairman said that nearly one hour had been spent in discussing the matter, there was further discussion, all the same lines as reported in these Minutes.

The Chairman then closed the matter, and announced that the matter had been filed.

(Following the meeting, Mr. Halcomb of the City Manager's office, asked for the petition, and it was sent to the Manager's office at his request).

The hour of 10:00 o'clock A.M. having arrived, the time set for the hearing on the proposed Ordinance incorporating the SE 1/4 of 1/4 Sec 103 Rancho de la Nacion, into "R-2" Zone as defined by Section 101.0406 of The San Diego Municipal Code and repealing Ordinance No. 118 (New Series) adopted January 3, 1953 insofar as the same conflicts, was brought up at this time, although listed first on the agenda.

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 filed.

ORDINANCE NO. 5390 (New Series), recorded on Microfilm Roll No. 56, incorporating the SE 1/4 of 1/4 Sec. 103 Rancho de la Nacion, in The City of San Diego, California, into "R-2" Zone as defined by Section 101.0406 of The San Diego Municipal Code and repealing Ordinance No. 118 (New Series) adopted January 3, 1953 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--Councilmen None; 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, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen None; Mayor Butler.

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

Communication from Steelcrete Industrial Buildings, Inc., 3375 Morena Blvd. San Diego 8, dated November 17, 1952, signed by David E. McGraw, requesting deletion of sidewalk requirements in the new subdivision to be known as Bay Park Vista Unit No. 4, was presented. The communication recites that sidewalks would at at least \$110.00 average per lot where corner lots are included, and if such is required, it is doubtful whether the developers can proceed. It stated that the cost of offsite improvements in subdivisions has been rising constantly over the past 3 years to the points where they are almost prohibitive in comparison with the appraisal values set by F.H.A. and V.A.

The Planning Director told about the area involved, briefly.

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

Communication from The Street Superintendent, bearing the signature of approval of the Assistant City Manager, and the City Manager's stamp of approval, reporting on petition for closing the unnamed road lying easterly of Lots 7 and 8 of The Highlands between the northerly line of Lot 6 and the northerly line of Lot 8 of The Highlands and that First Street, adjacent to Lots 1 Block 1 Rosedale between the easterly line of unnamed road in The Highlands and the westerly line of Orange Street, was presented.

Said report stated that the streets are inimproved, that First Street and a portion of the unnamed street are within the area included on the Tentative Map of Kearny Villa which was approved by Resolution No. 107430 July 3, 1940, that portion of the unnamed street is also adjacent to property owned by the City of San Diego. It stated, also that it is proposed to dedicate a major E-W street (Clawson Boulevard) extending easterly from Cabrillo Freeway along the southerly boundary of Kearny Villas, and after considering the recommendations from the various departments the Planning Commission has recommended that the closing be approved except for the portion of the unnamed street coincident with the above described E-W Street. The report recommended that First Street adjacent to Lot 1 Block 1 Rosedale (Map 326) and the portions of the unnamed street lying easterly of Lots 7 and 8 of The Highlands (Map 284) except that portion of said unnamed street lying 120 feet northerly and 120 feet southerly of the prolongation of the southerly line of Lot 1 Block 1 Rosedale.

RESOLUTION NO. 109307, recorded on Microfilm Roll No. 56, granting closing

of First Street adjacent to Lot 1 Block 1 Rosedale (Map 826) and the portions of the unnamed street lying easterly of Lots 7 and 8 of The Highlands (Map 284) except that portion of said unnamed street lying 120 feet northerly and 120 feet southerly of the prolongation of the southerly line of Lot 1 Block 1 Rosedale, contained in recommendation of the Street Superintendent under Document No. 459111; 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 Wincote, adopted.

Communication from The First Presbyterian Church, signed by Mrs. Veeda Koch, Business Manager, dated November 17, 1952, stating that at a recent regular meeting of the Board of Trustees, the group went on record as opposing the off-street parking ordinance as it applies to churches and their educational units, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the Off-Street Parking file.

Communication from Pacific Indemnity Company, dated November 17, 1952, signed by J. M. MacConnell, advising that the notarized claim of Mrs. Pearl L. Davis was closed by cancellation on November 17, 1952, was presented.

(Claim was in the sum of \$2,818.92 for personal injury due to fall while crossing Washington Street at Cleveland going south on the west side of Cleveland in the pedestrian crosswalk - center island having been removed to make a left turn lane).

RESOLUTION NO. 109308, recorded on Microfilm Roll No. 56, denying claim of Mrs. Pearl L. Davis, 4121 Cleveland Avenue, San Diego 3, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Department, signed by Harry C. Haelsig, Assistant Planning Director, recommending that the final map of Dennstedt Point Unit No. 3 be approved subject to posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 109309, recorded on Microfilm Roll No. 56, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Dennstedt Investment Co., a co-partnership, for installation and completion of the unfinished improvements and the setting of the monuments required for Dennstedt Point 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109310, recorded on Microfilm Roll No. 56, adopting Map of Dennstedt Point Unit No. 3, being a subdivision of portion of Lot 67 of the Rancho Mission of San Diego, accepting on behalf of the public Richard Street, Julie Street, Bocaw Place, 69th Street and unnamed easements shown thereon for public purposes, declaring said streets and unnamed easements to be public streets and unnamed 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 and unnamed easements are accepted on behalf of the public as stated; 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109311, recorded on Microfilm Roll No. 56, declaring that before any permit is issued by the Building Inspection for the construction of any building within the area lying under the surface of any public highway within the City, said department shall require that the person seeking such permit furnish to the City an agreement in writing wherein the owner of the property affected agrees to assume all responsibility and liability for damage caused as a result of leaks and breaks, fire hydrant connections and/or other water services in said public highway which are not the direct result of negligence on the part of the City, or its employees, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109312, recorded on Microfilm Roll No. 56, 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 Lots 21 and 22 Block 28 of Sellar's Addition, together with all penalties and other expenses in connection therewith, was cancelled; 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 cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109313, recorded on Microfilm Roll No. 56, directing the City Property Supervisor to file a petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against property in portions of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 18, 19, 20, 21 and 24 Block 19 Western Addition, be cancelled; that all deeds to The State of California for delinquent taxes of said property be cancelled; authorizing and directing the Property Supervisor to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109314, recorded on Microfilm Roll No. 56, granting permission to Cory & Longworth, Inc., 1975 Fifth Avenue, San Diego 1, to install a 118-foot driveway as measured at the top of the full-height curb, on the east side of Front Street, between points 21-1/2 feet and 139-1/2 feet north of the north line of Maple Street,

adjacent to Lots D, E and F Block 30 Horton's Addition, to provide access to twelve garages, on condition that utility pole to be relocated to provide a minimum clearance of 3 feet of full-height curb from the center of the pole to the driveway; the curb on the north side of Maple Street, between points 0 and 100 feet east of the east line of Front Street, where missing and in poor condition, to be restored to the satisfaction of the Superintendent of Streets; that the breaking and restoration of curb and installation of driveway shall be in accordance with all rules, regulations and ordinances of The City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted. Permit is to be for the parking of automobiles only.

RESOLUTION NO. 109315, recorded on Microfilm Roll No. 56, granting permission to Mohawk Home Improvement Company, 6116 El Cajon Boulevard, San Diego 15, to install a 96-foot driveway, as measured at the top of the full-height curb on the west side of 26th Street, between points 4 feet and 100 feet south of the south line of Broadway, adjacent to Lots 1 and 2 Block 1 Bartlett Estate, to provide access to an off-street parking area for 12 cars, on condition that the building setback to be a minimum of 19 cars; that the street face of bumper rail or curb if provided to be set back at least 16-1/2 feet from the property line; that the breaking and restoration of curb and installation of driveway shall be in accordance with all rules, regulations and ordinances of The City of San Diego, was on motion of Councilman Godfrey, adopted. Permit is to be for the parking of automobiles only.

Communication from San Diego-California Club, signed by T. F. Bomar, Managing Director, submitting bill in triplicate for advertising in the sum of \$5,229.04, contracted for and paid, chargeable against the appropriation to said Club, was presented.

RESOLUTION NO. 109316, recorded on Microfilm Roll No. 56, approving bill of San Diego-California Club in the sum of \$5,229.04; authorizing and directing that a requisition be written on the Advertising and Publicity Fund in said sum, for the fiscal year 1952-1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109317, recorded on Microfilm Roll No. 56, accepting deed of Pedro Echaves and Catalina Echaves, bearing date October 25, 1952, conveying portion of Lots 6 and 7 Block D El Nido; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 109318, recorded on Microfilm Roll No. 56, accepting deed of Antonio Grepo, bearing date October 27, 1952, conveying portions of Lots 4 and 5 Block D El Nido; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 109319, recorded on Microfilm Roll No. 56, accepting deed of Celia P. Guerrero, bearing date October 28, 1952, conveying portions of Lots 5 and 6 Block D El Nido; 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 Godfrey, adopted.

RESOLUTION NO. 109320, recorded on Microfilm Roll No. 56, accepting deed of Republic Development Company, bearing date October 27, 1952, conveying portion of Lots 15 and 15-1/2 Block "H" Narragansett Heights; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 109321, recorded on Microfilm Roll No. 56, accepting deed of John W. Porter and Ora May Porter, bearing date October 28, 1952, conveying portion of Lot 33 in Block 291-1/2 Seaman and Choate's Addition, Lots 20 and 21 and portion of 22 Block 292 Seaman and Choate's Addition, portion of Pueblo Lot 1161; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 109322, recorded on Microfilm Roll No. 56, accepting deed of Charles B. Martin and Elizabeth M. Martin, bearing date October 27, 1952, conveying easement and right of way for public street purposes in portion of Lots 10, 11, 12 Block 2 and Lots 10, 11, 12 Block 3 Paradise Valley Heights, setting aside and dedicating the same to the public use as and for a public street, and naming the same Amador Street; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109323, recorded on Microfilm Roll No. 56, accepting deed of J. D. Wier and Esther L. Wier, bearing date November 13, 1953, conveying easement and right of way for public street purposes in portion of Lots 1 and 12 Block 76 Roseville, setting

aside and dedicating the same to the public use as and for a public street, and naming the same Harbor 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 Godfrey, adopted.

RESOLUTION NO. 109324, recorded on Microfilm Roll No. 56, accepting deed of Augustus Holdclaw and Ruth I. Holdclaw, bearing date October 28, 1952, conveying portion of Lot 1 Block 84 San Diego Homestead Union, 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 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 Godfrey, adopted.

RESOLUTION NO. 109325, recorded on Microfilm Roll No. 56, accepting deed of Melvin Melvin-N. Wilson, bearing date October 28, 1953, conveying easement and right of way for public street purposes in portion of Lot "H" Referee's Partition Map of Pueblo Lots 1312 and 1313, setting aside and dedicating the same to the public use as and for a public street, and naming the same La Jolla Shores Drive; authorizing and directing the City Clerk to file said deed for 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 Godfrey, adopted.

RESOLUTION NO. 109326, recorded on Microfilm Roll No. 56, accepting deed of Morris L. Garland and Henrietta Garland, bearing date October 11, 1952, conveying portions of Lots 46, 47, 48 Block 8 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 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 Godfrey, adopted.

RESOLUTION NO. 109327, recorded on Microfilm Roll No. 56, accepting deed of George C. Gregory, bearing date October 29, 1952, conveying portions of Lots 1 and 2 Block 83 San Diego Homestead Union, 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 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 Godfrey, adopted.

RESOLUTION NO. 109328, recorded on Microfilm Roll No. 56, accepting deed of Luis C. Villegas and Lucia A. Villegas, bearing date August 16, 1952, conveying Lots 45 and 46 Block 2 Hunter's 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 certified copy of said Resolution to the City Properties Department for recording when escrow instructions, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109329, recorded on Microfilm Roll No. 56, accepting deed of Joseph Morrison and Anna M. Morrison, bearing date October 27, 1952, conveying easement and right of way for ingress and egress in portion of Lot A La Mesa Colony; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109330, recorded on Microfilm Roll No. 56, accepting deed of C. Vernon Beeson and O. Eileen Beeson, bearing date October 25, 1952, conveying easement and right of way for ingress and egress for sewer line in portion of Lot 31 La Mesa Colony, together with portion of Reservoir Drive now vacated and closed to public use; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109331, recorded on Microfilm Roll No. 56, accepting deed of James H. Ogden, Sr. and Effie Ogden, bearing date October 28, 1952, conveying easement and right of way for ingress and egress for sewer line in portion of Lot 30 La Mesa Colony; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109332, recorded on Microfilm Roll No. 56, accepting deed of Union Title Insurance and Trust Company, bearing date October 27, 1952, conveying easement and right of way for ingress and egress for sewer line in portion of Lot 30 La Mesa Colony, together with portion of Reservoir Drive, now vacated and closed to public use; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder

of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109333, recorded on Microfilm Roll No. 56, conveying easement and right of way for storm drain purposes in portion of Lot 10 Block 8 Paulley's Addition, together with portion of Arizona Street (formerly Choate Street) closed to public use; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109334, recorded on Microfilm Roll No. 56, accepting deed of Margaret Templeman and Ruth Templeman, bearing date October 28, 1952, conveying easement and right of way for water main purposes in portion of Lot 89 Block 3 First Addition to Pacific Beach 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 certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 5391 (New Series), recorded on Microfilm Roll No. 56, establishing grade of the Alley in Block 7 Ocean Beach, between the northwesterly line of Guizot Street and the southeasterly line of Froude 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 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 adoption of the next Ordinance, the Planning Director spoke, at the request of the Vice Mayor. He referred, in connection with the Ordinance establishing grade, to the paving of the street. He said that another effort is being made, if there be some property involved for public ownership.

The Vice Mayor mentioned the matter to the City Manager.

The City Manager said that it is the first that he had heard of it.

ORDINANCE NO. 5392 (New Series), recorded on Microfilm Roll No. 56, establishing grade of West Point Loma Boulevard, between the southwesterly line of Ocean Bay Beach and a line drawn at right angles to the southeasterly line of West Point Loma Boulevard from a point on the southeasterly line of said West Point Loma Boulevard distant 1.14 feet southwesterly from the most northerly corner of Lot 6 Block 105 Wonderland Beach, 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 Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilman Swan. 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 Wincote, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilman Swan. Absent--Mayor Butler.

After the adoption of the Ordinance, Vice Mayor Swan again referred to the matter of Beach property involved, in Ocean Beach. He said that he wanted a report from the City Manager.

The City Manager said that the matter had not been brought to his attention. Inasmuch as there was no motion on the subject, no action was taken.

The following matters were brought up under unanimous consent granted to the City Manager by the Council. Before the adoption, which came before the Council at the request of Councilman Schneider, the City Manager made a verbal explanation. He spoke of matters having to be worked out, and that they were not ready, for that reason, to appear on the agenda for this meeting.

RESOLUTION NO. 109335, recorded on Microfilm Roll No. 56, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Lomita Homes, Inc., a corporation, subdividers of Lomita Village Unit No. 2 Subdivision, and the Security Title Insurance Company, a corporation, as trustee, for installation and completion of the unfinished improvements and the setting of the monuments required for Lomita Village Unit No. 2 subdivision; 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 Dail, adopted.

Said Resolution recites that certain improvements are yet to be installed and requirements yet to be set in positions specifications on said map, and that Lomita Homes Inc. have executed the contract referred to and have deposited the sum of \$199,175.90 in cash in escrow with the Security Title Insurance Company, as trustee, to guarantee satisfactory completion of work and improvements required.

Communication from the Planning Department, submitting Final Map of Lomita Village Unit No. 2, recommending that it be approved subject to the final check by the City Engineer, subject to the successful closing of Spreckels and Potrero Streets, and to the posting of an adequate bond to insure the installation of the required improvements. (The closing matter was handled at the meeting of November 18, 1952; the contract matter for improvement completion is shown just above on this sheet.)

RESOLUTION NO. 109336, recorded on Microfilm Roll No. 56, adopting Map of Lomita Village Unit No. 2, subdivision of portion of Blocks C, D and K together with portions of Cardiff Street (formerly Narragansett Avenue) Spreckels Avenue, San Vicente Street (formerly Pennsylvania Avenue), Potrero Street, (formerly Cuyamaca Avenue), a portion of

said Spreckels Avenue and Potrero Street having been vacated and closed to public use by Decree Quieting Title rendered in Superior Court Case No. 176807 dated November 19, 1952, all in Narragansett Heights; accepting on behalf of the public Spreckels Avenue, Sunnyside Avenue, Sabre Street, Encinitas Avenue, San Vicente Street, Cardiff Street, Sweetwater Avenue, San Felipe Street and unnamed easements shown thereon for public purposes; declaring said streets and unnamed easements to be public streets and unnamed 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 to the Clerk of the Board of Supervisors of the County of San Diego, California, said Map, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109337, recorded on Microfilm Roll No. 56, directing the City Clerk to fix a new date for hearing appeals on the improvement of Savoy Street, under Resolution of Intention No. 104946 adopted January 2, 1952, and also to give notice of the time and place of publishing such notice in the manner and form required by law, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution recites that the first publication of notice shall be not less than 15 days before the time fixed for the hearing, and in the said case only 11 days remain after the proposed publication of such notice.

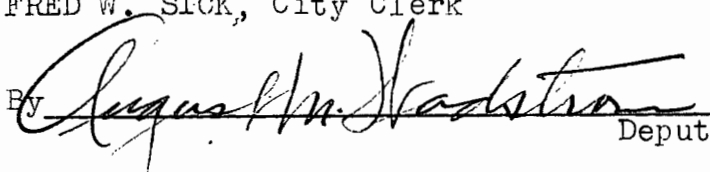
RESOLUTION NO. 109338, recorded on Microfilm Roll No. 56, amending paragraph 2 of Resolution No. 96576 adopted January 19, 1950, determining regulations and rates to be established as service charges for use of the Balboa Club, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said Resolution set forth in detail charges to be made for use of lounge and ballroom for any activity including the serving of any dinner or other type of meal - rent per plate, with minimum per meal; per day, when more than one meal is served, and in addition to the rental charge, the caterer to replace all losses due to breakage. It also set out another charge where events are conducted by the Armed Forces where units of the Armed Forces conducting events will provide a work party the following morning which, under direction of a representative of the Park and Recreation Department, will clean and place the facilities in proper condition.

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

ATTEST:
FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Tuesday, November 25,
1952

A Regular Meeting 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, Godfrey, Mayor Butler.

Absent---Councilman Dail

Clerk----Fred W. Sick.

The Minutes of the Regular Meetings of Tuesday, November 18, 1952 and of Thursday, November 20, 1952, were presented to the Council.

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

As a special order of business, and before any other matters were presented for consideration, the Mayor welcomed the Cooperative Action Team, from Mannheim and Heidelberg. He introduced each member of the group, and asked that applause be held until after all had been presented. He said that the World would be better for such visits, and that he wished that it would be possible for members of the Council to visit Germany in the same manner.

Those introduced were Anna-Luise Heimrich, wife of the Lord Mayor of Mannheim; President, German Women's Association, Mannheim;

Irma Sternheimer, Director, City Youth Center, Mannheim;

Margot Cornely, Chief, Foreign Trade Department, Chamber of Commerce, Mannheim; President, Business and Professional Women's Club, Mannheim;

Hilde Bauman, Secretary for Women's Affairs, Mannheim Trade;

Erhard Becker, Civic and Political Editor, Rein-Neckar Zeitung, Heilberg; Reporter, Mannheimer Morgen, Mannheim;

Joseph Harnisch, Deputy Mayor, Heidelberg;

Max Maerz, Business Manager, Allgemein Zeitung, Heidelberg;

Dr. Hanns Huefnagl, Public Health Office, Heidelberg;

Hannah Walz, Principal, Secondary School for Girls, Heidelberg.

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, within the limits and as particularly described in Resolution of Intention No. 108351, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion 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 Nine Hundred Dollars, which bid was given Document No. 459523;

Councilman Dail entered the meeting at this time

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of Nine Hundred Dollars, which bid was given Document No. 459524;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of One Thousand & no/100 Dollars, which bid was given Document No. 459525.

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, the time set for hearing on Resolution of Intention No. 108765 for the paving and otherwise improving of the Alley in Block 3 Ocean View, and Block 6 Ocean Beach 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.

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. 2081 made to cover the costs and expenses of the work done upon 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 Resolution of Intention No. 102016, the Clerk reported that appeals had been received from George P. Jones; Mrs. E. G. Kramer and E. H. Kramer; Mrs. Mildred Rosenheim; Ralph H. Weaver; Stephen Charnote and Anna M. Charote; Marion S. Kugel; Vernon E. Vik and Ruth V. Vik; Vandora M. Seymour; North Park Baptist Church, by Hugh W. Power; Rev. Paul Willyard for the members of the Grace Evangelical Methodist Church, which appeals were presented to the Council.

Russell Hall, Assistant City Engineer, answered to the Council's question on the number of appeals by saying that there were less than 4% appealing. He explained regarding the high cost, and told of the work. He told the Council that Mr. Olsen of his office had talked to the appellants. He said, also, that the bids were approximately 25% below the estimate.

The Mayor spoke about the oiling, which had been paid for by the City.

The Mayor then asked if any interested affected property owners were present who desired to be heard.

Donald M. Bardsley, 4155 Poplar Street was heard. He said that he was not speaking in protest, and asked only for information as to whether Poplar Street had been surfaced.

Before the question could be answered by the City Engineer's office, Councilman Kerrigan said that the street is eligible for paving under Gas Tax.

Mr. Hall said that the street is not now in for Gas Tax Funds. He told about the temporary surfacing, and mentioned that it was not fully improved.

Mr. Bardsley continued by saying that some streets are nearly impassable and spoke about a mudhole.

Councilman Kerrigan moved to refer to the City Manager the matter of cleaning up at Poplar Street and Tuberose Street, which motion was not seconded at this time.

Mr. Hall said that there might be a bad grading situation involved, and told the Council that the contractor had done all that he should.

Mr. Bardsley spoke regarding piles of dirt on Poplar.

Mr. Hall said, again, that the contractor had done what he should have.

Mr. Bardsley referred to the leaving of a pile of dirt.

Councilman Wincote seconded the motion made by Councilman Kerrigan.

The Roll was called upon the motion and second.

Marion S. Kugel, who resides on Manzanita Place, said that he had been a glider pilot during the war, and that when he had been forced down he had received a warm reception. He said, nevertheless he was pleased to see the delegation from Germany at the meeting, and that they had come to this country for an informative visit.

Mr. Kugel continued by saying that he owned Lots 8, 9, 10, 11, 12 Block 103 and wondered if there would be any adjustments on the oddly-shaped property.

Mr. Hall told about the development on the Kugel property with a filling station, and pointed out that the sidewalk and curb are assessed to the property frontage.

Mr. Kugel spoke regarding Manzanita Place improvement.

Mr. Olson said that the Place is not improved, but that others are.

Mr. Kugel referred again to Fairmount and Manzanita Place. He told about a previous pipeline adjustment, which he said was welcome.

A Representative of Grace Evangelical Methodist Church spoke regarding curbing at the rear of the property. He said that the contractor had not been asked if the driveway was to go in.

Mr. Hall said that the owners have to ask for it, to get it.

Councilman Kerrigan moved to refer to the City Manager the matter of the driveway at the back of the church (Grace Evangelical Methodist Church), which motion was seconded by Councilman Wincote.

The roll was called on that motion.

Mrs. Frankson, who owns property at 4147 Poplar Street, but resides at a different address, spoke of the dead end alley at the back of the property. She wondered if it will always be dead end.

Mr. Hall showed members of the Council a map, and pointed out that the alley could not be improved in the contract, inasmuch as a portion is in the adjoining park. He said that the City has just let a contract on Pepper Drive for its improvement.

The Mayor told Mrs. Frankson that it is uncertain if the Alley will be developed.

Mrs. Frankson said that it is hard on her 4 tenants.

Councilman Kerrigan pointed out that the City has no petition for the improvement referred to, and that it is not a part of the contract in question. The City, he said, does not initiate petitions for the work.

Mrs. Kramer, on Manzanita Place, adjoining Fairmount, complained regarding the surface. He spoke of a small amount of sand and oil, and said that there is not enough to put the surface in good order.

Mr. Hall said that the oiling is not a part of the job, and told Mrs. Kramer that it had been put down at no expense to the assessed property owners.

Councilman Godfrey then wondered how long the contract had been completed.

Mr. Hall said that it had been since about the middle of June.

Councilman Godfrey then wanted to know about the delay.

Mr. Hall spoke about the extensive district, said that it was big, and hard to assess. He spoke of it not being a complete job, and said that petitions are coming in now.

There was general discussion regarding improvements.

Councilman Dail told about the oiling being done by the City to relieve the mud condition, at City expense, to help conditions, pending the improvements under the petitions.

Councilman Kerrigan said that there is no petition on Mrs. Kramer's property, and pointed out that there was assessment for sidewalk and curbing only. He said that Mrs. Kramer was not paying for the oiling.

Mrs. Anna Charnote 4204 Pepper Drive spoke, and asked particularly about the payments.

Councilman Schneider explained that matter to Mrs. Charnote. That statement was followed by those of the Mayor and individual Councilmen on the subject of payments.

Mr. Hall explained about the bonding period.

Mrs. Charnote spoke further about payment for the assessment, and told of the accumulated debris.

It was moved by Councilman Kerrigan to refer the matter of the debris

accumulation to the City Manager, which motion was seconded by Councilman Schneider.

The vote was not taken here, either; it being decided that the vote would be taken on all the references to the City Manager at one time.

Herman Vik, 4151 Arbor Vitae, said that the answers had come out during the discussion.

Councilman Schneider was excused from the meeting.

Ralph Weaver, 4222 Pepper Drive, wondered why his lot was assessed higher than his next door neighbor's.

Mr. Olson made an explanation relative to the intersection charge on part of the lot.

Mr. Vils spoke again and asked about the billing.

Mr. Olson said that the contractor will send out the bills.

Mr. Dennis, representing the contractor, also told about sending of the bills.

Councilman Schneider returned to the meeting.

RESOLUTION NO. 109339, recorded on Microfilm Roll No. 56, referring to the City Manager for investigation, the matters which were brought out at the hearing held this date upon the Street Superintendent's Assessment No. 2081 made to cover the costs and expenses of the work done upon Poplar Street, Manzanita Drive, Arbor Vitae Street, Columbine Street, Dahlie Street, et al., relative to the nearly impassable condition due to a mudhole, presented by Donald M. Bardsley; curbing for driveways at the rear of the Grace Evangelical Methodist Church; accumulation of debris brought up in the hearing, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109340, recorded on Microfilm Roll No. 56, overruling and denying the appeals of George P. Jones; Mrs. E. G. Kramer and E. H. Kramer; Mrs. Mildred Rosenheim; Ralph H. Weaver; Stephen Charnote and Anna M. Charlote; Marion S. Kugel; Vernon E. Vik and Ruth V. Vik; Vandora M. Seymour; North Park Baptist Church; Rev. Paul Willyard for the members of the Grade Evangelical Methodist Church; Donald M. Bardsley; Mrs. Emmaelina Frankson, , from the Street Superintendent's Assessment No. 2081 made to cover the costs of the work upon 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 Rights of Way, within the limits and as particularly described in Resolution of Intention No. 102016, overruling and denying all other appeals thereon; confirming and approving the Street Superintendent's Assessment No. 2081, authorizing and directing him 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 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. 2083 made to cover the costs and expenses of the paving and otherwise improving of Ingraham Street, within the limits and as particularly described in Resolution of Intention No. 105902, 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. 109341, recorded on Microfilm Roll No. 56, confirming and approving the Street Superintendent's Assessment No. 2083 made to cover the costs and expenses of the paving and otherwise improving of Ingraham Street, within the limits and as particularly described in Resolution of Intention No. 105902; 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 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. 2082 made to cover the costs and expenses of the paving and otherwise improving of San Juan Place, Alleys in Blocks 155, 159, 160 Mission Beach, and Bayside Lane, within the limits and as particularly described in Resolution of Intention No. 103449, 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. 109342, recorded on Microfilm Roll No. 56, confirming and approving the Street Superintendent's Assessment No. 2082 made to cover the costs and expenses of the paving and otherwise improving of San Juan Place, Alleys in Blocks 155, 159, 160 Mission Beach, and Bayside Lane, under Resolution of Intention No. 103449; 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 Swan, 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 Roseville Lighting District No. 1, for a period of one year from and after October 15, 1952, to and including October 14, 1953, 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.

sented.

RESOLUTION NO. 109343, recorded on Microfilm Roll No. 56, confirming and adopting as a whole the proposed assessment of the total amount of the costs and expenses of the work or improvement of furnishing electric current in Roseville Lighting District No. 1, filed by the City Engineer in the office of the City Clerk October 17, 1952, 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 the continued hearing on the proposed annexation of Lots 33 through 38; Lots 46 through 49, incl., portions of Lots 20 to 22 incl., et al, of The Highlands, portions of New Riverside, all of Orcutt's Subdivision of Lot 1 New Riverside and portion of Lot 78 of Rancho Mission of San Diego, to be known and designated as "Highlands-New Riverside Tract", the matter was presented to the Council again.

The City Manager announced that the City is still awaiting certain easements. He suggested another continuance, but thought it ought to be longer than one week this time.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said hearing was continued until the hour of 10:00 o'clock A.M., December 23, 1952.

Councilman Dail requested, and was granted unanimous consent, which he said was in the manner of a compliment to the City.

Reverend Oscar Smith, 642 South 33rd Street, spoke. He told of an earlier complaint which had been relative to a pipe. He said that the condition had been corrected and that as a result, there had been no further trouble.

No action was taken.

Communication from W. P. Chittick, owner and manager of the La Jolla Manor Hotel, dated November 20, 1952, Eads at Silverado, was presented.

Said communication requested the removal of eucalyptus trees from Silverado Street along the side of said Hotel, at 7805 Eads Avenue, and told of persons being endangered, etc. by them.

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

Communication from San Diego Junior Chamber of Commerce, dated November 19, 1952, signed by Bruce P. Robbins, President, was presented.

At the invitation of the Mayor, Mr. Robbins spoke in support for request to grant a 10% increase in the appropriations from the City of San Diego, in connection with the Tournament of Roses float. He told of the need for the additional appropriation, due to increased cost, and said that for many years the cost and appropriation have remained the same.

Councilman Godfrey moved to refer the request to Conference. That motion did not receive a second.

RESOLUTION NO. 109344, recorded on Microfilm Roll No. 56, requesting the City Manager to have drawn and to present an Ordinance covering an additional appropriation of \$300.00, to the San Diego Junior Chamber of Commerce, in connection with the City and County of San Diego's entry in the Tournament of Roses Parade in Pasadena, California, on New Years Day, due to increased cost of entering a float - contingent upon the County of San Diego appropriating a like sum, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The communication referred to in the verbal presentation, and the Resolution bears City Clerk's Document No. 459156.

The next two matters, listed on the agenda, were presented.

The first was a communication from the Purchasing Agent submitting Resolution accepting the bid of Wulff's Automatic Sprinkler Co. to furnish installation of a Fire Sprinkling System, including installation of other fire safety measures in the building located at 1769 Front Street in the sum of \$5,509.00, and awarding contract.

The second was a Resolution authorizing the City Manager to sign a lease with the Big Sister League, Inc., for said premises.

Councilman Schneider suggested that the City Manager be requested to see if he can reduce the cost.

RESOLUTION NO. 109345, recorded on Microfilm Roll No. 56, requesting the City Manager to attempt to reduce the cost in connection with the Fire Sprinkler System including installation of other fire safety measures, in City-owned building located at 1769 Front Street, which premises are occupied by the Big Sister League, 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 8 to 12 Radio Transmitter Receivers, received from 2 bidders, was presented.

The report stated that the low bid submitted by Motorola, Inc., failed to meet City specifications in several instances listed in the communication.

It recommended award to Radio Corporation of America, RCA Victor Division, the low bid meeting City specification.

RESOLUTION NO. 109346, recorded on Microfilm Roll No. 56, accepting bid of Radio Corporation of America RCA Victor Division to furnish 8 to 12 Radio Transmitter Receivers; awarding contract, authorizing and instructing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Councilman Schneider asked to be excused, at this time, to meet his brother whom he had not seen for several years. Upon leaving, Councilman Schneider told the Mayor and members of the Council that he would be back for the 3 o'clock Conference today.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing advertising for bids for Service Clamps, Tapping Sleeves, Tapping Valves and Gate Valves for the Storeroom as per specifications on file in the Office of the City Clerk bearing Document No. 459250, was presented.

RESOLUTION NO. 109347, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Service Clamps, Tapping Sleeves, Tapping Valves and Gate Valves, was on motion of Councilman Godfréy, seconded by Councilman Dail, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for installation of small water mains, group III, specifications No. 37, received November 7, 1952, from 4 bidders, was presented.

Said communication recommended award to Royal Pipeline Construction Company of San Diego, the low bidder - .081% above the Engineer's estimate.

RESOLUTION NO. 109348, recorded on Microfilm Roll No. 56, accepting bid of Royal Pipeline Construction Company for installation of Small Water Main Replacement, group III, Specification No. 37; awarding contract and authorizing and instructing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109349, recorded on Microfilm Roll No. 56, accepting bid of Rogers Construction Co. - 7 bids received in the office of the City Clerk on November 13, 1952 - for construction of De Anza Point Sewage Pump Station and appurtenances; authorizing and empowering the City Manager to execute contract with said Rogers Construction Co. upon execution by said Co. of the contract, and upon execution, delivery, filing and approval of the bonds required, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109350, recorded on Microfilm Roll No. 56, accepting bid of V. R. Dennis Construction Co. - 2 bids received in the office of the City Clerk on November 13, 1952 - for embankment protection, Wabash Boulevard, Section "A"; authorizing and empowering the City Manager to execute contract with said V. R. Dennis Construction Co., upon execution of said contract, and upon execution, delivery, filing and approval of the bonds required, 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 3,000 feet 30 pair cable for Fire Department as per specifications on file in the office of the City Clerk bearing Document No. 459257, was presented.

RESOLUTION NO. 109351, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 3,000 feet 30 pair cable in accordance with Document No. 459257, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent submitting Resolution authorizing bids for furnishing 1 Half Ton Pickup Truck with Service Utility Body, for the Harbor Department as per specifications on file in the office of the City Clerk bearing Document No. 459260, was presented.

RESOLUTION NO. 109352, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing one Half Ton Pickup Truck with Service Utility Body in accordance with Document No. 459260 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 Water Meters and Parts for a period of 6 to 12 months as per specifications on file in the Office of the City Clerk, was presented. Specifications bearing Document No. 459263.

RESOLUTION NO. 109353, recorded on Microfilm Roll No. 56, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing the City's requirements of Water Meters and Parts for a period of 6 to 12 months, in accordance with Notice to Bidders, etc., bearing Document No. 459263, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109354, recorded on Microfilm Roll No. 56, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the reconstruction of a storm drainage facility in Arizona Street and westerly therefrom, at a point 244 feet south of the south line of Wightman Street, bearing Document No. 459266; 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. 109355, recorded on Microfilm Roll No. 56, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of drainage facilities at Mission Boulevard and Pacific Beach Drive, and including alterations and additions to the existing pump station, bearing Document No. 459231; 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 Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending suspension of 4 sections of the Municipal Code in connection with the Tentative Map of Clairemont Unit No. 2-A, was presented.

RESOLUTION NO. 109356, recorded on Microfilm Roll No. 56, suspending Sections 102.05, 102.16-8, 102.18, 102.17-c insofar as they relate to the Tentative and Final Maps of Clairemont Unit No. 2-A, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending approval of the Tentative Map of Clairemont Unit No. 2, subject to 8 conditions, was presented.

RESOLUTION NO. 109357, recorded on Microfilm Roll No. 56, approving the Tentative Map of Clairemont Unit No. 2-A, for subdivision of 15 lots on the westerly side of Burgener Boulevard between Lister and July Streets, subject to the conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by P. J. Burton, Senior Planning Technician, reporting on the proposed rezoning of portions of Blocks 122, 123, 148 & 149 Choates Addition, from R-2 to R-4 Zone, in the vicinity of 33rd and B Streets, was presented. The report, which went into the matter in considerable detail, expressing the opinion that with the type of development which exists in the R-2 Zone to the north and the R-4 zone to the south, that the best interests of the property would be served by leaving the zone as it is, and that the commission voted 6-0 to deny the request.

Also presented was a communication, in petition form from Richard and June Langdon (address not given), requesting re-hearing by the Planning Commission of the petition for rezoning. It stated that the Notice of Zone Hearing, posted on the land was misleading and that it read "Upon the day and at the time for said hearing, any person interested may appear and be heard by said Planning Commission and may then and there show reason or cause why said property should not be brought into "R-4" Zone as outlined above". It stated that the notice does not say that those interested in having the change should be present, and that it caused the petitioners to believe that the Planning Commission recommended the change and that it would so advise the Council. It stated that the petitioners were at the hearing and gave their reasons for the change, as witnessed by their signatures and the \$50.00. That document was read to the Council by the Clerk.

At the request of the Council, Glenn A. Rick, Planning Director, made a verbal report relative to the notice. He said that it is like all other zoning notices. He said that petitioners would have an opportunity to be heard if the matter were referred to the City Attorney for preparation of the ordinance and a hearing fixed thereon, rather than adopting the Commission's recommendation.

Richard Langdon, the signer of the petition referred to, spoke. He said, relative to the posted notice, ~~and said~~ that it was misleading. He said, also that he had not been heard, but that he wants to be.

The Mayor outlined the procedure followed, and pointed out that Mr. Langdon could have been heard.

Councilman Wincote read the notice. He said he could understand the interpretation placed upon the notice, due to its wording, and said that Mr. Langdon has a point. Councilman Wincote emphasized that the notice said "why said property should not..."

Mr. Langdon said that he does not want the "50 bucks" to go out the window.

Councilman Godfrey agreed that the notice could be misinterpreted.

The Mayor spoke regarding the merits of the case. He said that perhaps the question could be clarified, and thought it might be well to refer the matter back to the Planning Commission, to hear the petitioner.

Mr. Rick said that he had no objection to having the petition referred back, and told the Council that such a matter would be before the Planning Commission, if that action were taken by the Council on December 3.

RESOLUTION NO. 109358, recorded on Microfilm Roll No. 56, referring back to the Planning Commission for reconsideration on December 3, 1952, due to a misunderstanding on the part of the proponents, the matter of the petition for rezoning of portions of Blocks 122, 123, 148, 149 Choates Addition, on both sides of B Streets from a point midway between 32nd and 33rd Street to east of 34th Street, from the existing R-2 Zone to R-4 Zone, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109359, recorded on Microfilm Roll No. 56, referring to the City Attorney for consideration and report to the Council the wording used on the zoning notices, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, Senior Planning Technician, reporting on petition for rezoning area lying west of Euclid Avenue and on the south side of Federal Boulevard, abutting Federal Boulevard Subdivision on the west - portion of Lot 16 Ex Mission Lands (Deweese) - was presented.

The report stated that the area is now in Zone R-1 and is subdivided as Chester Square, that 18 lots out of the 54 in the subdivision are proposed to be rezoned - that they are surrounded by an existing C Zone with a strip of R-1 in between the C and proposed R-4, that the strip is proposed to be rezoned to CP (commercial parking) according to petition set for hearing by the Planning Commission November 19. The report stated

that the Planning Commission had looked at the property and felt that the plan was desirable. The commission voted 6-0 to recommend that the area shown on drawing No. B-489 now described as Lots 27 thru 46 of Chester Square be rezoned to R-4, that the matter be forwarded to the City Attorney's office for drafting of the proper ordinance prior to setting for a public hearing before the Council.

RESOLUTION NO. 109360, recorded on Microfilm Roll No. 56, adopting recommendation of the Planning Commission for the rezoning of portion of Lot 16 Ex-Mission Lands (DeWeese) from the present R-1 to R-4; directing the City Attorney to prepare and present to the Council the necessary ordinance making the change, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. J. Burton, Senior Planning Technician, reporting on petition re the northwest corner of Euclid Avenue and Federal Boulevard - E 230 ft. of N 1/2 NE 1/4 Lot 16 Rho Ex Mission (Demers) - from the existing R-1 Zone to C Zone, was presented. The report stated that about 3/4ths of the property at said northwest corner is C Zone, that it is proposed to rezone the balance of the Demers ownership. It stated, also, that although the land northwest of said corner has been subdivided, the land abutting Euclid Avenue to the north, and Federal Boulevard to the west has not been subdivided it is held in large parcels. It pointed out that large parcels are susceptible of development for super-markets or similar types of shopping centers. The report said that the Planning Commission had discussed at some length the Planning Office recommendation that the land should be rezoned to CP to provide for parking in connection with the existing C Zone, and reported further in the matter. The communication stated that the Planning Commission voted 4-2 to adopt the zoning plan shown on sheet B-506 which does not constitute a recommendation for the rezoning; and suggested that the matter be forwarded to the City Attorney's office for drafting of an ordinance prior to setting a public hearing.

RESOLUTION NO. 109361, recorded on Microfilm Roll No. 56, adopting recommendation of the Planning Commission for rezoning the East 230 feet of N 1/2 NE 1/4 Lot 16 RHO Ex-Mission (Demers) from R-1 to R-C Zone; directing the City Attorney to prepare and present the necessary ordinance making the change, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. J. Burton, relative to the proposed Rezoning of an area easterly of Clairemont Drive and northerly of Field Street, including portions of Lots 142-145 Morena and portion of Pueblo Lot 1195, was presented.

The communication stated that the Planning Commission voted 6-0 to approve the rezoning as proposed on drawing No. B-505 and that the ordinance rezoning the property contain a provision to the effect that it shall not become effective for 31 days nor until a final subdivision map of the area has been filed of record, was presented.

The communication made a detailed report of the existing conditions, and relative to the proposed rezoning.

Glenn A. Rick, City Planning Director, asked that the matter be held for a period of 2 weeks.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, the matter was continued for 2 weeks - to December 9, 1952.

Communication from John H. Dawson, Attorney at Law, La Jolla, offering as a suggestion in connection with the death toll of the local highways, a plan providing for a "waiting station", to prevent drivers from proceeding for a given period of time, was presented. It outlined in detail the effects of his proposal.

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

Communication from Harold A. Koch referring to notice he had read in the paper relative to the City Manager being authorized to frame regulations protecting the practical of placing red or green lights, etc., "to confuse drivers", was presented. He pointed out an existing State law, contained in the Vehicle Code, and recommended its use. It also referred to accidents caused by lack of signals, and advocated installation of two stop signs "which would have prevented all of this" - referring to an accident at Upas & Grim.

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

Communication from the City of Manteca, signed by A. Bressani, City Clerk, submitting copy of Resolution commending the Council in connection with the League of California Cities/convention held here recently, was presented.

At the request of Councilman Godfrey, the communication and the attached Resolution were read to the Council.

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

RESOLUTION NO. 109362, recorded on Microfilm Roll No. 56, directing notice of the Street Superintendent's Assessment No. 2089, made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 20 City Heights, within the limits and as particularly described in Resolution of Intention No. 104447, and of the time and place of hearing thereof, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109363, recorded on Microfilm Roll No. 56, directing Notice of Filing of the Street Superintendent's Assessment No. 2088 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Coronado Avenue, Del Mar Avenue, and Orchard Avenue, within the limits and as particularly described in Resolution of Intention No. 103210, and of the time and place of hearing thereof, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109364, recorded on Microfilm Roll No. 56, directing Notice of Filing of the Street Superintendent's Assessment No. 2090 made to cover the cost and expenses done upon the paving and otherwise improving of Quimby Street and Plum Street, within the limits and as particularly described in Resolution of Intention No. 104945, and of the time and place of hearing thereof, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109365, recorded on Microfilm Roll No. 56, directing Notice of Filing of the Street Superintendent's Assessment No. 2087 made to cover the costs and expenses of the work done upon the paving and otherwise improving of 33rd Street, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103207, and of the time and place of hearing thereof, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF AWARD NO. 109366, recorded on Microfilm Roll No. 56, accepting the 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 the Alley in Block 7 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 108279, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

A written report from the City Engineer stated that the low bid was 2.1% below the estimate.

RESOLUTION OF AWARD NO. 109367, recorded on Microfilm Roll No. 56, accepting bid of Charles J. Dorfman, and awarding contract for the installation of sewers in Balboa Avenue, Pasadena Street, Albuquerque Street, DeSoto Street, Del Rey Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108134, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

A written report from the City Engineer stated that the low bid was 5.3% below the estimate.

RESOLUTION NO. 109368, recorded on Microfilm Roll No. 56, accepting bid of Daley Corporation, and awarding contract for the paving and otherwise improving of Central Avenue, Public Right of Way and Thorn Street, within the limits and as particularly described in Resolution of Intention No. 108135, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

A written report from the City Engineer stated that the low bid was 5.1% below the estimate.

RESOLUTION NO. 109369, recorded on Microfilm Roll No. 56, accepting bid of Daley Corporation, and awarding contract for the paving and otherwise improving of Commercial Street, within the limits and as particularly described in Resolution of Intention No. 108136, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

A written report from the City Engineer stated that the low bid is 0.8% below the estimate.

RESOLUTION NO. 109370, recorded on Microfilm Roll No. 56, accepting bid of R. E. Hazard Contracting Co., and awarding contract for the paving and otherwise improving Missouri Street, Jewell Street and Public Right of Way, within the limits and as particularly described in Resolution No. 108137, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 109371, recorded on Microfilm Roll No. 56, 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, 1952, to and including September 14, 1953, in accordance with the plans and specifications contained in the report of the City Engineer filed in the office of the City Clerk August 29, 1952, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 109372, recorded on Microfilm Roll No. 56, 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, 1952, to and including September 30, 1953, in accordance with the plans and specifications contained in the report of the City Engineer filed in the office of the City Clerk September 5, 1952, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109373, recorded on Microfilm Roll No. 56, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of sewer mains in portions of 48th Street, Duval Street, 49th Street, Mary Lou Street and 50th Street, and in Public Rights of Way; approving Plat No. 2302 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 Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109374, recorded on Microfilm Roll No. 56, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 55th Street; approving Plat No. 2367 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 Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109375, recorded on Microfilm Roll No. 56, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of La Paz Drive, San Bernardo Terrace; approving Plat No. 2390 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 Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 109376, recorded on Microfilm Roll No. 56, for the changing of the grade of portion of Dawes Street, as shown on map signed by the City Engineer, and filed under Document No. 458505 in the Office of the City Clerk November 6, 1952, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109377, recorded on Microfilm Roll No. 56, for installation of sewers in 48th Street, Duval Street, 49th Street, Mary Lou Street, 50th 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 Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109378, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of 55th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109379, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of La Paz Drive and San Bernardo Terrace, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109380, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage schedule for the paving and otherwise improving of the Alleys in Blocks 246, 243, 244, 242, 241 and 238 Miss on Beach, and Mission Boulevard, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109381, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage schedule for the paving and otherwise improving of the Alleys in Blocks 103 and 104 University Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109382, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage schedule for the paving and otherwise improving of Arista Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109383, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage schedule for the paving and otherwise improving of Birch Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109384, recorded on Microfilm Roll No. 56, ascertaining and declaring the wage schedule for the paving and otherwise improving of Thor Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109385, recorded on Microfilm Roll No. 56, approving the diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Langley Street, within the limits and as particularly described in Resolution of Intention No. 106559 and to be assessed to pay the expenses thereof; directing the City Clerk to immediately deliver said diagram so certified to the Superintendent of Streets at the time of said approval, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109386, recorded on Microfilm Roll No. 56, adopting the recommendation of the City Engineer filed in the office of the City Clerk on November 18, 1952, under Document No. 459076; authorizing the City Engineer to amend the proceedings for the improvement of Addison Street, in accordance with said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109387, recorded on Microfilm Roll No. 56, granting petition contained in Document No. 458839 for the paving and otherwise improving of the Alley in Block A Cornish 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 the costs, damages and expenses of the grading, paving and installation of sewer laterals and water services, if required, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109388, recorded on Microfilm Roll No. 56, granting petition for the paving and otherwise improving of E Street, contained in Document No. 457148; 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 grading, paving and otherwise improving, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109389, recorded on Microfilm Roll No. 56, granting petitions contained in Documents Nos. 456276 and 454208 for the paving and otherwise improving of Oliphant Street, Plum Street, Newell Street and Clove 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 grading, paving and installation of curbs, drainage structures, water mains and appurtenances, and sewer mains, if required, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109390, recorded on Microfilm Roll No. 56, granting petition contained in Document No. 456275 for the paving, grading and installation of curbs on Reed Avenue; 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 grading, paving and otherwise improving, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109391, recorded on Microfilm Roll No. 56, granting John Kelly and/or O. W. Cottrell permission to install a sewer across Linda Vista Road in Pueblo Lot 1202 by private contract; said work to be done in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the Office of said City Clerk under Document No. 459078, in accordance with the terms contained in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109392, recorded on Microfilm Roll No. 56, granting Roy B. Miller permission to install a sanitary sewer in 67th Street by private contract; said work to be done in accordance with plans, drawings, typical cross-sections and specifications furnished by the City Engineer and filed in the Office of said City Clerk under Document No. 458590, in accordance with the terms contained in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109393, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to enter into a contract for and on behalf of The City of San Diego with The Diamond Construction Company, a co-partnership composed of Norval W. Diamond, Palmer Darrell Diamond, Aubrey E. Diamond and John W. Innes, subdividers of "Diamond Tract", providing for the installation of water mains and appurtenant structures in the public streets, rights of way, highways and public places, either within or without said subdivision, and for the reimbursement by the City to the subdividers of the sum of \$418.40, being the difference in cost of water mains and appurtenant structures required to be installed in said subdivision and an additional 6" fire hydrant and 6" gate valve to provide fire protection to other areas not a part of said subdivision, upon execution and delivery to the City of a Quitclaim Deed conveying to the City all of the right, title and interest of the subdividers in and to the water mains and appurtenant structures in said Tract, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109394, recorded on Microfilm Roll No. 56, accepting Quitclaim Deed executed on the 14th day of November, 1952, by The Diamond Construction Company, a co-partnership composed of Norval W. Diamond, Palmer Darrell Diamond, Aubrey E. Diamond and John W. Innes, Quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named "Diamond Tract", being portions of Lots K and L of La Mesa Colony; 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 Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109395, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego and an association of corporations, namely, Lomita Homes, Inc., Cardiff Homes, Inc., and Sweetwater Homes, Inc., providing for installation of water main and water storage tank to serve the land in certain subdivisions and for the reimbursement by the City to said association of corporations, as "Contractor", of 70.86% of the cost thereof at certain times and under certain specified conditions and agreements, on account of the difference in cost of said water main and storage tank required to be installed and the larger size water main and storage tank required by the City, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109396, recorded on Microfilm Roll No. 56, approving that certain agreement between the Rolando Sanitation District and the City of La Mesa, authorizing the City to connect its sewer system in Stanford Terrace Subdivision to the sewer system of the Rolando Sanitation District, executed by the parties thereto on or about the 23rd day of September, 1952; authorizing and directing the City Clerk to send certified copies of said Resolution to the City of La Mesa and the Rolando Sanitation District, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Council is advised that the City of La Mesa and the Rolando Sanitation District have entered into an agreement, a copy of which has been furnished to the Council, providing that the City of La Mesa shall have the right to connect the sanitary sewer system serving Sanford Terrace in the City of San Diego to the existing sewer system of said Sanitation District; that the sewage of said District by agreement flows into the sewer system of The City of San Diego; that the Council is of the opinion that the disposal of the sewage from the Subdivision will be in the interest of the public health of the people of The City of San Diego.

RESOLUTION NO. 109397, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, a Revocable Use and Occupancy Permit with the San Diego City Schools for permission to maintain a transmitting antenna on a lighting tower of Balboa Stadium, under terms and conditions set forth in said Use and Occupancy Permit, a copy of which is filed in the Office of the City Clerk as Document No. 459224, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109398, recorded on Microfilm Roll No. 56, approving the request of R. E. Hazard Company, contained in Change Order No. 2, for extension of time of 228 days, from September 15, 1952, to May 1, 1953, heretofore filed with the City Clerk as Document No. 459515, in which to complete its contract for resurfacing 33rd Street, 38th Street and La Jolla Boulevard, contract contained in Document No. 453553 on file in the office of the City Clerk; extending completion time under said contract to May 1, 1953; waiving provisions of specifications with respect to liquidated damages, until termination of the contract period as extended - to May 1, 1953, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109399, recorded on Microfilm Roll No. 56, approving request of E. C. Losch, contained in Change Order No. 1, for extension of 30 days, to and including December 15, 1952, heretofore filed with the City Clerk as Document No. 459517, in which to complete contract for construction of small water main replacements, Schedule B, Section II, contract contained in Document No. 452570 on file in the office of the City Clerk; extending the time of completion under contract to December 15, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109400, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with replacement of water mains in Aztec Villas Housing Project, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Director of the Water Department has recommended the replacement, 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. 109401, recorded on Microfilm Roll No. 56, authorizing and empowering the City Manager to do all the work in connection with installation of 280 feet of 6-inch, 200 feet of eight-inch and 130 feet of twelve-inch water main on Huxley Street and Clairemont Drive, from Morena Boulevard and Iroquois Avenue, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Director of the Water Department has recommended the installation, 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. 109402, recorded on Microfilm Roll No. 56, 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 which the City desires to acquire for public purposes in Arlington; Aurora Heights; Carr's Addition; Choate's Addition; S. W. Haines Sub. of Acre Lots 17, 18, 19, and 20 H. C. Skinner's Addition; Helphingstine's Addition; E. W. Morse's Sub. of Pueblo Lot 1150, Block 85; Subdivision of E-1/2 and S-1/4 of W-1/2 of P.L. 1122, Blk 404; Nordica Heights No. 2; Porter's Subdivision; all as more particularly described in said Resolution, and to take all necessary steps to acquire from the State of California the lands more particularly described, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109403, recorded on Microfilm Roll No. 56, authorizing and permitting the Junior Chamber of Commerce, for and on behalf of The City of San Diego and the inhabitants thereof, to hold a Christmas celebration in the nature of a pageant in Balboa Park, in Balboa Park Bowl on December 21, 1952, and in connection therewith to conduct rehearsals for said celebration at the Bowl from December 15 through December 21; permitting said Junior Chamber of Commerce to advertise and refer to said celebration as a City-sponsored Christmas pageant, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109404, recorded on Microfilm Roll No. 56, granting revocable permit to La Jolla Development Co. to install and maintain a three-inch telephone conduit under and across Electric Avenue, from 6402 Electric Avenue to a pole on the opposite side of the street, on the terms and conditions set forth in said Resolution; directing the City Clerk to transmit a certified copy of said Resolution to La Jolla Development Company; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109405, recorded on Microfilm Roll No. 56, granting revocable permit to McKoon Estates, by Mrs. Florence W. Alverson, Trustee, to install and maintain an underground transformer vault in the alley adjoining Lots 4 and 5 Block C R. A. Thomas' Addition, more definitely described as the Alley bounded on the south by Broadway and on the west by Columbia Street, more definitely determined as to installation and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109406, recorded on Microfilm Roll No. 56, granting revocable permit to Helms Bakeries, a California Corporation, 8800 Venice Boulevard, Los Angeles, 34, California, as purchased or is about to purchase certain land shown on City Engineer's Drawing No. 4753-B, for construction and operation of a distribution facility at 4285 Camino del Rio, contiguous to The City of San Diego which land is anticipated to be annexed shortly to the City of San Diego; that pending such annexation it is desirable that Helms Bakeries have access to and service from the sewer and water systems of the City, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that Helms Bakeries are granted permission to connect to and obtain service from the water and sewer systems of The City of San Diego for the benefit of the land described in said Resolution, only.

RESOLUTION NO. 109407, recorded on Microfilm Roll No. 56, authorizing O. W. Campbell, City Manager, to attend the meeting of the State Chamber of Commerce Statewide Highway Commission, to be held in San Francisco December 4 and 5, 1952; 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. 109408, recorded on Microfilm Roll No. 56, authorizing John McQuilken, Director of Finance; Ralph A. Campbell, Superintendent, Division of Water Accounting; Harry E. Gerdes, Tabulating Section Supervisor, to visit San Francisco and Sacramento, for the purpose of viewing accounting systems and procedures in connection with the organization of the City's Finance Department; authorizing the incurring of all expenses in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Inasmuch as no date was shown in the Resolution, Councilman Swan - prior to the adoption of said Resolution - asked about the date.

The City Manager replied that the time is in the future.

Proposed Resolution appropriating the sum of \$6,000.00 from the Capital Outlay Fund of The City of San Diego, for the purpose of providing funds for the installation of a Fire Sprinkler System in the City-owned Building located at 1769 Front Street, occupied by "Big Sister Home", was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was continued one week - to December 2.

(Resolution No. 109345, adopted this date, referred matter of fire safety measure, and authorization for lease with the Big Sister League to the City Manager with

request that the City Manager attempt to reduce the cost). No date was set in that continuance, however.

ORDINANCE NO. 5393 (New Series) appropriating \$600.00 from the Capital Outlay Fund, for purpose of providing additional funds for construction of additions to the Balboa Park Club Building, 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, Kerrigan, Dail, Godfrey, Mayor Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

A proposed Ordinance amending the San Diego Municipal Code by adding thereto a new section to be known as and numbered Section 91.02.02, Regulating Awnings over Public Places, was presented. The Ordinance was for the particular purpose of establishing regulations to permit the placing of Metal Awnings.

Douglas Deaper, Deputy City Attorney explained the matter to the Council. In addition, he spoke of an error on the second page, which he said should probably read 8 feet clear, instead of 7 feet.

Called upon, Mr. Muehleisen (whose first name and initials the chairman did not ask), said that 8 feet was O.K. It was presumed that Mr. Muehleisen Manufacturing Co., which company makes cloth awnings, among other things.

Councilman wanted establishment of a uniform lowest height level, for all types of awnings.

Mr. Muehleisen replied that the lower the provision is, the better, but said again that he does not object to the 8 foot provision. He said that the building height determines the awning size.

Harold Bacon, 4360 El Cajon Boulevard, speaking in behalf of the metal awnings, said that the petition asking for the 7-foot hanging height was not unusual in cities of this size. He said that he did not know of any city in California that does now allow the 7-foot height. In speaking of the height limit, he told of the safety factors involved, and pointed out that petitioners were not asking for anything unusual. Mr. Bacon commented that the awnings can be made to collapse either up or down, and said that the 7-foot height was a necessity.

The City Manager spoke at this time and said that all had agreed on the issue, but that it was up to the Council to decide upon the height from the street.

Councilman Wincote asked about a 7'6" compromise on the lowest height, but stressed the fact that for the sake of appearance, all awnings should have a uniform minimum height.

Councilman Swan asked about the 7-foot men who might bump into a metal awning.

It was pointed out by various speakers that there few of such height.

Councilman Godfrey indicated that 7'6" would be good.

Councilman Wincote spoke again in his desire to establish uniformity for both canvas and metal awnings.

Mr. Bacon passed around photographs, all taken in connection with installations made in Coronado. All the awnings, he said, were at the 7-foot level above the sidewalks.

Councilman Godfrey moved final passage of the awning, with 16' and 7'6" (that is, 7'6" bottom of the metal awnings from the sidewalk).

There was no second to the motion at this time, but there was discussion during which various views were expressed.

Mr. Bacon spoke again, and said that the metal awnings are machine made. He told of the process, inc., including the valance. He read from a Los Angeles Ordinance regarding the 7-foot height. He said that is universal for all awnings. He pointed that out that there never had, in his knowledge, been any injury under metal awnings. He said, when the question of frames was raised, that the frame and awning are one unit.

Councilman Godfrey moved final reading of the Ordinance in which Section 4506 "B" would be 7'6", which motion was seconded by Councilman Kerrigan.

Councilman Wincote spoke about the "no trouble" in Los Angeles and elsewhere, and said that he would go along with the 7 feet.

Councilman Dail said that he found no objections to the 7 foot minimum.

Mr. Muehleisen said that there is no objection to the ordinance lowering.

Councilman Godfrey maintained that 7 feet is too low.

Mr. Muehleisen said that 7'6" was acceptable, but that 7' was better and reiterated that he would like to have the minimum height as low as possible.

Mr. Bacon contended that metal reduces fire hazard, and that it is safer than canvas.

Councilman Godfrey then moved, before the roll was taken on the first motion that Section "A" also be 7'6".

Councilman Dail said that the industry does not want to be detrimental to the public.

Councilman Godfrey next moved final reading of the Ordinance with "A" at 7'6" and "B" at 7'6" - 16', which motion was seconded by Councilman Kerrigan.

Before the roll was called on that motion, Councilman Wincote wanted included the matter of 8" regarding Neon signs which might be put onto the metal awnings.

There was discussion on that point.

The City Manager spoke regarding marquees, from the Ordinance provision contained in the Municipal.

Mr. Deaper spoke regarding signs on the bottom of marquees.

Councilman Swan spoke about the "ground level" referred to in the new ordinance, the sidewalk thickness" and pointed out that advantage might be taken of the location of the ground under the sidewalk.

Mr. Deaper told the Council that "A" was not changed - in the Code. Next he spoke about the surface of the sidewalk being construed to be the ground, or the ground

level. He then asked about the canvas awnings, to which the Council had made reference. Councilman Godfrey emphasized that any ordinance adopted now, would not be retroactive.

Mr. Deaper said that in the interest of the matter being better phrased, he wanted to Change A to B.

However, the roll was called on the motion as made, including the height change to 7'6". Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler voted Yea. Councilman Schneider was absent. There were no "no" votes.

Councilman Dail moved adoption of the Ordinance, which motion was seconded by Councilman Kerrigan. The vote on that motion was: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

(Although the ordinance, as change, was passed and adopted at this time, see action at the end of these Minutes in the afternoon session for later action).

ORDINANCE NO. 5394 (New Series), repealing Ordinance No. 11898 entitled "An Ordinance Granting to the San Diego and Arizona Railway Company permission to construct, operate and maintain spur tracks on L Street between 5th Avenue and 7th Avenue", approved August 27th, 1928, 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

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

ORDINANCE NO. 5395 (New Series), recorded on Microfilm Roll No. 56, establishing the grade of the Alley in Block 17 Ocean Beach, between the northwesterly line of Froude Street and the southeasterly line of Ebers 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, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

Thereupon, on motion of Councilman Godfrey, 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--Councilman Schneider.

Proposed Ordinance incorporating portions of Bayview Quarter Acres and Bayview Addition into "R-4" Zone, as defined by the San Diego Municipal Code, and repealing Ordinance No. 1947 (New Series) adopted October 1, 1940, insofar as the same conflicts, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, a hearing was set on said proposed Ordinance at the hour of 10:00 o'clock A.M., December 11, 1952.

The City Manager requested, and was granted, unanimous sent to present the next matter, not listed on the agenda:

RESOLUTION NO. 109409, recorded on Microfilm Roll No. 56, being a Resolution and Order of the City Council declaring its intention to pay out of its Municipal Funds the whole of the amount of Taxes to be derived from the area of The Metropolitan Water District of Southern California within The City of San Diego for the Fiscal Year beginning July 1, 1953, as such amount of taxes shall be fixed in August, 1953, by Resolution of the Board of Director of such Metropolitan Water District, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan.

According to the Resolution, the Council determined that taxes fixed in August, 1953, by said District for the fiscal year commencing July 1, 1953, and ending June 30, 1954, pursuant to the provisions of paragraph (d) of Section of The Metropolitan Water District Act, as amended, and that the Council was required to make a determination.

Before adoption of the Resolution, the City Manager made a brief explanation of the matter.

There being no further business to come before the Council at this time, the Council took a recess at the hour of 11:58 o'clock A.M., on motion of Councilman Dail, seconded by Councilman Wincote, to the hour of 3:00 o'clock P.M., this date.

Upon taking the recess, the Mayor announced that the Council would meet with members of the Harbor Commission in his office for lunch, to discuss matters of Harbor interest.

Upon reconvening, at the hour of 3:00 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler.
Absent---Councilman Schneider.

It was moved by Councilman Wincote, seconded by Councilman Kerrigan, to reconsider the action taken by the Council at this morning's session, relative to amendment to the San Diego Municipal Code, in connection with regulations covering metal awnings. Said motion was seconded by Councilman Kerrigan; and all present voted in favor of the motion.

Councilman Schneider entered the meeting at this time.

Action, taken earlier, on the following matter is shown on page 157 of these Minutes.

ORDINANCE NO. 5396 (New Series), recorded on Microfilm Roll No. 56, amending the San Diego Municipal Code, by adding thereto a new section to be known as and numbered Section 93.02.2, Regulating Awnings (Including the new Metal Awnings - set forth in the Uniform Building Code) - 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, 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 was furnished to each member of the Council.

There being no further business, the meeting was adjourned, immediately upon passage and adoption of said Ordinance, on motion of Councilman Schneider, seconded by Councilman Dail.

Upon adjournment, the Mayor announced that members of the Council would go into conference, and that they would remain in the Council Chambers for that meeting.

ATTEST:
FRED W. SICK, City Clerk

By August M. Hadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Friday, November 28, 1952 - in lieu of Thursday,
November, 1952.

Mayor Butler arrived in the Council Chamber at the hour of 10:30 o'clock A.M. this date, and adjourned the regularly-scheduled meeting to the hour of 10:00 o'clock Tuesday, December 2, 1952.

ATTEST:
FRED W. SICK, City Clerk

By August M. Hadstrom
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, December 2, 1952.

A Regular Meeting of the Council was held this date, and was called to order by Chester E. Schneider, in the absence of the Mayor and the Vice Mayor from the City, at the hour of 10:04 o'clock A.M.

Councilman Schneider, a past Vice Mayor acted as chairman.

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

The Minutes of the Council Meetings of Tuesday, November 25, 1952, and of Friday, November 28, 1952 (The Friday meeting which was to have been conducted in lieu of Thursday, November 27, 1952 was not held), were presented to the Council by the Clerk.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said Minutes were approved without reading, but were not signed inasmuch as neither Mayor or Vice Mayor was present.

Councilman Schneider, acting as Chairman announced that Councilman Swan, Kerrigan and Mayor Butler were attending an important meeting on City business, and were not able to be present.

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 Blocks 2 and 27 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 108553, 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 A. E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1,500.00, which bid was given Document No. 459869;

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 \$1,200.00, which bid was given Document No. 459870;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company in the sum of \$1,200.00, which bid was given Document No. 459871;

The bid of William W. 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 \$1,200.00, which bid was given Document No. 459872.

On motion of Councilman Wincote, 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 receiving of bids for the paving and otherwise improving of E Street, within the limits and as particularly described in Resolution of Intention No. 108555, 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 \$600.00, which bid was given Document No. 459873;

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 \$800.00, which bid was given Document No. 459874;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$700.00, which bid was given Document No. 459875;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$700.00, which bid was given Document No. 459876.

On motion of Councilman Wincote, 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 receiving of bids for the paving and otherwise improving of 51st Street and the Alley in Block 42 Tract 1368, within the limits and as particularly described in Resolution of Intention No. 108554, 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, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$2500.00, which bid was given Document No. 459877;

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 \$2300.00, which bid was given Document No. 459878;

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 \$2,500.00, which bid was given Document No. 459879.

On motion of Councilman Wincote, 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 proposed assessment for the furnishing of electric current for the lighting of Adams Avenue Lighting District No. 1, in accordance with Engineer's Report and Assessment filed in the office of the City Clerk October 10, 1952, 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.

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

RESOLUTION NO. 109410, recorded on Microfilm Roll No. 56, confirming and approving as a whole the City Engineer's Report and Assessment for Adams Avenue Lighting District No. 1 filed in the office of the City Clerk October 10, 1952, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

In connections with the next proceeding, the Chairman pointed out that 6 members of the Council were needed, to give an affirmative vote to the adoption of a Resolution of Feasibility. He announced that the Council would hear the matter, however, but would have to postpone adoption of said Resolution, until at least next week awaiting enough favorable votes.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 109069 of Preliminary Determination for the installation of sewers in 44th Street and C 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.

No one appeared to speak in opposition to the improvement.

Mrs. Roland Weichel, 3727 - 28th Street, appeared, however, and told the Councilmen that she favored the improvement. She said that she could see no reason for delaying the meeting by expressing her views further, inasmuch as there were no protests.

On motion of Councilman Wincote, seconded by Councilman Godfrey, it was determined to close the hearing, and hold the matter for the meeting of Thursday, December 4, 1952, for presentation of the "6-vote of Feasibility".

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed annexation of a portion of Lot 53 Ex-Mission Lands of San Diego, to be known and designated as "Imperial Avenue Tract", the Clerk reported that written protests had been received from Quin S. Jung and from Chan Kwai Gee, which protests were presented to the Council.

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

Miss Nyle Bredemeyer spoke regarding the proposed taking of 10 feet of her property for the widening of Imperial Avenue. She pointed out that the house would, as a result, of taking the land for the widening, be too close to the street - unless the cost of moving it back would be met. He said that others are affected also.

The City Manager said that the matter should be heard now, and that the various aspects should be discussed by the Council later, before the annexation.

Councilman Dail, asked about the matter, inasmuch as the property would be in his district, said that there 4 or 5 houses which would be affected.

Glenn A. Rick, City Planning Director, said that Imperial Avenue should be widened, and referred to a bottle neck in the road which should not be permitted if property comes into the City.

Miss Bredemeyer said that she does not want to give her permission, then "hold the bag."

Mr. Rick spoke about the need for dedications to provide for the widening of Imperial Avenue and Holly Street. He said that the written protest is in error relative to comment about future zoning, and that zone being put in for commercial use as a super market. He reiterated that provision for widening should be made at this time.

Miss Bredemeyer said that 3 or 4 houses would be affected.

Mr. Rick said that a 10-foot easement would include sidewalk and a planting area. He said, however, that he wanted to check the matter relative to the line.

The City Manager said that each property has to dedicate property on his own volition, and that the City cannot force dedication at this time.

Councilman Wincote moved to continue the hearing on next Tuesday (December 9, 1952) to provide for discussion with the protestants in the meantime.

Mrs. Solis (Mrs. Francis Solis), 4991 Imperial Avenue spoke in protest against the giving of 10 feet of land free. She said that she cannot afford to do that, and pointed out that there is a wall there now.

Councilman Dail said that the City would not pay for a right of way. He said, also, that as a result of annexation, property owners would gain.

Miss Bredemeyer said that it would be a benefit to the City to bring in the property. She said that while property owners had initiated the proceedings at this time, they had been asked previously, to come in. She said that the property would have

City taxes on it, but that owners would receive little profit.

Councilmen Wincote and Dail both pointed that the City did not ask for the annexation.

Councilman Godfrey said there would be a meeting next Tuesday at 10:00 A.M.

The question came up about someone from the City seeing affected property owners, when it was said that time would be lost from work in at least one instance.

Mr. Rick said that Orin Cope from the City Manager's Office and Harry Haelzig from the Planning Office could go out and interview the property owners - probably today.

Councilman Dail seconded the motion to continue the hearing until the hour of 10:00 o'clock A.M., Tuesday, December 9, 1952.

There was no action upon the question of City representatives going out to see the property owners, but it was talked over informally with the owners as they left.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed ordinance for incorporating portion of Lot 16 C. C. Seaman's Sub-division and Lots 1-4 inclusive Furlow Heights Unit No. 3, into "R-4" Zone and repealing conflicting ordinance, was brought up again.

The proposed Ordinance had been before the Council, as a hearing matter, on October 7, 1952, October 16, 1952, October 23, 1952, October 30, 1952, November 23, 1952, and again at this meeting.

The City Planning Director requested another 2-week continuance.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the hearing was continued until the hour of 10:00 o'clock A.M., December 23, 1952.

Communication from The Salvation Army, signed by Major Daniel Rody, dated November, 1952, was presented. The communication asked for free use of the Stadium on November 30, 1952, in connection with the Salvation Army and U. S. Marine Corps Reserve joint appeal. It stated that the Jalopy Racing Association had offered services free for a Toy Drive, Sunday, November 30, providing the stadium was available without cost. It said that there would be no cash admission charge, only a toy to be left at the gate to admit the family.

The Chairman recognized Richard Steck in the audience, and asked him to be heard, although it was not clear as to Mr. Steck's connection with the matter.

Mr. Steck spoke, and said that the idea was to take out the stadium track, and that an order had been given for the track removal.

At this time the Salvation Army letter was read.

It was pointed out that the race had already been held.

Councilman Wincote wanted to know why the matter was coming before the Council at this late date, although the petition was dated November 21, 1952.

The City Clerk said that it had been received November 24, 1952 too late to be listed.

The Vice Mayor pointed out that this was the first meeting which had been held by the Council subsequent to the making up of an agenda at which the petition could be considered.

The City Manager reported that he had thought that the communication would come through his office, but that it had come to the Council instead.

It was moved to file the matter, by Councilman Wincote, seconded by Councilman Dail; but the roll was not called on the motion at this time.

The City Manager reminded the Council that it had set up the Rental charge for the Stadium. He said that if the petition is "filed", the petitioners will have to be billed.

Mr. Steck said that the race was not held by the Stadium Racing Association, but by the Salvation Army and Marine Corps Reserve.

The City Manager said that the City has to live up to its rules.

Councilman Wincote moved to file the communication and take it up in Conference.

Councilman Godfrey wondered what would be accomplished by such a move.

Councilman Dail then moved to refer the matter to Conference.

Les Halcomb then said that the sponsors knew of the situation.

Councilman Dail said that he felt that the problem can be worked out.

Councilman Godfrey said that even if the matter had been before the Council sooner, the City would not grant the request. He referred to other organizations whose requests had not been granted.

Councilman Schneider said that if they don't pay, who does?

The City Manager said that the Stadium Racing Association is responsible, and pointed out that it has been using the stadium regularly.

Mr. Steck said that the petitioner is a different organization than the lessee (The Stadium Racing Association).

RESOLUTION NO. 109411, recorded on Microfilm Roll No. 56, referring the communication from the Salvation Army, by Daniel G. Rody, commanding officer, in connection with the Salvation Army and U. S. Marine Corps Reserve joint toy appeal to Council Conference, 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 for reconstruction of curb and pavement in portion of Adams Avenue between Florida and Alabama Streets, received November 21, from 3 bidders, was presented. It recommended award to R. E. Hazard Contracting Company, the low bidder, and stated that property owners would contribute \$1038.00 toward the cost of the job, which is \$5970 and 19.4% above the Engineer's estimate.

RESOLUTION NO. 109412, recorded on Microfilm Roll No. 57, accepting bid of R. E. Hazard Contracting Company for reconstruction of curb and pavement on a portion of Adams Avenue between Florida and Alabama Streets; awarding contract and authorizing and instructing the City Manager to enter into and execute the same, 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 construction of a connecting sewer from Sunset Street, Juan Street, et al, Old San Diego, to the existing 27" V.C. Mission Valley Trunk Sewer received November 20, 1952, from 3 bidders, was presented. Award to Pace Construction Company, the low bidder, at 19% below the estimate, was recommended.

RESOLUTION NO. 109413, recorded on Microfilm Roll No. 56, accepting bid of Pace Construction Company for construction of a connecting sewer from Sunset Street, Juan Street, et al, Old San Diego, to the existing 27" V.C. Mission Valley Trunk Sewer; awarding contract and authorizing and instructing the City Manager to enter into and 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 received for furnishing Handling and Hauling Services for cast iron pipe and fittings (from freight car or dock to Chollas Pipeyard) for a period beginning December 1, 1952, and ending June 30, 1953, received from Pioneer Truck Company, Inc., sole bidder, was presented. The communication stated that the bidder is the sole operator in this area having complete equipment for handling heavy pipe and fittings, together with experienced personnel; also that the quoted price conforms to price in effect in the Los Angeles area, and is considered reasonable.

RESOLUTION NO. 109414, recorded on Microfilm Roll No. 57, accepting bid of Pioneer Truck Company, Incorporated, to furnish the Handling and Hauling Services for cast iron pipe and fittings from freight car or dock to Chollas Pipeyard for a period beginning Dec. 1, 1952 and ending June 30, 1953; authorizing and instructing the City Manager to enter into and execute a contract with said Pioneer Truck Company for furnishing said service, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109415, recorded on Microfilm Roll No. 57, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Hill Street, between the northerly prolongation of the westerly line of Sunset Ridge and a line parallel to and distant 666.30 feet westerly therefrom (including excavation, installation pavement, curb and sidewalk and wire fence, filed in the office of the City Clerk on the 1st day of December, 1952, and bearing Document No. 459652; 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 Street Superintendent, bearing the Assistant City Manager's stamp of approval for the closing of portions of Barker Street, Tatum Street, Sixth Street Extension, Lindall Street, Cole Street, Staub Street, Lacy Street, Highpoint Street, Jones Street Hults Court, in C.C.C. Tatum's Bay Hills Mesa (Map 2189), was presented. The report said that portions of said streets proposed to be closed are entirely unimproved and the adjacent areas will be served by streets to be dedicated in Clairemont Manor Unit No. 2 when the Final Map of said subdivision has been filed. It said, further, that said portions are required as a condition for approving the Tentative Map of East Clairemont Unit No. 2 (now Clairemont Manor Unit No. 2) by Resolution No. 107535 dated July 10, 1952. The communication recommended closing as requested.

RESOLUTION NO. 109416, recorded on Microfilm Roll No. 57, granting petition for closing portions of Barker Street, Tatum Street, Sixth Street Extension, Lindall Street, Cole Street, Staub Street, Lacy Street, Highpoint Street, Jones Street and Hults Court, in C. C. C. Tatum's Bay Hills Mesa (Map 2189), 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 Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval recommending that the proceedings to vacate and close portions of Potrero Street and Spreckels Avenue - Resolution No. 109284 - be abandoned, was presented.

Said communication stated that by Decree No. 176807 dated November 19, 1952, the Superior Court vacated and quiet titled the portions of said streets.

RESOLUTION NO. 109417, recorded on Microfilm Roll No. 57, abandoning proceedings heretofore taken for the proposed closing of portions of Potrero Street and Spreckels Avenue, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending approval of the Tentative Map for supplement to the subdivision of Belleview Center Unit No. 2 which was approved by Resolution No. 108876 dated October 23, 1952, was presented.

RESOLUTION NO. 109418, recorded on Microfilm Roll No. 57, approving the supplemental tentative Map of Belleview Center No. 2, subject to 3 conditions contained therein, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, approving final map of Catocin Tract Unit No. 2, subject to the posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 109419, recorded on Microfilm Roll No. 56, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego, a contract with Al V. Carpenter and Jane A. Carpenter, husband and wife, subdividers, and the

Union Title Insurance and Trust Company, as trustee, for installation and completion of unfinished improvements and setting of monuments required for Catoctin Tract Unit No. 2 subdivision; 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.

RESOLUTION NO. 109420, recorded on Microfilm Roll No. 57, adopting Map of Catoctin Tract Unit No. 2, being a subdivision of portion of Lot 30 La Mesa Colony; accepting on behalf of the public Leo Street, Roxy Lane, portion of Saranac Street, and unnamed easements shown for public purposes and declaring said streets, portion of street and unnamed easements to be public streets, portion of public street and unnamed easements and dedicated to the public use; rejecting as dedication for public street land shown as "Reserved for Future Street"; 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 and dedicated to the public; directing the Clerk to transmit said Map to the Clerk of the Board of Supervisors of the County of San Diego, California, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the San Diego Municipal Code in connection with the revised tentative map of Clairemont Unit No. 14, was presented.

RESOLUTION NO. 109421, recorded on Microfilm Roll No. 56, suspending Sections 102.07-5, 102.18, 102.17-c of the San Diego Municipal Code insofar as they relate to the Tentative Map (revised) of Clairemont Unit No. 14, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the revised Tentative Map of Clairemont Unit No. 14 for the subdivision of portion of Pueblo Lots 1238 and 1239 into 146 lots - property located northwesterly of the previously approved Units 10, 11 and 12 of Clairemont and southerly of San Clemente Canyon - the northerly boundary of the unit is southerly line of Pueblo Lot 1240 which is owned by the City of San Diego - subject to 10 conditions and with the recommendation that the City of San Diego dedicate the northerly one-half of the short deadend street adjacent to Lots 1 to 5 shown on the map, was presented.

RESOLUTION NO. 109422, recorded on Microfilm Roll No. 57, approving the Revised Tentative Map of Clairemont Unit No. 14, a subdivision of portions of Pueblo Lots 1238 and 1239 into 146 Lots, subject to 10 conditions contained in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for the rezoning of all of the S 1/2 of the SE 1/4 Lot 16 Horton's Purchase (Baldrige, et al) located on the west side of Euclid Avenue and on the north side of A Street, approximately 330 feet from north to south and 660 feet from east to west, was presented. The report stated that the property is zoned R-1 and occupied by two single-family dwellings fronting on Euclid Avenue. It said, also, that it had been explained to the Planning Commission that the reason for the proposed rezoning was to permit a church, a school or a playground (which the Planning Commission pointed out could be accomplished by a zone variance instead of a change to R-4 zone, which was not necessary). It pointed out that conditions could be attached to a zone variance requiring dedication of a half street to the north, adequate parking facilities for the church and the necessary widening of Euclid Avenue as called for under the Major Street Plan. The communication stated that the Planning Commission voted 6-0 to deny the proposed rezoning.

RESOLUTION NO. 109423, recorded on Microfilm Roll No. 57, denying petition of Robert C. Baldrige, et al, for the rezoning of all the S 1/2 of the SE 1/4 of Lot 16 Horton's Purchase from the Present R-1 Zone to R-2 and R-4 Zones, as recommended by the Planning Commission, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition of Frank Sosa requesting that a finding be made to the effect that the business of buying, binding, storing and shipping waste paper, cardboard and salvagable pulp production is a business similar to and not more obnoxious or detrimental to the public welfare than other uses permitted in said M-1 zone, was presented. The report stated that the property is on the east side of Pacific Highway about 600 feet north of Anna Street and near the Cudahy Packing Plant, that the proposed use in the Commission's opinion comes under the general classification of a junk yard and would involve the probability of much unsightly paper blowing around the premises and onto adjoining property and possibly out into Pacific Highway. It stated that the Commission had considered the request, looked at the property and voted 6-0 that in its opinion the use is not similar to other permitted uses in the M-1 zone and would be more objectionable and obnoxious to the particular community than other permitted uses in the M-1 zone.

Donald B. White, attorney, of the firm of White and Contra, representing Mr. Sosa, was heard. He spoke for the granting of the request. He referred to the nearby Cudahy Packing Plant, the Dog Hospital, and to vacant land. He said that Mr. Sosa would fence the property.

Glenn A. Rick, Planning Director, said that the proposed use is a junk yard, as far as Planning is concerned.

Mr. White pointed out that the operation would be in connection with paper, and that rubbish accumulated in the collection would be disposed of in the nearby dump.

Mr. Rick, upon being questioned, said that the proposed operation is not permitted in M-1 Zone although that is a manufacturing zone. It said that it was the unanimous decision of the Commission to deny the request. He said that a full hearing had been held and that Mr. White was present.

When mention was made of the Cudahy plant, etc., Mr. Rick said that the City should not weigh the non-confirming use in connection with additional requests.

The question came up about the City having to remove its proposed garbage plant, under persuasion of heavy protest about its installation.

Douglas Deaper, Deputy City Attorney, pointed that the Council cannot overrule the Planning Commission with less than 5 votes (there were only 4 members of the Council present).

Mr. White wanted members of the Council to give an expression of opinion by a preliminary vote, and said that time is the essence.

Mr. Rick showed map of the grounds and the area to Councilman Godfrey.

Mr. Godfrey spoke of drivers and train passengers who would pass the property and look right into the yard. He said he agreed with the Planning Commission's thinking.

Councilman Schneider said that he also agreed with the Commission.

Councilman Wincote told Mr. White that it had already been indicated from the thinking of members of the Council, present, that the Commission would not be overruled, to permit operation of the business.

RESOLUTION NO. 109424, recorded on Microfilm Roll No. 57, denying the request of Frank Sosa for a finding, which would overrule the previous action of the City Planning Commission, to the effect that the business of buying, binding, storing and shipping waste paper, cardboard and salvagable pulp production is a business similar to and not more obnoxious or detrimental to the public welfare than other uses permitted in M-1 zone, on property which is on the east side of Pacific Highway about 600 feet north of Anna Street and near the Cudahy Packing Plant, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by Glenn A. Rick, reporting that the Commission had adopted a Resolution concerning location of billboard advertising signs near traffic interchanges, by a vote of 5 to 0 on November 19, 1952, was presented and read.

The Commission's unnumbered Resolution on the subject was presented and read. It stated: "It is the sense of the Planning Commission that the erection of billboard advertising signs in and close to the cloverleaf and approach structures of multiple-lane highways creates a traffic hazard that is both dangerous and unsightly, this judgement is based on the following points:

1. These advertising signs are erected to attract attention to induce people to purchase a product or take some particular action.
2. If these signs do not attract attention they are of no use to the owners.
3. On straight highways it may be argued that momentary attention may be given to scenes and structures at the side of the road, but the diversion of attention makes for hazards of hesitation and confusion on the part of unfamiliar drivers especially.
4. Traffic records of accidents do not tell the whole story in such a case because speeds are relatively slow and actual collision may be avoided but the confusion of indecision and frustration often find their effect when people get out on the straight road again and try to release their pent-up emotions by driving recklessly.
5. Such signs make it difficult to gain the attention of drivers to needed traffic signs.

The Planning Commission recommends the prohibition of all signs, except traffic direction signs in and near these cloverleaf and approach areas in every part of the city as a safety measure regardless of whether there is a question of architectural control involved."

Mr. Rick, speaking for the Commission, said that the Resolution had been adopted 6-0.

Councilman Wincote said that the Commission had taken action on something not under planning jurisdiction.

Bill Cordtz, Manager of the Cordtz Outdoor Advertising Company, said that he did not agree with the "aesthetic" thinking of the Planning Commission. He said that the Commission had looked at the location and turned down its application (referring to another matter listed on this meeting's agenda as an appeal from said Company). He also pointed out that the sign was being changed at the suggestion of James Reading, Traffic Engineer. Mr. Cordtz said that all the signs are on private property in commercially zoned areas. He said that he does not know what the Planning Commission is going to bring up (indicating a reason for turning down the signs), and said that it is a "rat race" with the Planning Commission.

Councilman Schneider said that the public is not consulted in the matter, although they are the ones who spend the money on the roads near which the signs would be placed.

Councilman Wincote did not agree. He spoke about the various frustrations regarding the Planning Commission's thinking.

Mr. Rick in defending the Planning Commission, said that it is out to benefit the public. He said that it should not be censored for action on that point. He told of signs on stilts - 20 feet in the air - and said that a building would not be permitted to be constructed in like manner. He defended architectural control, as a necessary adjunct to orderly planning.

Douglas Deaper, of the City Attorney's office said that the matter should be repealed, or go into the matter of persuasion.

Mr. Cordtz said that there had been no persuasion.

Mr. Rick told of the dangers from a proposed animated sign, on which a request had been made, and spoke about its elimination. He said that the matter is not easy to enforce, and asked the Council to take decisive action.

Councilman Wincote said that Conference direction had been given to the Attorney's office relative to persuasion on architectural control.

Mr. Deaper spoke about that conference, and the proposal which would be acceptable. He said, however, that the matter had not come through the office with a firm recommendation.

The City Manager, speaking on the subject, said that the City Attorney had been out of town and that it had not been possible to get together on that issue.

Councilman Wincote said that alterations would not conflict with the Cordtz Company.

Mr. Rick said that neither the Planning Commission or Planning Department can anticipate the Council's future action.

Mr. Rick said that the Council has adopted an ordinance which the City Attorney says is illegal - but nevertheless, the City still has the ordinance.

Councilman Dail said that the Attorney had been asked for an opinion regarding architectural control.

Councilman Schneider wondered if sign approval could be required.

Mr. Rick said that the signboard people would object to that.

Mr. Cordtz said that he wants to uphold public interest, and that the company upholds all laws as set down. He said he felt the matter should be brought to a conclusion.

After Council conference minutes had been sent for, at the request of members of the Council, the minutes relative to architectural control were read by the Chairman.

The City Manager said, again, that it has not been possible to get together on the subject, but that an effort will be made to do so.

Mr. Cordtz asked that the matter be referred to the Traffic Engineer.

Mr. Rick said that such action may be for information, and said that there was no indication for action.

On motion of Councilman Wincote, seconded by Councilman Godfrey, the City Planning Director's communication relative to advertising signs near traffic interchanges, was filed.

RESOLUTION NO. 109425, recorded on Microfilm Roll No. 57, referring to Council Conference for consideration one week from today - December 9, 1952 - the matter of architectural control, to which the City Manager, the City Attorney and the Planning Commission are requested to bring in material for study, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The next matter was taken up out of order, and considered at this time, inasmuch as it dealt with the Planning Commission's communication and resolution relative to signs.

Communication from Cordtz Co., outdoor advertising, dated November 24, 1952, signed by Joseph J. Blake, Property Manager, was presented. It appealed from the decision of the Planning Commission in declining to grant a building permit for some advertising structures - at 4334 Taylor Street, 2925 and 2935 Chestnut Street. It set out in detail the billboards proposed to be erected and the legal descriptions of the properties in Old San Diego upon which they would be placed. It said that the actual reason given and stated by the Planning Commission at the meeting was "We don't like signs". The communication stated that believe the objections valid under the Architectural Control Ordinance or any other existing City Ordinances, and requested the Council to reverse the Planning Commission action and authorize the issuance of building permits at the locations mentioned.

Councilman Wincote wanted the matter acted upon after the Conference set by Resolution No. 109425 for December 9.

Douglas Deaper spoke on the subject, and read from the San Diego Municipal Code relative to dangerous signs.

Councilman Wincote questioned the constitutionality of that Municipal Code section.

The Planning Director said that the Planning Commission has no communication before the Council on the Cordtz's letter, inasmuch as it was a direct request to the Council. He spoke regarding appeal date set and the procedure followed, and that application would refer to Council hearing.

Bill Cordtz read a letter to his company from the Planning Commission relative to architectural height matters. (That matter was not in the Clerk's file).

Councilman Wincote asked Mr. Cordtz if the company would be inconvenienced by the delay in the consideration of the matter to a week from this coming Thursday (December 9, 1952).

Mr. Cordtz replied that he would object to a hearing.

Councilman Godfrey said that aesthetics consideration was not a basis for denial of the signs.

Councilman Wincote said that there are conflicting views on the subject.

Douglas Deaper, from the City Attorney's Office, said that if the reason for denial is based on aesthetics, the City would have to defend the position in court.

On motion of Councilman Wincote, seconded by Councilman Dail, the communication was continued until the Council Meeting of Thursday, December 11, 1952.

Communication from the Acting City Engineer, bearing the Assistant City Manager's stamp of approval, relative to petition for installation of sewers to serve Blocks 111, 121, 122, 138, 139, 140, 142, 143, 144 and 145 amended map of City Heights; and petition to install sewers in 38th Street from six blocks south of Landis Street; also petition to install sewers in 38th Street south of Thorn Street, was presented.

The report stated that petitions are signed by owners of less than 50% of the area to be served, but that the district is badly in need of sewers and has been trying to get them for many years. It also recommended that the Council order a district formed to install sewers in the above-mentioned area.

Councilman Dail said that there is a matter of health involved.

Councilman Godfrey said that the Council is reluctant to act, unless it has a recommendation.

The Clerk then read the Engineer's report, as outlined at the beginning of this item, at the Council's request.

Councilman Godfrey said that he wanted amplification of the statement relative to the need.

Councilman Dail said that the City approves such matters, where there is a health situation involved.

Councilman Godfrey said that perhaps the minority should not have the right to regulate the matter.

Councilman spoke about the theory behind septic tanks.

The communication was held, temporarily, and considered again. See page 170 of these Minutes for the later action.

Communication from the Acting City Engineer, bearing the Assistant City Manager's stamp of approval, reporting on petition to install sewers in Empire Street westerly of Knoxville Street, and Knoxville Street northerly of Empire Street. The report stated that the petition is signed by the owners of 66% of the area to be served, that the name of Empire was changed to Littlefield Street; recommending petition and that sewers be installed to serve a portion of Block C Montezuma Terrace, was presented.

RESOLUTION NO. 109426, recorded on Microfilm Roll No. 57, granting petition for installation of sewers in Empire Street westerly of Knoxville Street, and Knoxville Street northerly of Empire Street (the name of Empire Street having been changed to Littlefield Street), to serve portion of Block C Montezuma Terrace, contained in Document No. 459153; 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 Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Acting City Engineer, bearing the City Manager's stamp of approval, reporting on Resolution No. 106132 which granted petition for grading and paving the Alley in Block 7 Ocean Beach, and sewer laterals if required, and recommending amendment to the proceedings to include curbs as required, was presented.

RESOLUTION NO. 109427, recorded on Microfilm Roll No. 57, adopting the Acting City Engineer's recommendation for amendment to the proceedings for the improvement of the Alley in Block 7 Ocean Beach, contained in Document No. 459557, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Acting City Engineer, bearing the Assistant City Manager's stamp of approval, reporting on petition to install sidewalks on Poole Street between La Jolla Shores Drive and Azul Street, and Azul Street between La Jolla Shores Drive and Poole Street, signed by owners of 6.9% of the property frontage, and recommending that the petition be granted, and that the south side of Azul Street be omitted, was presented.

RESOLUTION NO. 109428, recorded on Microfilm Roll No. 57, adopting recommendation of the Acting City Engineer for installations on Poole Street and Azul Street, of sidewalks, contained in Document No. 459529; 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 Godfrey, seconded by Councilman Wincote, adopted.

Communication from G. R. Henderson, Rear Admiral, U.S. Navy, relative to the 1947 lease on Miramar Naval Air Station, was presented. At the request of Councilman Godfrey said letter was read. It referred to written request by the Navy to the City of San Diego for cancellation of the 1947 lease providing for joint use of the Naval Air Station, Miramar. It stated that although it is impossible to commit the Federal Government or the Navy Department regarding future policies relative to the property, it is the understanding that in the event the Naval Air Station is abandoned by the Navy Department, or the necessity for its exclusive use by the Federal Government terminates, the City of San Diego will be given preferential consideration in acquiring the property and/or effecting a joint use contract or lease with the Federal Government.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said communication was ordered filed, and the comment made that the information contained in the communication was what the City was looking for.

Communication from G. T. McCoy, State Highway Engineer, submitting certified copy of relinquishment of portion of State Highway - superseding State highway relinquishment becomes effective with the filing of said certified copy of the State Highway's action, was presented. The relinquishment referred to action taken by the Commission on September 17, 1947 declaring certain section of State highway in San Diego County between 0.5 miles north of the north city limits of San Diego and 1.7 miles north of Miramar, road XI-S.D-77-A to be a freeway - because of a change in the location of the City limits of the City of San Diego.

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

Communication from Jack Hanna, University Ave. at La Mesa Blvd., La Mesa, relative to Council deliberations reported in the San Diego Union of November 26 concerning proposed representative in Sacramento to assist in and encourage legislation favorable to San Diego, was presented. The communication stated that he was convinced if a constructive idea which might well be implemented as a joint venture by San Diego City and County.

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

Communication from Point Loma Holding Corporation, 502 U. S. National Bank Building, San Diego 1, signed by David G. Fleet, dated 26 November 1952, relative to December 9 meeting to discuss storm drain projects made possible by the voters' approval of the \$3,500,000 bond issue in the November 4th election, was presented. It stated that it was hoped that consideration and high priority be given to the drainage problems in the vicinity of Talbot Street between Canon and Albion and Chatsworth Blvd. between Orchard and the intersection of Catalina. It went into the drainage problem and need for improvement.

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

RESOLUTION OF AWARD NO. 109429, recorded on Microfilm Roll No. 57, accepting bid of R. E. Hazard Contracting Co., a corporation, and awarding contract for the paving and otherwise improving of Landis Street, within the limits and as particularly described in Resolution of Intention No. 108351, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

A written communication from the City Engineer reported that the low bid is 8.3% above the estimate.

RESOLUTION NO. 109430, recorded on Microfilm Roll No. 57, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improvement of Date Street, under Document No. 459148; approving Plat No. 2388 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk to file said plat in the office of the City Engineer upon passage of the Resolution of Intention; was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109431, recorded on Microfilm Roll No. 57, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Manzanita Drive, Heather Street and Glenfield Street, under Document No. 459152; approving Plat No. 2387 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk to file said plat in the office of the City Engineer upon passage of the Resolution of Intention, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109432, recorded on Microfilm Roll No. 57, approving the plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Tulip Street, under Document No. 459150; approving Plat No. 2384 showing the exterior boundaries of the district to be included in the assessment for the work and improvement; directing the City Clerk to file said plat in the office of the City Engineer upon passage of the Resolution of Intention, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 109433, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of the Alley in Block 3 Ocean View, and Block 6 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 108765, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 109434, recorded on Microfilm Roll No. 57, 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, 1952 to and including October 14, 1953, in accordance with the Engineer's Report and Assessment filed October 17, 1952 in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109435, recorded on Microfilm Roll No. 57, for the furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard Lighting District No. 1 - appointing time and place for hearing protests, and directing notice of said hearing - for a period of one year from and including December 1, 1952, to and including November 30, 1953, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109436, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of the Alleys in Blocks 246, 243, 244, 242, 241 and 238 Mission Beach, and Mission Boulevard, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109437, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of the Alleys in Blocks 103 and 104 University Heights, within the limits and as particularly described in Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109438, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of Arista Street, within the limits and as particularly described in Resolution of Intention, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109439, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of Birch 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. 109440, recorded on Microfilm Roll No. 56, for the paving and otherwise improving of Thor Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109441, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of Manzanita Drive, Heather Street and Glenfield Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109442, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of Date Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109443, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of Tulip Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from Lo-Fare Cab Co., 605 G Street, San Diego 1, requesting allocation of 3 cab stands, was brought up at this time, the matter having been continued from the meeting of November 18, 1952.

The question arose relative to the locating of the taxicab stands near the corners and near red fire zones. The City Manager made a verbal report on the subject, and said that it is not a Fire Department problem. He said that corner parking is not permitted and referred again to a problem. He said that James Reading, Traffic Engineer, was present, and members of the Council asked to hear from him.

Mr. Reading spoke relative to the varying conditions on the setbacks at corners.

Councilman Dail told about the various obstructions, and about the condition which exists where cabs are left while in a red zone.

RESOLUTION NO. 109444, recorded on Microfilm Roll No. 57, creating and establishing Taxicab Stands:

South side of Broadway between points 16 feet and 38 feet west of First Avenue;

South side of Broadway between points 18 feet and 40 feet west of Third Avenue;

South side of G Street between points 16 feet and 35 feet west of Sixth Avenue; and

authorizing and directing the installation of the necessary signs and markings to be made, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

After Resolution No. 109444 was adopted, the City Manager said that he is trying to work out the problem. He said that perhaps a system might be established where cabs would use certain areas in the evening, and leave them free in the day time.

At this time Councilman Dail spoke about the establishment of 36-minute zones, and wondered if 24-minute zones could be established on the corners.

The City Manager told the Council that he believed the condition can be improved. He thought the colors on the zones could be changed, or perhaps flags added to the meters. He said that the Traffic Engineer is working out a program on the subject.

(No action was taken).

The next matter, continued from the meeting of November 18, 1952, was considered at this time.

RESOLUTION NO. 109445, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to do all the work in connection with the construction of ten two-way radios for the Fire Department, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The Resolution recites that the City Manager has recommended such construction for the Fire Department, that he has submitted estimates for the work, and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 109446, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to execute an agreement for the maintenance and operation of the Governmental Reference Library for the joint use and benefit of the officers and employees of The City and The County for the fiscal year 1952-1953, by which agreement the County agrees to pay the City one-half of the annual amount expended by the City in maintaining and operating such library; provided that for the fiscal year 1952-1953 the cost to the County shall not exceed \$5,416.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109447, recorded on Microfilm Roll No. 57, authorizing the City Manager to execute an agreement for and on behalf of The City of San Diego, with the Pacific Telephone and Telegraph Company, a corporation, for installation of an automatic

switchboard in the new central library building, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109448, recorded on Microfilm Roll No. 57, authorizing and directing the City Manager to execute on behalf of The City of San Diego a renunciation of the conditional gift of books to the San Diego Public Library contained in the will of the late Mary K. Kutchin, deceased, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109449, recorded on Microfilm Roll No. 57, approving Change Order No. 2, dated October 20, 1952, heretofore filed with the City Clerk as Document No. 459710, issued in connection with the contract between The City of San Diego and L. B. Butterfield for the construction of Tecolote Sewer, Section I, contract contained in Document No. 451107 on file in the office of the City Clerk; changes set forth amounting to an increase in the contract price of approximately \$370.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109450, recorded on Microfilm Roll No. 57, approving Change Order No. 1, dated November 6, 1952, heretofore filed with the City Clerk as Document No. 459711, issued in connection with contract between The City of San Diego and Cast Stone Company for remodeling of the Balboa Park Club Building, contract contained in Document No. 453653 on file in the office of the City Clerk; changes set forth amounting to an increase in the contract price of \$339.50, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109451, recorded on Microfilm Roll No. 57, approving Change Order No. 2 for an extension of 10 days to and including December 21, 1952, heretofore filed with the City Clerk as Document No. 459721, in which to complete contract for remodeling of the Balboa Park Club Building, contract contained in Document No. 453653 on file in the office of the City Clerk, and extending time of completion under said contract to December 21, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109452, recorded on Microfilm Roll No. 57, approving Change Order No. 1 heretofore filed with the City Clerk as Document No. 459720, issued in connection with contract between The City of San Diego and Cox Brothers Construction Company for construction of the Sunset Cliffs Bridge Approaches, contract contained in Document No. 456298 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$3,151.07, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109453, recorded on Microfilm Roll No. 57, approving Change Order No. 2, heretofore filed with the City Clerk as Document No. 459721, issued in connection with contract between The City of San Diego and Cast Stone Company for remodeling of the Balboa Park Club Building, contract contained in Document No. 453653 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$382.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109454, recorded on Microfilm Roll No. 57, approving Change Order No. 3 for extension of time of 60 days, to and including January 14, 1953, heretofore filed with the City Clerk as Document No. 459722 in which to complete contract for installation of 12-inch pipe lines on Wren Street, Orange Avenue and Winona Avenue, contract contained in Document No. 452516 on file in the office of the City Clerk; contract extended to January 14, 1953, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The following matter, which was listed on page 166 of these Minutes, and held temporarily, was brought up again at this time.

The Acting City Engineer's communication relative to the installation of sewers to serve Blocks 111, 121, 122, 138, 139, 140, 142, 143, 144, 145 Amended Map of City Heights, was brought before the Council at this time, by request.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the proposed Resolution as set forth in the communication, was continued for one week - to the Councilman meeting of December 9, 1952.

The next proposed Resolution, having to do with establishment of one-way streets on portions of Cleveland Avenue, Richmond Street, Vermont Street, was brought before the Council at this time.

The City Manager secured a map which he showed to the Council. He told the Council that it would provide better control in the area in the new Sears store.

Councilman Dail left the meeting during the discussion, but was not excused. James Reading, Traffic Engineer, explained existing conditions, and pointed out the areas involved on the map. He told of turns, parking and lined up traffic under the present conditions.

Councilman Dail returned to the meeting at this time, and told the Chairman that it would be necessary for him to leave before too long. (That would have made less than a quorum present).

RESOLUTION NO. 109455, recorded on Microfilm Roll No. 57, declaring the following to be one-way streets:

Cleveland Avenue, for southwesterly-bound traffic only, between Richmond Street and the westerly terminus of said Cleveland Avenue in University Avenue and Tenth Avenue;

Richmond Street, for northwesterly-bound traffic only, between University Avenue and Washington Street;

Vermont Street, for south-bound traffic only, between Cleveland Avenue and University Avenue;

authorizing and directing the installation of the necessary signs and markings, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109456, recorded on Microfilm Roll No. 57, determining that the petition of property owners requesting acceptance and dedication of a street in Morena and Foss Addition, (Iroquois Street) between Clairemont Drive and Cowley, has been considered by the interested City departments, that the Planning Commission has recommended that the street be accepted under the following conditions:

- a) That the street be improved in accordance with the plans and specifications filed as Document No. 458553, November 10, 1952
- b) That right of way be provided in accordance with unnumbered B-Sheet showing proposed street

that the Council is in favor of the improvement and dedication; that the Council is of the opinion that the public interest will be subserved if the proposed street be improved as recommended by the Planning Commission, and thereafter dedicated as a public highway in the City of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109457, recorded on Microfilm Roll No. 57, directing the Property Supervisor to file a petition with the Board of Supervisors of The County of San Diego, requesting that all taxes against property in portion of Lot 72 of the Partition of Rancho Mission of San Diego - more particularly described in said Resolution - together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds to The State of California for delinquent taxes thereon be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds.

RESOLUTION NO. 109458, recorded on Microfilm Roll No. 57, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following intersections:

Venice Street, at Long Branch Avenue and at Muir Avenue;

Tennyson Street, at Wabaska Drive on Pole 3851;

Taft Street, at Forward Street; and

Park Boulevard, at Spaulding Street;

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

RESOLUTION NO. 109459, recorded on Microfilm Roll No. 57, granting The Amvets, Post #5 and its Auxiliary permission to conduct their annual sale of White Clovers on the City Streets on December 5 and 6, 1952, between the hours of 7:30 A.M. and 4:00 P.M., for the purpose of raising funds for the families and children of needy veterans, and for the purpose of giving Christmas baskets to families of veterans and others in need, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109460, recorded on Microfilm Roll No. 57, granting permission to Roy B. Cannon, 3044 Lawrence Street, San Diego, 6, California, to install a 40-foot driveway, as measured at the top of the full-height curb, on the easterly side of India Street, between points 100 feet and 140 feet south of the south side of Maple Street, adjacent to Lot 3 Block 79 Middletown, to serve a four-car garage, in accordance with all rules, regulations and ordinances of The City of San Diego governing the same; provided that at any time the area to be served by said driveway is not used for the parking of motor vehicles, the permit shall be null and void, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109461, recorded on Microfilm Roll No. 57, granting to L. D. Taunton, 1312 Opal Street, San Diego 9, to install a four-inch cast iron sewer line between the property line and the sidewalk, to be placed one foot outside of the property line and to run in a westerly direction, parallel to the south line of Lot 15 Block 86 Morena, to point of intersection with the public sewer; proposed line to serve property at 4530 Lister Street (address is temporary); subject to approval of The City Manager, City Engineering Department and Health Department, and recommended by the Properties Department, on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Proposed Ordinance appropriating the sum of \$6,000.00 from the Capital Outlay Fund for the purpose of providing funds for installation of a fire sprinkling system in the City-owned building located at 1769 Front Street, occupied by "Big Sister Home", was presented again - it having been continued from the meeting of November 25, 1952 - to this date.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said Ordinance was continued for one week - to the meeting of December 9.

Proposed Ordinance appropriating the sum of \$21,500.00 from the Capital Outlay Fund for the purpose of providing funds to pay the City's share of the cost of the construction of a main trunk sewer line for the transportation of sewage from the Lemon Grove Sanitation District to the City's Sewage Treatment Plant, was on motion of Councilman Dail, seconded by Councilman Wincote, placed on its first reading, by the following vote, to-wit: Councilmen Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen Swan, Kerrigan, Mayor Butler.

Inasmuch as there were not 5 votes needed to place the ordinance on its final passage at its first reading, it was continued for the vote on adoption.

Proposed Ordinance appropriating the sum of \$6,550.00 from the Capital Outlay Fund for the purpose of providing funds for purchase of portions of Lots 9 and 10 Block 3 Loma Grande, was on motion of Councilman Dail, seconded by Councilman Wincote, placed on its first reading, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen Swan, Kerrigan, Mayor Butler.

Inasmuch as there were not 5 votes needed to place the ordinance on its final passage at its first reading, it was continued for the vote on adoption.

Proposed Ordinance appropriating the sum of \$4,450.00 from the Capital Outlay Fund for the purpose of providing funds for the construction of a connecting sewer from Sunset Street, Juan Street, et al., Old San Diego, to the existing 27-inch V. C. Mission Valley Trunk Sewer, was on motion of Councilman Dail, seconded by Councilman Wincote, placed on its first reading, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Councilmen Swan, Kerrigan, Mayor Butler.

Inasmuch as there were not 5 votes needed to place the ordinance on its final passage at its first reading, it was continued for the vote on adoption.

Proposed Ordinance incorporating portion of Lot 67 Ex Mission Rancho into "R-4" Zone and repealing Ordinance No. 78 (New Series) adopted November 14, 1932 insofar as it conflicts, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, December 13, 1952.

Proposed Ordinance incorporating a portion of Lot 10 Horton's Purchase, Ex-Mission Lands into "R-2" Zone, repealing Ordinance No. 35 (New Series) approved September 12, 1932, insofar as it conflicts, 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., Thursday, December 18, 1952.

At this time a majority of the members of the Council signed undertaking for street lighting with San Diego Gas & Electric Company for furnishing of electric current in Pacific Beach Lighting District No. 1.

The next matter was presented to the Council upon unanimous consent granted to the City Manager.

The Manager made a brief explanation relative to the service to the City of Mr. Jorgenson.

RESOLUTION NO. 109462, recorded on Microfilm Roll No. 57, relative to the death of Hans W. Jorgenson who entered the employ of The City of San Diego October 12, 1912 in the Engineering Department and from September 6, 1927 until his retirement on November 1, 1945, was City Engineer, was presented.

The Resolution stated that the Council is aware of the fact that during the many years of employment with the City Mr. Jorgenson was unusually gifted with ability, and as a result of his loyal service the City received benefits of considerable value, most of which are permanent in character; taking the opportunity on behalf of the officers and employees of The City of San Diego and of the people of the City of expressing appreciation for the work of Mr. Jorgenson, and expressing regret over his passing, and offering and extending to his widow and family sympathy over their loss; directing the City Clerk to send certified copies of said Resolution to the widow and family, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109463, recorded on Microfilm Roll No. 57, was presented under unanimous consent presented to the City Manager.

Said Resolution authorized and directed the City Manager to notify Lemon Grove Sanitation District immediately that the low bid of \$105,253.11 received by said District for the construction of a sewer line is acceptable to the City of San Diego, and that the City will contribute forthwith its proportionate share of the cost of the sewer in the sum of \$21,050.62, and was adopted on motion of Councilman Godfrey, seconded by Councilman Wincote.

Said Resolution stated that The City of San Diego has heretofore entered into agreement with Lemon Grove Sanitation District wherein it was provided that the City would accept and process sewage delivered to the City by the District, provided that said District would construct by public contract a sewer line. It said, also, that the City

has agreed to bear a proportionate share of the cost of the sewer line in order that the City might use it to provide for disposition of sewage from certain areas of the City adjacent thereto, and that the district would construct the line after competitive bids, with the option given to the City to refuse to agree to the price named by the lowest responsible bidder, and that it would advise the District of the acceptance or rejection of the bid within 5 days from receipt of notice of the opening of the bids. The Resolution said that the City has now received notice and is desirous of accepting the low bid received by the district and of contributing to the cost of construction the sum of approximately \$21,050.62.

At this time Councilman Wincote spoke regarding Assemblyman Frank Luckel's "letter" (The letter referred to was an item published in the paper.) He said that the Council had not talked to the Assemblyman, and said also that Mr. Luckel had not been "voted down" at stated. Mr. Wincote said that no star chambers are held by the Council, as charged in the article.

The City Manager spoke regarding legislation regarding all local jurisdictions which spend public funds, which would be required to keep public records of actions.

RESOLUTION NO. 109464, recorded on Microfilm Roll No. 57, requesting Mayor Butler to write to Assemblyman Frank Luckel, asking him to clarify the published statement as to who was the Councilman who had made the complaint resulting in the proposed legislation on closed sessions, and to what City the Assemblyman had referred, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

(Later Councilman Wincote spoke further about the same matter, and asked that the Mayor not write to Assemblyman Luckel until after the Council Conference of next Thursday - that is, December 4, 1952. That, however, was not made as an amendment to the motion, and no separate resolution was offered.)

Councilman Schneider requested, and was granted unanimous consent to present the next matter, now listed on the agenda:

Councilman Schneider told of crude enforcement of the "Dog" ordinance, which had been reported, and termed action taken arbitrary

RESOLUTION NO. 109465, recorded on Microfilm Roll No. 57, referring to City Manager the matter of enforcement of the "Dog" ordinance, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

After adoption of Resolution No. 104965, the City Manager said that he wanted reports made on individual dog catchers who are acting as they should not, and asked for information which could be used as evidence in correcting the situation. (That request was not made a part of the Resolution, as adopted).

The City Manager requested, and was granted unanimous consent to present the next matter, not listed on the Agenda for this meeting:

The City Manager spoke about the bill in the Legislature and the hearing on the question, relative to the feeding of garbage to hogs. He told of the effects upon municipalities and individuals who do such feeding, and pointed that enactment would result in great expense to the Cities.

Councilman Godfrey agreed that it would be a real item.

The City Manager told of the disease involved.

Councilman Godfrey asked to hear from J. B. Askew, M.D., the Health Officer, on the subject.

The City Manager said that he wanted the matter studied before enactment. He then told the Council that he had discussed the situation with Dr. Askew. Dr. Askew, he pointed out, had stated that there is no evidence of disease resulting from garbage feeding. He said, also, that there is no question that the prohibition of such feeding will come. He told of an embargo relative to live hogs coming into California, and said that there is need for gathering of all facts on the subject.

RESOLUTION NO. 109466, recorded on Microfilm Roll No. 57, requesting the City Manager to send a letter on the subject of the proposed legislation relative to prohibiting the feeding of garbage to hogs, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

It was at this point that Councilman Wincote brought up the subject of the Mayor not writing to Assemblyman Luckel until after Thursday - which matter is noted earlier on this page of the Minutes.

The agenda showed that a petition of Property Owners for street light at the intersection of Jamacha Road with Porter Street had been referred to the City Manager by the Clerk.

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 12:10 o'clock Noon.

Upon adjournment, the Chairman announced that there would be no Council Conference today.


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, December 4, 1952

A Regular Meeting was held at this time, 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 Butler.
Absent---Councilman Godfrey
Clerk----Fred W. Sick

After the roll had been called, and the meeting called to order, Councilman Godfrey entered.

The Mayor requested, and was granted by the Council consent to take the first matter out of order, and consider the same at this time.

The proposed amendments to the Rules of the Civil Service Commission were presented.

The Mayor recognized Wm. P. Elser, president of the City Civil Service Commission, and requested him to represent the commission in the matter, and express its views in connection with the proposed rules change which had been submitted to the Council earlier and which had been posted and upon which a hearing was set for this date.

Mr. Elser spoke regarding points covered in the Rules of the Civil Service Commission which provide for the right to appeal decisions, providing a safeguard for affected employees.

Councilman Schneider asked if persons would be protected, by adoption of the Ordinance changing the Rules.

Mr. Elser, in reply, said that examinations are automatically held up for the 20 day period. Next, he read from the Rules, at the request of Councilman Wincote.

Councilman Dail made reference to grading in the case of police officers.

Mr. Elser referred to the time allotted for filing the appeals, and the application therefor taken, as well as the examination time.

Raymond Krah, Personnel Director, spoke in regard to the closing date, and the examination date, and also pointed out that provision is being made for protection.

Mr. Elser said that routine matters can be handled by the Personnel Director. He also informed the Council that appeals are sent to the head of the Commission, and heard by the Commission. He reviewed reasons for proposing the amendment.

Councilman Schneider pointed out that Mary Harvey, representing the Municipal Employees' Organization, and wondered if she wished to be heard.

Miss Harvy, recognized by the Mayor, said that there is no objection to Rules change, and emphasized that such action would be in favor of the employees.

Douglas Deaper, of the City Attorney's office, referred to the matter of appeal. He said that the Rule is so phrased that it does not apply to the appeal question which could be referred to Mr. Krah.

Mr. Elser defended the amendment rule as written stating that the Ordinance covers all the points.

ORDINANCE NO. 5397 (New Series) recorded on Microfilm Roll No. 57, approving and adopting proposed amendment to Section 2 Rule VIII of the Rules of the Civil Service Commission of The City of San Diego - being Eligibility for Promotional Examinations - stating that after the effective date of said ordinance the foregoing rule as set out therein shall be codified in the Municipal Code of The City of San Diego as Section 23.0903, 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, 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.

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

At this time the Council returned to the docket as written.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed incorporation of portions of Pueblo Lots 1256, 1773 and 1774 in the City of San Diego into "R-1B" Zone and "R-1C" Zone, and repealing Ordinance No. 13294 insofar as the same conflicts, 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.

Harry Haelsig, Assistant Planning Director spoke regarding the petition, and said that it had been expanded by the Planning. He pointed out that it is in the Muirlands, and that there were no objections raised.

ORDINANCE NO. 5398, recorded on Microfilm Roll No. 57, incorporating portions of Pueblo Lots 1256, 1773 and 1774 in The City of San Diego into "R-1B" Zone and "R-1C" Zone as defined by Section 101.0403 and Section 101.0404 of The San Diego Municipal Code, and repealing Ordinance No. 13294 adopted August 31, 1931, insofar as the same con-

flicts, 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 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.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Ordinance incorporating Lots 135 to 145 inclusive in National Vista, and portion of Resubdivision of Florence into "R-1" Zone and "R-C" Zone, was presented.

A communication from the Planning Commission stated that by a vote of 4-2 on the part of the Commission it was recommended to approve the zoning as shown on the B-494 sheet, and it was suggested that it be forwarded to the City Attorney's office for the drafting of an ordinance prior to setting it for public hearing.

A written protest, signed by 26 property owners, in connection with Lot 144 at the northeast corner of Harbison and Division Streets being in an R-C Zone, was presented.

At the request of the Mayor, Harry Haelsig made a verbal report on the protest. He pointed out that the land covered under the protested area had recently been annexed by the City. He showed a map of the area, and told of the zoning provided for by National City prior to the annexation to San Diego. He explained the consideration which had been given by the Planning Commission.

A letter from the Zoning Committee on the subject was then read by the Clerk C. L. Kathol spoke in favor of the rezoning, as proposed. He presented another "list of names" which was also in favor of Lot 144 of Kathol-Beall Tract remaining in a limited business zone, which "list" was made a part of the Clerk's record. He said that he wants the use and zone to remain as it was when in National City. He pointed out that he has offers to erect a building for a shopping center, but that he has taken out no permit.

Grandall Corda, attorney, who also had a communication in connection with the zoning, stated in his communication that he represented Preston Hodges, Ralph M. Finnerty, Leonard Pierson, and C. H. Wilder, spoke. He mentioned the written protest filed under Document No. 459898, and pointed out that the R-1 Zone was not protested - only the R-c. He spoke about the business area, while in National City prior to the recent annexation to San Diego. He pointed out that property owners did not know that the zoning had taken place until after the building of homes. He spoke regarding Mr. Kathol's conversation with Doris Sullivan (former City Manager of National City), in National City, relative to putting property into a business zone. He said that Mr. and Mrs. Pierson had built a home across the street without knowing of the existing business zone. Mr. Corda emphasized that he was not charging that the National City proceedings were irregular when the property was zoned, but pointed out that the property owners did not know what was being done. He said that it is possible to have "constructive notice" without knowing what was happening. He said that there was no business development there at that time. He asked that San Diego not perpetuate the area made business by National City. At this time he spoke to an unidentified woman client about the area. That woman spoke to the Council about the commercial area zoning. He told of their on residence construction and about the previous zoning which had existed in the County prior to entering National City. At this time the speaker identified herself as Mrs. Leonard Pierson.

At the request of Councilman Dail, Mr. Kathol showed a map regarding the zoning at the time it was made.

The Mayor pointed out that all had been legal.

Mr. Condra pointed out that nevertheless, the property owners did not know of the matter, and had not been notified by National City.

Councilman Godfrey spoke on the matter, and said there was not a logical argument on the part of Mr. Condra. He stated that what the property owner got legally was in National City; not in San Diego.

Councilman Dail spoke regarding the discussion in his office by various property owners who had called on him. He said that he had checked the record, and that all had been done in a legal manner. Mr. Dail said that the precedent was the same as that established in San Diego regarding use of property.

Councilman Godfrey said that the Council, in the zoning has a right also, in the same manner as the residential owners, but agreed that there is a sound reason for protest.

Mr. Condra continued by saying that there is not a protest on account of the National City establishment. He said that had property owners known of the proposed zoning, at that time, they would have protested. He said that it had been real estate property office when it came up. He also said that there was protest in connection with Mr. Kathol's matter. He said that Mr. Kathol wants the R-C zone for himself only - not for anyone else. He said that there are lovely homes throughout the area, and said that R-C would benefit no one except Mr. Kathol. At the request of Councilman Swan, he said that it is an area 115 feet square.

Mr. Haelsig said that the Planning Commission tries to give the property the same zoning that existed before annexation, if reasonable. He told the Council that they try not to change the status.

Councilman Dail and Godfrey both pointed out that spot zoning in the City is not approved.

Mr. Haelsig spoke regarding a C-2 lot in National City across the street, which would permit a store.

Mr. Condra told what could go in, and listed various objectional uses. He said that property owners would not want most of them. He told the Councilmen that Mr. Kathol has no constructive plan as to what would go in. He said that the San Diego and National City protestants is a significant factor, and said that all should be considered. He said that there is no need for the R-C Zone and that it is not used in National City for similar zoning. He said that property owners want to keep the property as a residential area.

There was discussion by members of the Council and other individuals over a National City zoning map.

Councilman Kerrigan was excused at this time.

Mr. Haelsig identified properties on the map, and said that there was no legend on the map, to follow.

Councilman Wincote said that it is not clear, from the map, especially as to how close properties are to the proposed rezoning.

Councilman Dail said that National City "did not pull a fast one".

Preston Hodges, 5625 Division Street, spoke at this time. He referred to 2 corners being residential, and that Mr. Kathol owns 2 corners. He told of another huge shopping district in the area.

Mrs. Ethel Pierson, who had spoken from her seat earlier, appeared at the microphone, and said that two wrongs do not make a right. She said she knew that it was a long way from shopping areas when she bought, and that she wanted it that way. Mrs. Pierson said that she wanted to be away from commercial property. She spoke about home valuations and of the protests, and said that the current move was to double the value of the Kathol property.

Councilman Kerrigan returned to the meeting at this time.

Mrs. Pierson continued by saying that property across the street is commercial. She said that property owners who live there knew that when they bought, but that she had bought as strictly R-1. She said that the lot in question is small, that there could be little business there, and told of having to look into the business property which would make much litter. Mrs. Pierson showed a map, identified various properties. There was another conference on the subject, over the map.

Councilman Dail commented that the meeting was getting out of hand, and thought it should be brought to order.

The Mayor rapped for order, and the hearing as scheduled, was resumed.

He Mayor said he felt that Mr. Kathol was entitled to a rebuttal, and asked if he cared to be heard again.

Mr. Kathol told about a hearing, in National City, said that he had appeared, and that he knew what was going on. He spoke about property which had been laid out by a real estate buyer. He said that there had been no opportunity, in National City, to lay out the commercial property, and told about 8-block radius for R-1.

Mrs. Pierson spoke about the distances, and the blocks in National City. She told of zoning plans which would contemplate plans for development of a super-market at Division Street and Euclid Avenue, planned for a shopping district. She spoke of other developments, and said again that there would be a shopping center there. She went over maps with Councilman Wincote.

Once again there was general discussion over those maps.

Following that, Mr. Kathol passed around a Major Street map, at which members of the Council looked, and discussed that point in conference.

Councilman Swan asked about the protestants.

Mrs. Pierson said that all 26 are residents within one block.

Mr. Kathol disagreed, by saying that all the 26 people are not within the block.

Mayor Butler, on motion of Councilman Dail, seconded by Councilman Schneider, closed the hearing.

Councilman Kerrigan moved the final passage of the ordinance on its first reading, at this time, which motion was seconded by Councilman Schneider.

Before the roll was called, Councilman Godfrey secured and showed another map for and against the zoning. He said that he does not want to disturb what exists, but spoke against spot zoning. He pointed out that he would not want commercial use, if he had a home there.

Councilmen Schneider and Godfrey exchanged views regarding the area across the street.

Councilman Godfrey said that it should be permitted to get rid of at least one objectionable feature, if possible.

Councilman Wincote thought that perhaps Mr. Kathol should go into the R-1.

Councilman Godfrey pointed out that Mr. Kathol could sell the property as R-1, which would constitute no hardship.

Councilman Swan asked Mr. Deaper, of the City Attorney's office, if the Ordinance could be amended, to make all R-1.

The Mayor, rather than Mr. Deaper, said that the action before the Council was on the ordinance before it, but that if the matter were voted down, the Council could get another ordinance.

Councilman Wincote asked Mr. Kathol if he would give up the equity in the property.

Mr. Kathol replied that when he had bought the property it was in the County, even before going into National City, and prior to its coming into San Diego. He said that he had gone to the Planning Commission at that time and asked if it would recognize the business zone, and that the National City commission had said "yes". He contended that it is for the betterment of the nearby property owners to have the shopping center which is proposed for his property. He said that he would not give up his commercial rights in direct reply to Councilman Wincote's question.

At this time the roll was called on the first motion for final reading. Councilman Schneider then moved adoption of the Ordinance, which was seconded by Councilman Dail. The Ordinance, and the roll calls follow.

However, at this time Councilman Dail handed in a written statement from 7 housewives which said that they had fully intended to be at the hearing regarding Lot 144, but said that they were unable to attend to express their opinion, and that they fully realized the importance of it being zoned as R-C. The written statement, nevertheless, did not express any views for or against the zoning.

ORDINANCE NO. 5399 (New Series), incorporating Lots 135 to 145 inclusive in National Vista, and a portion of Re-Subdivision of Florence into "R-1" Zone and "R-C" Zone as defined by Section 101.0405 and Section 101.0409 of the San Diego Municipal Code 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 Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen Swan, Godfrey. Absent Councilmen None.

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

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating Lots 94 to 111 Vista Park Unit No. 1 into "CP" Zone and C Zone, and repealing Ordinance No. 13457 insofar as it conflicts, 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.

Harry Haelsig, Assistant Planning Director, told members of the Council about the property involved, and pointed out that it is near City-owned property. He said that the area is now in R-1 Zone, that it lies westerly of Linda Vista Road and northerly of Chesterton and just north of the City's Pueblo Lot 1203. He said that it is for a proposed community shopping center, one of several to be located on Kearny Mesa and a part of a community plan developed and approved by the Planning Commission.

ORDINANCE NO. 5400 (New Series), recorded on Microfilm Roll No. 57, incorporating Lots 94 to 111 inclusive Vista Park Unit No. 1 into "CP" Zone and "C" Zone as defined by Sections 101.0410 and 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 13457 insofar as it conflicts, 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, 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.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing the appeal of Bekins Van & Storage Company from the decision of the Zoning Committee in conditionally granting permission to erect a storage warehouse and conducting a general warehouse business on portion of Lots 6 and 28, the Clerk reported that said Company had requested withdrawal of the appeal. The communication making the withdrawal request was signed by C. C. Temple, District Manager, and dated November 24, 1952.

The original appeal was from the decision requiring that an easement 15 feet wide and 326.92 feet long along Balboa Street be deeded to the City for future widening of Balboa.

On motion of Councilman Wincote, seconded by Councilman Wincote, permission was granted to said company for the withdrawal of the appeal, and the matter was ordered filed.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of L. P. Wessell from the denial of his request by the Psychology Commission of request for license to practice the definite and specific branch of psychology - Alcoholic, Basic and Re-educational, the Mayor presented a letter from Hilding B. Carlson, Chairman of said Commission, addressed to Mrs. Patton Secretary of the Commission.

By request, the letter was read to the Council by the Clerk relative to the action for denial. It stated that the Commission met at the president's home on November 6 to discuss the problem raised by the licensing of social workers, and listed those present at Dr. Carlson's home. The letter said that it had considered the letter written by Mr. Wessell (Comdr. L. P. Wessell, USN-ret) in which he asked for reconsideration of the action of the Commission. It stated that the Wessell letter was read and there was no additional evidence which would justify change. The report stated that Mr. Wessell does not have sufficient academic training in the field of psychology and in a related field, and pointed out the requirements, and made a liberal interpretation of Mr. Wessell's background. It said also that Mr. Wessell had given no evidence of any supervised training in any recognized institution where such training might be available. In addition it said that Mr. Wessell quoted his own personal experience as being sufficient for said training, but that if the Commission were to accept that as adequate basis for evaluating experience, no one could be denied a license. The report said that the Commission has no authority to pass upon the request for a license to read "Alcoholic, Basic and Reeducational Counselor", since it can only recommend that the individual be given the license of a psychologist. It said that the Commission has no authority to grant any other title. Dr. Carlson's letter said that the subheadings on the application were intended to facilitate the work of the Commission in determining whether or not the individual should be recommended for the license of a psychologist and there was no intent to recommend licenses in the second areas indicated.

Councilman Godfrey was excused from the meeting at this time.

The Mayor said that the standards were set by the Commission, not by the Council.

Commander Wessell spoke. He said that he appreciated the opportunity to appear and be heard. He said that he objected to action taken by the Commission; told of the application, the appeal, and of the meanings regarding education. He reviewed his background, and the ordinance relating to the psychology licensing. He told of the wording, and the meaning interpreted in the ordinance.

The Mayor said that same of the angles should be attacked through the courts, rather than through the Council.

Commander Wessell said that he is interested, specifically, in the alcoholic angle of psychology. He pointed out that psychology is a new science and that there is no agreement on the subject. He told of the various fields involved in psychology, and told the Council about University graduate school courses. He said that there is no graduate course given on alcoholic psychology in California State college, or any other. He said that even the professors deal in only one phase of psychology - which is a new field. He referred to various books on psychology, which he had with him and showed to the Council, and said that none lists the matter of applied psychology. Commander Wessell told of various M.D.'s who contend that alcoholism is psychological. He admitted that he had made home study under a doctor's recommendation. He told of his teaching experience in two university.

Councilman Schneider said that it might be useful to get a written statement from the Commander's doctor (a Navy Captain) under whom he was a patient.

Commander Wessell told about the University of California 2-year graduate study, and said that there is no graduate course in psychology.

Councilman Wincote asked Commander Wessell if he was going to the U.S. Naval Hospital as a patient, or for educational instruction.

The reply was that he went as an out patient, but that he had discussed the matter with the doctor. He referred to Jean F. DuPaul's (City Attorney) telling him that he was qualified to act, and that the Commission should grant the Commander's request for a license to practice.

Councilman Dail said that there are certain pertinent facts in the file not before the Council, not accompanying the appeal. He pointed out that making the same a public record would prove embarrassing. He said that the Commission's decision should be upheld.

The Mayor pointed out that the appellant does not qualify under the Commission's rules, but that he does have recourse through the courts.

Councilman Schneider said that he would be interested in the reading which had been done by Commander Wessell.

Councilman Wincote asked the Attorney (Deaper) if the licensing would apply in the various fields of psychology.

Mr. Deaper replied that it is a general psychological matter, not an individual practice. He said, however, that he thought there might be a misapprehension. He said that it did not regulate the psychologist, but that one licensed would have to be qualified.

Councilman Dail said that it is a broad ordinance. He said, too, that Commander Wessell would have to settle his case through the courts.

The Mayor told about proposed amendments having to do with social workers. He said that the Commission is working on that.

Councilman Wincote spoke about the Attorney's verbal interpretation.

The Mayor said that the Council has no right to grant the appellant's request.

Mr. Wessell said that the Attorney should give a written opinion relative to his rights to a license.

Councilman Wincote said that he would ask the City Attorney what he said, and why he said it. Mr. Wincote stated that Commander Wessell should not be authorized to practice in all fields of psychology under the Ordinance and the Commission's rules. He felt that Commander Wessell should take action after hearing from Mr. DuPaul, the City Attorney.

Councilman Dail said that there are "other things" involved, from the Commission's record.

On motion of Councilman Wincote, seconded by Councilman Schneider, the matter was continued to next Tuesday - December 9, 1952 - which motion was seconded by Councilman Schneider, for final action.

Councilman Wincote moved to declare the hearing closed, but the motion was not seconded.

(See also page 179 of these Minutes for additional Psychology matter.)

The next matter was taken out of order and considered at this time, inasmuch as Carl Reusch was present representing the Harbor Commission.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of Lindbergh Field Gas and Oil Agreement with the Shell Oil Company, covering premises at the intersection of Wake Boulevard and Harbor Drive, was presented for Council approval. The communication stated that the agreement is for a term of 5 years with 2 5-year options to renew. It stated that fees to be paid are in accordance with established policy and current agreements whereby the Company agrees to pay the City on the basis of 1¢ per gallon of aviation fuel, plus 5¢ per gallon of aircraft lubricating oil delivered by the Company on Lindbergh Field. It stated that fees are subject to review at each of the 5-year options. Premises will be used for installation of tankage and pump equipment. The communication stated that in order that the necessary roadways serving the premises may be constructed in accordance with development plans for the Harbor, the Department has agreed to construct the roadways and the oil companies have agreed to pay their proportionate share of the cost thereof after completion. It stated that the roadways will cost approximately \$6,000.00, and that the agreement in all other respects conforms to established agreements and harbor Commission policy.

(Although the matter was brought up out of order, Councilman Wincote brought up another matter about shelter island, and vote taken thereon. However, it is numbered following this item, and discussion is shown in connection with that resolution in order keep the matters together.)

RESOLUTION NO. 109467, recorded on Microfilm Roll No. 57, approving lease with Shell Oil Company, a corporation, for a period of 5 years with 2 five year options to renew, upon 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. 459890, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

The next matter was considered between the Harbor Commission communication and Resolution No. 109467 on Shell Oil Company, but was given the next number so as not to segregate the subjects.

Councilman Wincote referred to the Shelter Island story which appeared in the newspaper relative to lease thereon, prior to Council action. He objected to the procedure followed.

Mayor Butler said that action taken by the Harbor Commission was in accordance with the decision made on the subject.

Councilman Wincote said that he did not want the Commission to take its actions, then bring the matters to the Council for it to act thereon only as a "rubber stamp".

Councilman Dail said that there was a "class" situation involved, and that it appeared that the Island development for club and yachts was for a certain few rather than for the general taxpayers of the City.

Discussion followed between Councilman Wincote and Mr. Reusch.

RESOLUTION NO. 109468, recorded on Microfilm Roll No. 57, referring the Shelter Island Club matter to Council Conference, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

In connection with the next matter, see also page 177 of these Minutes, with reference to the appeal of L. P. Wessell from denial of request for license to practice the definite and specific branch of psychology - Alcoholic, Basic and Re-educational.

The question came up again about the Psychology Ordinance, the reasons for its adoption, and provisions contain therein.

Councilman Schneider read from a City Attorney's opinion - not in the Clerk's file - on the subject, which presented a rough draft of the Ordinance for Council consideration.

Douglas Deaper, Deputy City Attorney, spoke regarding ~~(regarding)~~ a Psychology Commission communication, and said that the amendment referred to had not been sent to the Council.

The Mayor read a portion of another letter from the president of the Psychology Commission. That letter was not in the Clerk's file, and the Mayor did not file it.

Councilman Kerrigan spoke about additional regulations proposed, and wondered if the City should go into the various regulatory fields. He wondered, also, if individuals affected could have been covered by State law.

The Mayor said that he has no qualms about going into fields, where regulation is needed.

Councilman Schneider read further from the City Attorney's letter referred to earlier.

No action was taken on this subject.

On motion of Councilman Schneider, seconded by Councilman Wincote, the meeting was recessed, at the hour of 12:12 o'clock Noon to the hour of 2:00 o'clock P.M., this date.

Upon leaving the Council Chambers the Mayor announced that although there would be another meeting of the Council as just scheduled, but that there would be no afternoon Conference.

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

The Mayor signed the Minutes of the Council Meetings of November 25 and November 26, 1952, which had been approved the previous week. They were not sign at the time of their approval, however, inasmuch as there was neither the Mayor or Vice Mayor present.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of Margaret T. Gregory from the decision of the Psychology Commission in denying her appeal for license under City Ordinance to permit her to engage in the counseling and guiding of people with mental, emotional, marital and employment problems, the Agenda for the meeting prepared by the Clerk showed that a letter from Charles Elwyn Karpinski, attorney for Mrs. Gregory, requested continuance of the hearing for two months.

On motion of Councilman Schneider, seconded by Councilman Swan, the hearing was continued for a period of 60 days - to 10:00 o'clock A.M. Thursday, January 29, 1953.

The Mayor recognized Raymont B. Talbot, County Tax Collector, and asked if he had anything to bring before the Council.

Mr. Talbot thanked the Mayor, and said that he had no official business; that he was visiting the meeting as he thought citizens should. He reminded the Council, however, of the approaching dead line for payment of taxes.

Application of La Jolla Casa de Manana, Inc., signed by Col. Henry R. Dutton, vice president, for a Class A Dine & Dance license at Casa de Manana was presented, together with recommendations for approval from the interested City departments.

The question arose as to who would operate the dine and dance establishment, inasmuch as it was pointed out that the Casa had been sold to the Methodist Church for use as a home for elderly people. During the discussion it was brought out that the new owners were not planning to take over operation until some time next year, and that the present operators of the hotel have a high reputation in the community.

RESOLUTION NO. 109469, recorded on Microfilm Roll No. 57, granting a Class A Dine & Dance license to La Jolla Casa de Manana, 845 Coast Boulevard, La Jolla, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Application of Clementine McDull Lodge #598, 6 Hensley Street, for Class D Dine & Dance License, signed by Bertram H. Jones, Exalted Ruler, was presented, together with recommendations for approval from the interested City departments.

When questions were asked about the place, Councilman Dail said that it was the colored Elks lodge.

RESOLUTION NO. 109470, recorded on Microfilm Roll No. 57, granting appli-

cation of Clementine McDull Lodge #598, for Class D license to conduct public dance at No. 6 Hensley Street, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Lions Club of San Diego, signed by Willis H. Fletcher, President, stating that the Club and its Safety Committee are in full accord with any safety program which has already been developed or may originate in the near future, also pledging full support and cooperation to any safety program, as well as inviting the Council to call upon the Club and that it will be happy to cooperate in every way possible, was presented.

There was no discussion of the communication.

RESOLUTION NO. 109471, recorded on Microfilm Roll No. 57, referring communication from Lions Club of San Diego, supporting any safety program which has already been developed or may originate in the future, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from Vincent Whelan, Attorney at Law, 413 Orpheum Theatre Building, San Diego, endorsing the presence of an alert, informed, and capable spokesman for the local municipal government as a full-time representative at Sacramento to serve the City and County to give members of the Legislature counsel and advise as to needs of the community, was presented.

Communication from Union Title Insurance and Trust Company, signed by Frank G. Forward, First Vice President, recommending that there be a legislative representative at the meetings of the State Legislature and the meetings of the Highway Commission in Sacramento, was presented. The communication stated that during Governor Merriam's administration, Mr. Forward attended at his own expense practically all of the Highway Commission meetings, and that he was confident that the result of having the proper qualified person to represent the City of San Diego at deliberations would pay big dividends.

Both communications were read to the Council by the Clerk upon request.

RESOLUTION NO. 109472, recorded on Microfilm Roll No. 57, referring the communications from Vincent Whelan and from Frank G. Forward, urging presence at Sacramento of a full-time representative serving the joint interests of the City of San Diego and of the County of San Diego, to Council Conference, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

After adoption of Resolution No. 109472, Councilman Dail stated that it was a matter of political pressure involved.

RESOLUTION NO. 109473, recorded on Microfilm Roll No. 57, determining that the proposed installation of sewers in 44th Street and C Street, within the limits and as particularly described in Resolution No. 109069 of Preliminary Determination is feasible and that the lands to be assessed will be able to carry the burden of 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 Kerrigan, adopted.

RESOLUTION NO. 109474, recorded on Microfilm Roll No. 57, directing the City Clerk to make the canvass of the returns of the Special Election held in that certain territory in the County of San Diego, State of California, designated as La Mesa Colony No. 4, on the 2nd day of December, 1952, which election was held for the purpose of determining whether said territory should be annexed to the City of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109475, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to do all the work in connection with the construction of improvements to the South Press Box at the Balboa Stadium, by appropriate City forces, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 109476, recorded on Microfilm Roll No. 57, authorizing the Property Supervisor to file a petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in various properties in Blocks 291 and Blocks 291-1/2 of Seaman and Choate's Addition, more particularly described in said Resolution, be cancelled, together with all penalties and other expenses therewith; that all deeds to The State of California for delinquent taxes thereon be cancelled; authorizing and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109477, recorded on Microfilm Roll No. 57, authorizing the City Attorney to compromise the overpayments and underpayments disclosed by a recent audit of that certain lease entered into on September 1, 1945, between The City of San Diego, acting by and through the Harbor Commission, and Western Airlines, Inc., by cancelling one against the other, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109478, recorded on Microfilm Roll No. 57, authorizing the City Attorney to compromise the claim of Merle M. Schwartz for \$195.00, Document No. 457774, in the amount of \$110.00; authorizing and directing the City Auditor to draw his warrant in favor of Merle M. Schwartz in the amount of full payment of the aforesaid claim, was on Motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Before Resolution No. 109478 was adopted, Councilman Schneider said that he believed it would be helpful to the Council to have the Clerk list the amount of claim and the compromise figure on the agenda. He asked the Clerk if it would be much trouble to do that.

The Clerk replied that it would be no trouble to do as Mr. Schneider asked, but that the City Manager's office had requested that such information be not listed. That, he said, was the reason for not showing the financial detail.

Councilman Schneider and other members of the Council were satisfied with the explanation, and made no further request for inclusion of the claim and settlement figures.

RESOLUTION NO. 109479, recorded on Microfilm Roll No. 57, approving claim of Roy D. Key, on file in the office of the City Clerk under Document No. 458482 in the amount of \$7.00; authorizing and directing the City Auditor to draw his warrant in favor of said Roy D. Key in said amount in full payment of the claim, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109480, recorded on Microfilm Roll No. 57, denying claim of Irving B. Hosenpud, on file in the office of the City Clerk under Document No. 458071, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109481, recorded on Microfilm Roll No. 57, denying claim of Mrs. R. H. Lehner, on file in the office of the City Clerk under Document No. 458518, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109482, recorded on Microfilm Roll No. 57, denying claim of Gerald F. MacMullen, on file in the office of the City Clerk under Document No. 459036, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109483, recorded on Microfilm Roll No. 57, denying claims of R. F. Migliore, on file in the office of the City Clerk under Documents Nos. 458718 and 458837, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109484, recorded on Microfilm Roll No. 57, denying claim of Donald W. Roberts, on file in the office of the City Clerk under Document No. 456903, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109485, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by Bank of America N.T.&S.A., beneficiary, and Corporation of America, trustee, bearing date November 7, 1952, wherein said parties subordinate all their right, title and interest in and to portion of Lot 30 Oakemere, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for 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. 109486, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by Bank of America N.T. & S.A., beneficiary, and Corporation of America, trustee, bearing date November 15, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 21 La Mesa Colony, to the right of way and easement for public street heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for 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. 109487, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by Republic National Bank of Dallas, beneficiary and E. E. Wallace, Jr., trustee, bearing date September 22, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 1510 and 1511 Clairemont Unit No. 8, to the right of way and easement for storm drain purposes heretofore conveyed; authorizing and directing the City Clerk to file said subordination agreement for 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. 109488, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by San Diego Federal Savings and Loan Association, beneficiary, and Southern Title and Trust Company, trustee, bearing date November 10, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 18 and 31 Block 104 University Heights, to the right of way and easement for public alley purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for 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. 109489, recorded on Microfilm Roll No. 57, accepting grant deed of Sim J. Harris and Bertha F. Harris, bearing date November 21, 1952, conveying all of the Northwesterly Half of Lot C Pueblo Lot 262, according to partition map in action entitled "Franklin Steele, Jr. vs. William E. Steel, et al", Case No. 5620, excepting the Northeasterly 330 feet; authorizing and directing the City Clerk to file said deed for record in the office of the County Recorder, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109490, recorded on Microfilm Roll No. 57, accepting deed of R. S. Dillen and H. Kranz, bearing date September 4, 1952, conveying easement and right of way for public alley in portion of Lots 18 and 31 Block 104 University Heights, 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109491, recorded on Microfilm Roll No. 57, accepting deed of Stanley C. Walters and Bella S. Walters, conveying easement and right of way for public street purposes in portion of Lots 16 and 17 Block C Starkey's Prospect Park, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bon Air Way; authorizing and directing the City Clerk to file said deed for record in Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109492, recorded on Microfilm Roll No. 57, accepting deed of Leo Greenbaum and Rose Greenbaum, bearing date November 10, 1952, conveying portion of Lots 9 and 10 Block 3 Loma Grande, setting aside and dedicating the same to the public use as and for a public street, and naming the same 4th Avenue; authorizing and directing the City Clerk to transmit said deed, together with 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. 109493, recorded on Microfilm Roll No. 57, accepting deed of John Victor Wahl and Lillian Staria Wahl, bearing date October 10, 1952, conveying easement and right of way for public street purposes in portion of Lot 21 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109494, recorded on Microfilm Roll No. 57, accepting deed of Maud M. Brown and Samuel Brown, bearing date November 3, 1952, conveying an easement and right of way for public street purposes in portion of Lot 71 Oakemere, setting aside and dedicating to the public use as and for a public street, and naming the same Stewart 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 certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109495, recorded on Microfilm Roll No. 57, accepting deed of Leslie Schunemann and Clara Marie Schunemann, bearing date November 5, 1952, conveying easement and right of way for public street purposes in portion of Lot 30 Oakemere, setting aside and dedicating the same to the public use as and for a public street, and naming the same Stewart Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109496, recorded on Microfilm Roll No. 57, accepting deed of Samuel Warren and Mattie Warren, bearing date November 14, 1952, conveying portion of Lot 6 Block D O. L. Steel 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 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. 109497, recorded on Microfilm Roll No. 57, accepting Deed of Edwin J. Snorey and Vasa M. Snorey, bearing date November 14, 1952, conveying easement and right of way for culvert purposes in portion of Lot 592 Talmadge Park Unit No. 3; 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 Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109498, recorded on Microfilm Roll No. 57, accepting Deed of Adah M. York, bearing date November 6, 1952, conveying easement and right of way for culvert purposes in portion of Lot 593 Talmadge Park Unit No. 3; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109499, recorded on Microfilm Roll No. 57, accepting Deed of Elizabeth C. Blanchard, bearing date October 31, 1952, conveying easement and right of way for public sewer in portion of Pueblo Lot 1209; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109500, recorded on Microfilm Roll No. 57, accepting deed of Mrs. William T. Boyd, bearing date October 9, 1952, conveying easement and right of way for public sewer in portion of Pueblo Lot 1224; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109501, recorded on Microfilm Roll No. 57, accepting deed of Arnold S. Cosgrove and Bernice B. Cosgrove, bearing date October 6, 1952, conveying easement and right of way for public sewer purposes in portion of Block 16 Homeland Villas; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109502, recorded on Microfilm Roll No. 57, accepting deed of Orwin Goodwin and Elizabeth Goodwin, Louis Fleishman and Ruth Fleishman, Franklin D. Hankins and Frances Hankins, bearing date October 17, 1952, conveying easement and right of way for public sewer in portion of Pueblo Lot 1209; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109503, recorded on Microfilm Roll No. 57, accepting deed of A. E. Reppey and Mid City Heights, Inc., bearing date October 28, 1952, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 1224; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109504, recorded on Microfilm Roll No. 57, accepting deed of Louise M. Richardson, bearing date September 23, 1952, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 1209; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109505, recorded on Microfilm Roll No. 57, accepting deed of Harry Steinbaum, Ellen Steinbaum, Morris Steinbaum, Frieda Steinbaum, Albert Steinbaum, Roberta Steinbaum, Jerome Steinbaum and Bernardine Steinbaum, bearing date November 18, 1952, conveying easement and right of way for public sewer in portion of Lots 4, 6 and 13 Marcellena Tract; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109506, recorded on Microfilm Roll No. 57, accepting deed of Lewis E. Thompson, Jr., Anna H. Thompson, Claude W. Rowe and Betty Rowe, bearing date October 15, 1952, conveying easement and right of way for public sewer purposes in portion of Block 16 Homeland Villas; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109507, recorded on Microfilm Roll No. 57, accepting deed of Union Title Insurance and Trust Company, bearing date September 29, 1952, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 1227; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109508, recorded on Microfilm Roll No. 57, accepting deed of Union Title Insurance and Trust Company, bearing date October 10, 1952, conveying easement and right of way for public sewer purposes; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109509, recorded on Microfilm Roll No. 57, accepting deed of Mrs. Albert Whitney, bearing date October 16, 1952, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 1224; authorizing and directing the City Clerk to file said deed for 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. 109510, recorded on Microfilm Roll No. 57, accepting deed of Franklin B. Wilkins and Jean D. Wilkins, bearing date October 28, 1952, conveying easement and right of way for public sewer in portion of Pueblo Lot 1209; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109511, recorded on Microfilm Roll No. 57, accepting deed of Allen L. Wooddell, bearing date October 6, 1952, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 1224; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109512, recorded on Microfilm Roll No. 57, accepting deed of Betty L. Clutinger, bearing date November 17, 1952, conveying easement and right of way for storm drain in portion of Lots 36, 37, 38, and 39 Subdivision of Lots 7 to 17 Block N Teralta; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109513, recorded on Microfilm Roll No. 57, accepting deed of Claremont Housing Company, bearing date October 15, 1952, conveying easement and right of way for storm drain purposes in portion of Lots 1510 and 1511 Claremont Unit No. 8; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109514, recorded on Microfilm Roll No. 57, granting permission to The Volunteers of America, 1637 Market Street, San Diego 2, to place Christmas Chimneys at the following locations: At 6th Avenue and Broadway, in front of the Owl Drug Store; at 4th Avenue and C Street, in front of Kress Store; on Fifth Avenue, between Broadway and E Street, between Long's Drug Store and Whitney's; for the purpose of soliciting funds to be used for general relief for the needy at Christmas time and throughout the coming year; to be at said locations from December 6 to December 24, 1952, inclusive; was on motion of Councilman Dail, seconded by Councilman Dail, adopted.

Said Resolution, not listed on the agenda, was presented to the Council upon unanimous consent granted to Les Halcomb, Assistant to the City Manager.

The next matter was presented upon unanimous consent granted to Les Halcomb, Assistant to the City Manager.

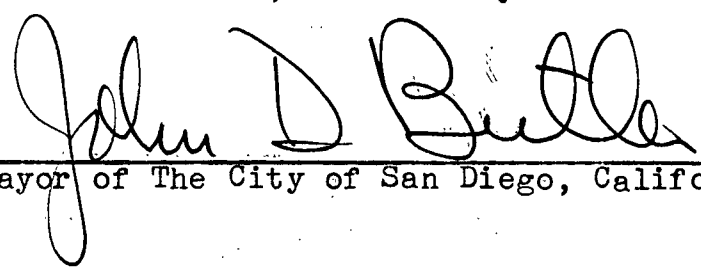
ORDINANCE NO. 5401 (New Series), recorded on Microfilm Roll No. 57, appropriating the sum of \$21,500.00 from the Capital Outlay Fund for the purpose of providing funds to pay the City's share of the cost of the construction of a main trunk sewer line for the transportation of sewage from the Lemon Grove Sanitation District to the City's Sewage Treatment Plant, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Mayor Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

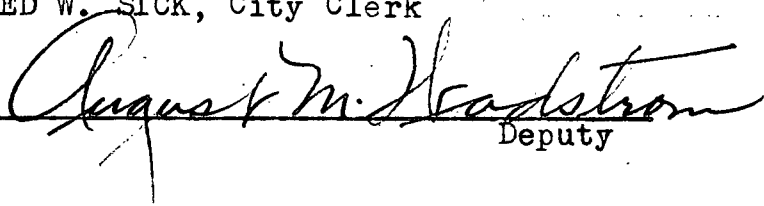
Said Ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: Yeas--on the 2nd day of December, 1952, and on the 4th day of December, 1952.

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 Dail, seconded by Councilman Schneider, at the hour of 2:30 o'clock P.M.

ATTEST:
FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, December 9, 1952

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 Minutes of the Regular Council Meetings of Tuesday, December 2, 1952, and of Thursday, December 4, 1952, 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 Clerk.

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 in 33rd Street from Lincoln Avenue to Adams Avenue (W. O. 20910) - Specifications No. 255 - 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 Chas. J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of ten percent of the amount bid, which bid was given Document No. 456025.

A question was asked by the Council about the estimated amount. The reply from the City Engineer was \$72,000.00

(The Dorfman bid was \$72762.00).

On motion of Councilman Kerrigan, 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 Street Superintendent's Assessment No. 2085 made to cover the costs and expenses of the work done upon the installation of a sanitary sewer main in 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 Resolution of Intention No. 103893, the Clerk reported that written protests had been received from Helen P. Geisel, William F. Reed attorney in fact for George M. Gere, Jackson L. Schultz, Helena J. Cowperthwait, Ralph W. Payne, Bert L. Hupp, William T. Poole, Jr., which protests and appeals were presented to the Council.

Asked by the Mayor about the percentage on the appeals, the City Engineer replied about 8%, and made reference to deficiency work.

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

George M. Gere, 7304 Country Club Drive, La Jolla, asked for continuance of the assessment roll "until completion of the work". He said that a wall had been taken out and not replaced, and told about the contractor not replanting ice plant as he said he would. He reiterated that the contractor had agreed to replacements, but had not done so.

The City Engineer said that the contractor had done the work in accordance with the plans. He pointed out that Mr. Gere had done extra work, at a different grade. The Engineer told the Council that the contractor had agreed to put in the work (on the wall) but that he wanted to await settlement of the earth. He said that contractor will take care of the work.

Councilman Dail pointed out that the work requested by Mr. Gere is not the City's responsibility.

The City Engineer said he wondered if "it can be hung on the contractor."

Douglas Deaper, Deputy City Attorney, said that the objections do not belong with the assessment made to cover the improvement.

The City Engineer said that Mr. Dorfman, the contractor, lives up to the agreements, that he is a regular bidder, and complies with requirements.

Councilman Schneider moved to overrule the protests and appeals, which motion was seconded by Councilman Dail.

The Mayor expressed the belief that Mr. Gere should have his attorney draw up an agreement relative to the time for completion with the contractor. He, too, said that involved, but that the contractor has agreed to do the work.

Councilman Godfrey said that Mr. Gere has the legal rights, that he can procede through the courts, but that the contractor has agreed to do the work. He pointed out that the contractor is a responsible bidder.

The City Engineer said that Mr. Dorfman has another contract in the area, and that he will do the needed work in connection with the protested improvement at the same time.

Councilman Godfrey pointed out that Mr. Gere has nothing to fear.

Mrs. Theodore Geisel, 7302 Encilia Drive, spoke regarding her signature on the petition, based on need for installation of the sewer. She said that the assessment is too high. She referred to being a great distance from the sewer, and said that it would cost some \$1200 to \$1500 to connect, because of the distance. Asked about the size of her place, Mrs. Geisel replied about 2 acres. She asked for a fair adjustment, and said that the assessment should be reviewed.

The City Engineer told about the improvement and showed a copy of the plan. Members of the Council looked at the map over which there was a conference, including talk about the assessment.

The City Engineer told about the distance to the City Sewer. He said that the City Sewer Department will run a line on an established fee. He said that the appellant will have to pay connection charge, and for an extension to bring the line to her house. The Engineer referred to a steep hillside location. He pointed that it is not a peculiar situation, and that there was no need to construct the sewer further, because that would have added to the cost of the project.

There was further discussion, not reported, inasmuch as it was in the form of general conversation.

The Mayor asked Mrs. Geisel to see the City Engineer for details relative to the assessment.

Mrs. Geisel spoke, from the map, and said that she will have sewer service which is available. She told of a City easement, and wondered if that should affect the assessment.

Mrs. Geisel thought that the easement would not affect the improvement use, and possibly would not affect the assessment.

Mr. Gere re-appeared, and said that he had spoken to his attorney by telephone. He said that the Attorney had advised him to seek a delay on the assessment.

Councilman Dail said that Mr. Gere's previous statements would not constitute a valid reason for holding up the assessment. The wall, he said, was not part of the proceedings.

Mr. Gere said that it was part of a contract.

Councilman Dail said that there had apparently been an agreement between Mr. Gere and Mr. Dorfman, not in agreement with the City's contract.

The Mayor said that some of the things are spelled out in the specifications.

The City Engineer said that the contractor will pick up the work.

The City Engineer said next that Mr. Dorfman would start his new contract in a couple of months. He pointed out that the wall matter is not part of the contract plans.

Councilman Godfrey asked Mr. Deaper if it was on the plans or not, and if not a part of the job under the 1911 Act.

Mr. Deaper said that the plans and specifications are a part of the contract. He said, also, that Mr. Gere can compel in court if it is held to be part of the contract - that if not on the plans and contract, he cannot hold the contractor.

Mr. Gere referred to a drawing which he produced. He referred to the drawing as being part of the contract.

Councilman Godfrey said that there is a legal question involved.

The motion to overrule was withdrawn.

It was moved by Councilman Godfrey, seconded by Councilman Schneider, to continue the hearing for one week from this date.

Before the roll was called, Councilman Dail spoke about a previous reference which had been made relative to the time of bringing an assessment to the Council. He said that the Council does not want to penalize the contractor.

Mr. Gere said that the Dorfman agreement is not binding, and that it was in the form of a telephone conversation.

The City Attorney and the City Engineer were requested to look into the matter.

The roll was called at this time, resulting in

RESOLUTION NO. 109515, recorded on Microfilm Roll No. 57, continuing hearing on the Assessment Roll No. 2085 made to cover the costs for the installation of a sanitary sewer main in Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, Romero Drive and Public Rights of Way, until the hour of 10:00 o'clock A.M. of Tuesday, December 16, 1952, 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. 2084 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Savoy Street, within the limits and as particularly described in Resolution of Intention No. 104946, 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. 109516, recorded on Microfilm Roll No. 57, confirming and approving The Street Superintendent's Assessment No. 2084 for the paving and otherwise improving of Savoy Street, within the limits and as particularly described in Resolution of Intention No. 104946; 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 the 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 paving and otherwise improving of the Alley in Block 87 Point Loma Heights, within the limits and as set forth in Resolution of Intention No. 109059, the Clerk reported that no written protest against the work under said Resolution of Intention 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 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 the Alley in Block 12 Sunset Cliffs, within the limits and as set forth in Resolution of Intention No. 109060, the Clerk reported that no written protest against the work under said Resolution of Intention 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 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 Resolution of Intention No. 109061 for the paving and otherwise improving of Beta Street, within the limits and as particularly set forth in said Resolution, the Clerk reported that a written protest had been received from Mrs. Joseph Sojka, which protest was presented and read.

The City Engineer reported a 4% protest.

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

Mrs. Joseph Sojka spoke relative to relief from floods, and said that property owners had voted for bonds but were still being flooded.

Councilman Dail said that The City has authorized the doing of temporary work. He, too, spoke about the bond issue, and said that it is not possible to get a contract for the work now. He referred to property owners bearing 50% of the cost of storm drain improvement.

Mrs. Sojka asked why now for the street improvement. She said that should follow the storm drain work. Mrs. Sojka told the Council that water is up almost into her door.

The Mayor said that the City can go only so far, where property owners buy and build in stream bottoms.

Mrs. Sojka spoke in protest against raising the street. She said that would in no storm outlet.

Councilman Dail referred to a high priority on the list for the storm drain construction.

Councilman Godfrey said that the City is trying to improve, and pointed out that this improvement is on petition of Property Owners, and not initiated by the City.

The Clerk was asked about the petition, to which he replied that it had been filed in 1950.

RESOLUTION NO. 109517, recorded on Microfilm Roll No. 57, overruling and denying the protest of Mrs. Joseph Sojka against the proposed installation of paving and otherwise improving of Beta Street, within the limits and as described in Resolution of Intention No. 109061; overruling and denying all other protests thereon, 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 of Intention No. 109062, for the paving and otherwise improving of Diamond 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 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 Resolution of Intention No. 109063 for the installation of sewers in Old San Diego, J. P. Jones Subdivision, Pueblo Lot 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reiner's Subdivision, Addition to Silver Terrace, Amended Map of Silver Terrace and certain Pueblo Lands of San Diego, the Clerk reported that written protest had been received

from Glenn O. Hellyer, owner of the Mission Valley Polo Grounds, which protest was presented to the Council.

The City Engineer reported a 4.3% protest. Asked about the zone involved, he said R-4. Mr. Hellyer's protest said that the lots are down in the basin of Mission Valley and not suitable for residential, but may be for an ultra-modern trailer court, or something of that nature that could be moved or vacated within a day or two in case the Valley basin becomes flooded again. The protest said that if he were allowed to put up something of that nature, he would welcome the sewer lines estimated by him for his part of the assessment to be about \$15,000.00. He said that he can not use the lots to some advantage the sewer lines will be a useless expense which he believed that he cannot endure. He also said that he protested against being assessed full rates for the sewer installation if his property is to be restricted against any residential purposes or trailer court.

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

Glenn O. Hellyer spoke. He said that he was in favor of the sewer line but that he was worried about use to which the property can be put. He told the Council that the sewer would be of no benefit at the present. He said that everything he tries to put in on the property is turned down. He said that he cannot secure financing for residences on the property, and that it has few prospect for few uses. He said that he was protesting "to a certain time".

Councilman Dail said that Mr. Hellyer appears oftener than any other individual relative to use of the property, and that as a result of his being turned down constantly, he certainly is a frustrated person.

Councilman Schneider said that the City cannot bargain relative to use of the property.

Councilman Kerrigan pointed out that Mr. Hellyer's property is in the river bottom (a subject for much Council discussion of late relative to flooding of properties, for which the City is held responsible frequently).

RESOLUTION NO. 109518, recorded on Microfilm Roll No. 57, overruling and denying the protest of Glenn O. Hellyer against the proposed installation of Sewers in Old San Diego, J. P. Jones Subdivision, Pueblo Lot 1101, et al, within the limits and as particularly described in Resolution of Intention No. 109063, 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 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 proposed 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, 1952 to and including November 15, 1953, 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. 109519, recorded on Microfilm Roll No. 57, confirming the proposed assessment for the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of Logan Avenue, in accordance with the Engineer's Report and Assessment, filed in the office of the City Clerk October 31, 1952, 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 proposed 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, 1952, to and including November 4, 1953, 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. 109520, recorded on Microfilm Roll No. 57, confirming the proposed assessment for the total amount of the costs and expenses of the work or improvement of furnishing electric current for the lighting of Pacific Highway, in accordance with the Engineer's Report and Assessment, filed in the office of the City Clerk October 31, 1952, adopting said report 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. 109171 of Preliminary Determination, for the paving and otherwise improving of the Alley in Block 195 City Heights, and Lincoln Avenue, within the limits and as particularly described in said Resolution, the Clerk reported that no 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. 109521, recorded on Microfilm Roll No. 57, determining that the proposed improvement of the Alley in Block 195 City Heights, and Lincoln Avenue, within the limits and as particularly described in Resolution No. 107171 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 Wincote, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for incorporating a portion of Pueblo Lots 1237 and 1238, and Lots 1563, 1564 and Lots 1710 to 1738, inclusive, Clairemont Unit No. 9, into "R-2" Zone, as defined by the San Diego Municipal Code, and repealing Ordinances Nos. 13456 and 5265 (New Series), the Clerk reported that no written protests had been received.

The Planning Director was not present to report, but the City Manager, in his stead, made a verbal report. The Manager said that the Planning Commission had reviewed the plan and had recommended in favor of the change.

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. 5402 (New Series), recorded on Microfilm Roll No. 57, incorporating portion of Pueblo Lot 1237 and 1238, and Lots 1563, 1564 and Lots 1710 to 1738 inclusive, Clairemont Unit No. 9, into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 13456 approved February 15, 1932, and Ordinance No. 5265 (New Series) adopted July 10, 1952, insofar as the same conflict, 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 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 was furnished to each member of the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for the continued hearing on the proposed annexation of portion of Lot 53 Ex-Mission Lands of San Diego, to be known and designated as "Imperial Avenue Tract" for a further report in the matter of street widening to be given to the City, the City Manager made a report.

The City Manager said that representatives of the City had called on the people involved, and that was reporting to the Council that they did not want to give anything, and that they do not want to be annexed. The Manager did not identify the individuals to whom City representatives had talked, or who the City people were who had gone out to see the property owners in the District.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for the matter of the request of L. P. Wessell on request for license to practice the definite and specific branch of psychology - Alcoholic, Basic and Re-educational (The hearing having been closed December 4, 1952, and the papers referred to the City Attorney prior to taking final action), an opinion from the City Attorney, signed by Douglas D. Deaper, Deputy City Attorney, approved by J. F. DuPaul, City Attorney, was presented.

The Mayor spoke about the hearing having been closed, and about the Attorney's opinion.

Said opinion was read to the Council by the Clerk. It said:

"At your request, this opinion is submitted to you concerning the so-called "Psychologists" ordinance of The City of San Diego (Municipal Code sections 33.2101-33.2107).

The present ordinance regulates all persons within The City of San Diego (other than "salaried employees of schools or social agencies and all members of the clergy, physicians, osteopaths and chiropractors") who on a private basis, for fees or other remuneration (1) carry on the profession of a psychologist, or (2) carry on the business or profession of counselling or guiding people by the application of the principles of psychology. Persons in the second category need not be psychologists in order to come within the regulatory provisions of the ordinance or to obtain a license under the ordinance.

A licensee under the ordinance may lawfully engage in any of the fields above mentioned, as the ordinance contains no restrictions as to the scope of operations carried on pursuant to such license, except as it may involve the practice of medicine (controlled by Division II, Chapter 5 of the Business and Professions Code), or fortune telling and such like (prohibited by Municipal Code section 57.10).

If the educational requirements necessary to protect the public against persons practicing in such a broad field as is permitted under the subject ordinance are so high as to preclude persons who might choose to restrict themselves to a narrower field, e.g. social workers, and your Honorable Body considers it desirable to provide for such limited activities, the subject ordinance may be amended to provide therefor, so long as such legislation does not conflict with state law on the same subject.

At the present time there is no state legislation which limits the power of your Honorable Body to accomplish the objective mentioned in the preceding paragraph, although certain proposed state legislation may, if ultimately adopted, supersede the present city ordinance as it now stands, or as it may subsequently be amended."

Councilman Godfrey said that the Ordinance does not make it possible to license other than psychologists, and that it does not apply to limited fields (as sought by Commander Wessel.)

Mr. Deaper spoke relative to the license, which would grant permission to act in a general field. He pointed out that it is a matter of State-wide interest. He said, also, that a State law would supersede the Ordinance in some instances. He said that it is matter of policy relating to the breaking down into limited fields.

Councilman Schneider said there is a question if the Council wishes to amend the Ordinance. At present, he said, the Council can do nothing. He said that it rests with the Council, if it wishes to change the matter.

Councilman Godfrey also said that the Council can do nothing but deny, but that there is no prejudice in connection with future appeals, if amendment is made.

Mr. Deaper said that the question is if Mr. Wessel is qualified. So says the Committee, Mr. Deaper commented, but said that the Council could grant the permit if it thinks the applicant is qualified. He said, again that he could then practice in a

broad field.

Councilman Wincote moved to deny the appeal of L. P. Wessell, which motion was seconded by Councilman Godfrey.

Councilman Wincote referred to the policy of the Commission relative to rules set down by the Council. (The Policy of rules is not set out in the Psychology ordinance). He said that he feels the Council needs to discuss the matter, beyond the provisions of the Ordinance, with the City Attorney to prepare a further ordinance.

Councilman Kerrigan asked if the granting of a psychology license is written into the Ordinance. He wondered if psychologists would be given licenses under the law, not under the rules.

That question was not answered, and there was no further discussion.

RESOLUTION NO. 109522, recorded on Microfilm Roll No. 57, denying appeal of L. P. Wessell, Comdr. USN (Ret.), 6419 Estelle Street, San Diego 15, relative to application to the Psychological Commission's denial (dated October 24, 1952) in connection with the practice of the definite and specific branch of psychology - Alcoholic, Basic and Re-Educational - was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted. (See next item, also)

RESOLUTION NO. 109523, recorded on Microfilm Roll No. 57, requesting the Mayor to arrange, at the earliest possible time, a conference with members of the Council, the City Attorney, and members of the Psychology Commission, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

(See the preceding Minute record on the psychology question)

Application of Bonanza Air Lines, Inc., P.O. Box 391, Las Vegas, Nevada, dated December 2, 1952, signed by G. Robert Henry, General Counsel, was presented. Said communication, directed to the Mayor, submitted application before the Civil Aeronautics Board, Washington, D.C., in the matter of the application of said Lines for change in pattern for third round trip schedule.

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

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received November 26, 1952, for removal of 48 Eucalyptus Trees and 7 Tree Stumps, from six bidders; recommending award to University Tree Experts of La Jolla for \$1,144.00, was presented.

RESOLUTION NO. 109524, recorded on Microfilm Roll No. 57, accepting bid of University Tree Experts for removal of 48 Eucalyptus Trees and 7 Tree Stumps and awarding contract to University Tree Experts; authorizing and instructing the City Manager to enter into and execute contract therefor in accordance with specifications on file in the office of the City Clerk, 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 received October 15, 1952 for improvement of Roads at De Anza Point between Pacific Highway and Dalton Street (grading, paving, construction of curbs and culverts); recommending award to V. R. Dennis Construction Company, low bidder, for \$24,879.68, was presented. The communication stated that the bid is 38.2% above the Engineer's estimate, and that a letter to the Purchasing Agent from the City Manager relates to the matter and was attached.

RESOLUTION NO. 109525, recorded on Microfilm Roll No. 57, accepting bid of V. R. Dennis Construction Company for improvement of Roads at De Anza Point between Pacific Highway and Dalton Street; authorizing and instructing the City Manager to enter into and execute contract therefor in accordance with specifications on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent reporting on bids received November 19, 1952, for 1 Wheel Type Tractor for the Harbor Department, recommending award to Tractor Supply Company of San Diego, the low bidder, at \$2,163.10; was presented.

RESOLUTION NO. 109526, recorded on Microfilm Roll No. 57, accepting bid of Tractor Supply Company for the furnishing of one Wheel-Type Tractor and awarding contract; authorizing and instructing the City Manager to enter into and execute contract therefor in accordance with specifications on file in the Office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109527, recorded on Microfilm Roll No. 57, declaring the bid submitted by Walter H. Barber for construction of 6-inch storm drain, 8-inch pressure sewer and 12-inch, 10-inch and 8-inch water main system at De Anza Point, Mission Bay Pay Park, to be the lowest bid received, declaring said Walter H. Barber to be the lowest, responsible and reliable bidder; accepting said bid, awarding the same at unit prices which amount to a total estimated sum of \$59,853.16; authorizing and empowering the City Manager, for and on behalf of the City to execute contract with Walter H. Barber for construction as set forth in said Resolution, upon the execution by said Walter H. Barber of the contract, and upon the execution, delivery, filing and approving of the bonds required thereunder, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

No report on bids accompanied the Resolution.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, presenting Resolution authorizing the Purchasing Agent to advertise for bids for sale of Sewage Sludge Fertilizer as per specifications on file in the office of the City Clerk under Document No. 460119, was presented.

RESOLUTION NO. 109528, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for sale of Sewage Sludge Fertilizer in accordance with Notice to Bidders, etc., was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for jointly advertising with the County of San Diego and the San Diego Unified School District for furnishing Incandescent and Fluorescent Lamps (to the 3 agencies) for a period of one year beginning January 1, 1953, in accordance with specifications on file in the office of the City Clerk bearing Document No. 460120, was presented.

RESOLUTION NO. 109529, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to advertise for bids jointly with The County and the San Diego Unified School District for furnishing incandescent and fluorescent lamps for a period of one year beginning January 1, 1953, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109530, recorded on Microfilm Roll No. 57, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a drainage system on Tierra del Fuego Island, Mission Bay, filed in the office of the City Clerk on the 8th day of December, 1952, bearing Document No. 460114; 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 Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, recommending suspension of 6 sections of the Municipal Code, relative to the Tentative Map of Lomita Village Unit No. 5, a 165-lot addition to Lomita Village, was presented.

RESOLUTION NO. 109531, recorded on Microfilm Roll No. 57, suspending Sections 102.07-5, 102.11-2, 102.12-6, 102.12-8, 102.18, 102.17-c of the Municipal Code, in connection with the Tentative Map of Lomita Village Unit No. 5, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, Assistant Planning Director, submitting Tentative Map of Loma Village Unit No. 5, for a 165 lot addition to Loma Village, located northerly of Jamacha Road and westerly of Cardiff Street, including a proposed business center and the alignment of the proposed Encanto Freeway, recommending approval subject to 10 conditions, was presented.

RESOLUTION NO. 109532, recorded on Microfilm Roll No. 57, approving the Tentative Map of Lomita Village Unit No. 5, subject to the conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, Senior Planning Technician, reporting on Reconsideration of Rezoning portion of Blocks 122, 123, 148 and 149 Choats Addition from R-2 Zone to R-4, was presented. The report said that the Planning Commission on December 3 heard Mr. Langdon and others advocate the rezoning of the property concerned, that all interested had been given a chance to be heard by the Planning Commission. The report stated that the Commission by a vote of 4-0 reaffirmed the previous decision of denial.

Glenn A. Rick, City Planning Director, said that the people are satisfied with the denial. At this time he reviewed the new wording of the notices now being used, which matter had come before the Council during which Councilman Wincote had objected to the wording used, on November 25, 1952.

The entire matter had been before the Council on November 2, 1952, at which time Richard Langdon had been heard.

RESOLUTION NO. 109533, recorded on Microfilm Roll No. 57, denying petition for the rezoning from the existing R-2 Zone to R-4 Zone of Lots 37-48 Block 122, Lots 1-2 Block 123, Lots 1-24 Block 148 and Lots 25-48 Block 149 Choates Addition, located at both sides of B Street from a point midway between 32nd and 33rd Streets, east to 34th Street, as recommended by the City Planning Commission, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, bearing the signature of P. Q. Burton, reporting on the proposed rezoning from R-1 to R-2 in Block 2 Braemar Subdivision, bounded by Cass, Dawes, Reed and Oliver Streets, consisting of about 2-7/8 acres, was presented. The report stated that although there appears to be no violation of the existing R-1 zoning in the block, most of the property owners signed the petition for the rezoning. The communication pointed out that the block is composed of 25x125-foot lots bounded on the north and east by R-4 and on the south and west by R-1, that the R-4 adjacent to the block is used with the exception of the block recently purchased by the School Board is single-family dwelling except the corner lots usually occupied by 2 single-family dwellings. It made a further detailed explanation of the hearing, etc. It said, also, that one of the proponents stated that they hoped to break down the restrictions in a court action if the Planning Commission and the City Council will rezone the property from R-1 to R-2, feeling that the rezoning was necessary before restrictions could be broken down. It stated that the Commission indicated that they were not in favor of the City starting the process of breaking down the restrictions and voted 5-1 to deny the proposed rezoning (as petitioned for).

RESOLUTION NO. 109534, recorded on Microfilm Roll No. 57, denying petition

for the rezoning from the present R-1 Zone to R-2 of all of Block 2 Braemar Subdivision, as recommended by the City Planning Commission, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on the proposed rezoning of portion of Blocks 15 and 16 Loma Alta Unit No. 1 from R-1 to C, was presented. The report stated that the property concerned is on the west side of Mendocino Boulevard at the intersection of Voltaire and Venice Streets, that the east side of Mendocino Boulevard is now C Zone - that Lot 17 Block 15 is occupied as a real estate office, and a dwelling, as a result of previous zone variance which expired in 1951 which business now appears to be illegal. It said, that Lots 21 and 22 Block 15 are occupied by a contractor who does landscaping and lot levelling under previous zone variance given to permit excavating soil for use in Mission Bay project, but that particular filling project was completed many months ago and its present occupancy appears to be illegal also. It stated that the topography, generally, is rough and not particularly suited for commercial purposes - also that Wabaska Drive when developed will cut across Voltaire Street more than two blocks to the east. The report stated that the Commission considered protestants of several people in the neighborhood, some of whose property is adjacent to the proposed rezoning (petitioned for). The commission's report stated that after a rather lengthy discussion it voted 4-0 to recommend that the property shown on the drawing attached be rezoned from the prevailing R-1 Zone to RC zone (instead of C Zone)

RESOLUTION NO. 109535, recorded on Microfilm Roll No. 57, adopting recommendation of the City Planning Commission for changing the zone from the present R-1 Zone to RC Zone of portion of Blocks 15, 16 Loma Alta Unit No. 1; authorizing and directing the City Attorney to prepare and present the necessary ordinance to make said change, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning Block 2 St. Louis Heights from R-1 to R-4 Zone, bounded by Upas, Thorne, 29th Streets and Granada Avenue, was presented. The report stated that the block is across 29th Street from an existing R-4 zoning and is abutted on the other three sides by R-1 zoning. It referred to petition of protest, signed by eleven property owners directly across Granada Avenue from the block concerned which had been filed, and two more petitions of protest signed by fourteen property owners within Block 2 received. The report stated that the original petition was signed by most of the property owners in the block but fourteen of them have now withdrawn their signatures and have protested. The report made detailed description of property use, and said that the Commission found that most of the land in the R-4 zoning east across 29th Street is still used for R-1 or R-2 purposes. The report said that, in view of the protests received, the Commission voted 5-0 to deny the requested rezoning.

RESOLUTION NO. 109536, recorded on Microfilm Roll No. 57, denying the petition for the rezoning from the present R-1 Zone to R-4 Zone of Lots 1 to 48 incl. Block 2 St. Louis Heights, bounded by 29th Street, Granada Avenue, Upas Street and Thorn Street, as recommended by the City Planning Commission, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning portions of First Addition to Pacific Beach Vista Tract and Monte Villa Tract, from R-1 Zone to R-2, was presented. The report stated that the area concerned is at the north end of Cass and Dawes Streets, now zoned R-1 and is proposed to be zoned R-2. It stated that it abuts R-4 zoning on the alley to the south between Archer and Agate Streets, that it sits at the foot of some hills which rise into the Muirlands area in La Jolla, that some of it is so steep that it will probably not be used for residential purposes for some years. It stated that throughout the area and the other R-1 zoning in the vicinity there appears to be no violation of the R-1 zoning, and very little R-2 or R-4 usage in the R-4 zone to the south, that the four corner lots proposed to be rezoned have two living units on a 50-foot or wider parcel of land. The report told of the hearing for the rezoning, in considerable detail. It said that the Commission drove through the area and the surrounding R-4 zoning and found very little indication that a less restrictive zoning was called for, that they read the adverse report of the Planning Department which indicated that an R-1 Zone was more suitable for the area than a less restrictive zoning. It said that even though there were many more people in favor of the rezoning than those opposed, the Planning Commission voted 4-1 to deny the proposed rezoning.

Councilman Wincote moved to deny the rezoning, which motion was seconded by Councilman Schneider.

Councilman Swan asked to have the action taken on the resolution to deny the rezoning request reconsidered. He said Mr. Warner, who is interested in the matter was present, and felt he should be heard.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the action taken was reconsidered.

S. D. Warner, 981 Van Nuys Street, read a statement, and said that about 50 people are interested in the matter of the rezoning.

Glenn A. Rick, City Planning Director, told the Council that it could deny the request for rezoning at this time, according to the recommendation, or have the Ordinance prepared and hold a hearing thereon at a later date.

Councilman Swan said he had driven around the district, and that he was amazed at the action.

Upon request, the Clerk then read the report from the Commission to the Council.

Mr. Rick reviewed the property affected and the general zoning. He defended the present zoning on this and adjacent property. He said it is a better line than if it were moved up the hill. He pointed out that the move is for speculation purposes, involved in building more units. Mr. Rick said that surrounding property owners resent such a change. He recommended, however, that the matter be sent to the City Attorney for

preparation of an Ordinance upon which a hearing would be set.

RESOLUTION NO. 109537, recorded on Microfilm Roll No. 57, requesting the City Attorney to prepare and present the necessary Ordinance to change from the existing R-1 Zone to R-2 Zone a portion of First Addition to Pacific Beach Vista Tract and portion of Monte Villa Tract, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Mr. Warner wanted to know how he would be apprised of the hearing.

Members of the Council entered into discussion over the method of notifying property owners in connection with the contemplated hearing on the ordinance by the Council which is in form of a small legal advertisement.

To be sure that it would not be missed by Mr. Warner, members of the Council said he would be advised by the Clerk. Mr. Warner said that he in turn would notify others.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition seeking to rezone an irregular parcel of land owned by Burgener and Tavares and a small parcel owned by The City of San Diego, into C and CP zones for a business center at Clairemont Drive and Burgener Boulevard now in R-1 Zone - being an area easterly of Clairemont Drive and northerly of Field Street (portion of Lots 142-145 Morena and portion of P.L. 1195), was presented. The report stated that the kite-shaped piece of property was part of a proposed larger business center, bisected by a 50-foot pipe line easement, surrounding a one-acre parcel of land belonging to The City of San Diego; that the area proposed to be developed as a business center is approximately 2/3rds of the original tentative business area surrounded by dedicated or proposed streets - northeasterly of the City pipe line is to remain R-1 and not be developed at this time. It stated that the area to be rezoned to C and CP zones lies southwesterly of the City's pipe line. It made a further detailed report on the existing condition and proposed rezoning. It stated that the Planning Commission took the position that inasmuch as the land is portions of several parcels consisting of Pueblo Lots, Fos Addition and Morena, and because certain street improvements should be required around the business center, that the most practicable way to accomplish it was to require the owner to file subdivision map of the property. It stated that the Planning Commission voted 6-0 to approve the rezoning as proposed on drawing No. B-505 attached and that the ordinance rezoning the property contain provision to the effect that it shall not become effective for 31 days or until a final subdivision map of the area has been filed of record.

RESOLUTION NO. 109538, recorded on Microfilm Roll No. 57, adopting recommendation of the City Planning Commission for the rezoning of portion of Lots 142 to 145 Morena and portion of P.L. 1195 in the area easterly of Clairemont Drive and northerly of Field Street, from the present R-1 Zone, to C and CP Zones, directing the City Attorney to prepare and present the necessary Ordinance thereon, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, transmitting communication from West Coast Batter-up, Inc., being request for ruling that the operation of a device for batting practice in a commercial zone is a permitted use under Section 101.0411--C Zone, was presented.

The communication stated that the Planning Commission visited the site at the northwest corner of Barnett and Pacific Highway and also viewed the pictures of similar installations in other parts of the country, and voted 6-0 that the construction and operation of batting cages and pitching machines on the property is similar to and not more obnoxious than other permitted uses in the same zone and vicinity, provided that the batting cages are so screened that batted balls will not drop onto the adjacent highways.

The Planning Director made a verbal explanation of the proposed operation.

RESOLUTION NO. 109539, recorded on Microfilm Roll No. 57, making a finding that the use by West Coast Batter-up, Inc. of a portion of Pueblo Lot 320 at the northwest corner of Barnett and Pacific Highway, in C Zone, for construction and operation of batting cages and pitching machines is similar to and not more obnoxious or detrimental than other permitted uses in the same zone and vicinity, provided the batting cages are so screened that batted balls will not drop onto the adjacent highways, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, transmitting communication from Helge Hultgren in effect being a request for ruling by the Planning Commission and the City Council that construction and operation of a building to be used for the grinding and mixing of paints is a permitted use in M-1 Zone, was presented. It stated that the letter explains that the operation would consist of construction of a building approximately 50x150 feet in size, a portion to be used for general paint store and the balance for storage of contracting supplies and for grinding and mixing paints.

The communication stated that the Planning Commission visited the area and noted that other manufacturers of paints are located in M-1 zones and then voted 6-0 to recommend that the use is similar to and not more obnoxious or detrimental to the neighborhood than other permitted uses in M-1 Zone, provided the regulations of the Fire Marshal and Building Inspector are strictly complied with.

RESOLUTION NO. 109540, making a finding that the use by Helge Hultgren of Lots 1 and 2 Block 343 Old San Diego, for construction and operation of a building to be used for grinding and mixing paints is a similar use to and is not more obnoxious or detrimental to the neighborhood than other permitted uses in the M-1 zone, provided the regulations of the Fire Marshal and the Building Inspector are strictly complied with, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The next matter was considered at the Council Meeting, and was continued at that time until this meeting.

Communication from the Acting City Engineer, bearing the Assistant City Manager's stamp of approval, forwarding petition to install sewers to serve Blocks 111, 121, 122, 138, 139, 140, 142, 143, 144 and 145 amended map of City Heights, also petition to install sewers in 38th Street for six blocks south of Landis Street, and Document No. 363121

a petition to install sewers in 38th Street south of Thorn Street - recommending that the Council order district formed in the above areas, although petitions are signed by the owners of less than 50% of the area to be served, and stating that the district is badly in need of sewers and has been trying to get them for many years.

At this time the City Manager read a report relative to the present conditions, but such report was not part of the Clerk's file, and it was not identified who had signed it. He spoke, also, about the small percentage of signers, but indicated need for the improvement.

RESOLUTION NO. 109541, recorded on Microfilm Roll No. 57, granting petition contained in Document No. 363121 and the petition contained in Document No. 459164, and petition contained in Document No. 357567, for installation of sewers in area to serve Blocks 111, 121, 122, 138, 139, 140, 142, 143, 144 and 145 Amended Map of City Heights, in 38th Street for six blocks south of Landis Street, and in 38th Street south of Thorn Street; directing the City Engineer to furnish a description of the assessment district, and 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 said improvement, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Acting City Engineer, bearing the Acting City Manager's stamp of approval, reporting on petition offering to dedicate J Street to a width of 50 feet between Hoitt and 29th Streets, was presented.

The report stated that the petition had been considered by the City Planning Commission, which by a 6-0 vote recommended that the dedication be accepted, providing the street is fully improved before it is accepted.

It said, also, that Mr. Hall, the Acting City Engineer, had talked to W. H. Fraser of the W. H. Fraser Mortgage Co., owners of all the property on the south side of the proposed dedication, one of the petitioners. It was reported that Mr. Fraser stated that he was not particularly interested in the proposed dedication, that he would not pay for any part of the proposed improvements, that the value of the abutting property does not justify the street improvements, and that he signed the petition only to assist the property owners on the north of the proposed street opening. The report said that in view of the statement, it seemed unlikely that the property owners will be able to meet the recommended requirement to fully improve "J" Street before the dedication is accepted by The City, and it recommended that the petition contained in Document No. 457138 be filed.

On motion of Councilman Swan, seconded by Councilman Godfrey, said petition was ordered filed.

Communication from California Society for Prevention of Cruelty to Animals, Inc., 3847 40th Street, San Diego 5, dated 5 December 1952, signed by Ruth W. Forney, Secretary, was presented.

Said communication said that it was written to ask for information regarding the records of licensed dogs in San Diego. It related that a number of calls have been made to said organization, asking for help in returning lost dogs who are properly licensed. It said, further, that they had not been able to secure the names of the persons to whom the licenses had been issued. The communication said that there is no master file at the Pound, the License Bureau, the City Clerk's Office. It said that a file of that nature is City property and should be kept accurately and safely as it represents tax funds paid for dog licenses. It asked why there is no such records, and how those tax funds are used. It said that when a properly licensed dog strays through an open gate and is picked up, and asked why the owner is not notified by the Pound so it can be claimed.

At the request of members of the Council, the letter was read by the Clerk.

The City Manager made a verbal report on the situation, and said that there had been an error on the part of the Pound. That, he said, is being corrected.

Mrs. Fisher (Alice Fisher) spoke at this time. She said that she was a new member of the organization, and that she would be willing to assist in connection with the records for the purpose of finding dog owners.

Mrs. Joseph Stratton (or perhaps Strachan; the name was not clear to the Clerk), spoke about the condition, which she said has not been corrected. She referred to the City Manager's statement. She told the Council that she had the license number of a dog, but said that she could not find the owner. She said that the Pound had called her back on the question, but said that she had still been unable to locate the owner.

City Manager said that there had been an omission, which is being corrected. He emphasized that it is now possible to locate the dog's owner.

Councilman Godfrey said that if the dog owners change addresses, they should notify the Pound, as is apparently not being done.

Mrs. Stratton spoke about the mix up.

Julia Dowell spoke about the ordinance, and read from it relative to the harboring of lost dogs. She referred to garbled verbeage in the Ordinance. She said that something may be wrong in the keeping of tax records. The City, Mrs. Dowell said, is in violation of the law in connection with the records. She spoke about the State law notification requirement. She said that if dogs are licensed "The City is supposed to forget it."

The Mayor said, at this point, that the situation which had been referred to is being corrected.

Mrs. Dowell spoke again, and said that it had not been corrected "up to last Thursday."

The City Manager pointed out that the dead-line for licensing dogs has not been reached, when requested to make a statement on that point by Councilman Dail. He said original records had been in error - and said that there is a master list now. The Pound, he said, notifies the owners where the dogs are found.

Mrs. Dowell disagreed with the City Manager's statement.

Councilman Dail spoke about finding of a license, and said it has been learned that they could be kept better. He, too, pointed out that the situation has improved.

The City Manager said that there was a mix up, and re-iterated that it is being corrected.

Les Halcomb, Assistant to the City Manager, said that there is a master file. He told about a wrong copy having been filed. Mr. Halcomb said that now proper notices are being sent.

Mrs. Dowell made further reference to a master file - in the Pound.

Councilman Dail said that he has considerable respect for Mrs. Dowell. He spoke regarding the City's angle, also, and about need for improvement and of the improvement.

Mrs. Dowell referred to the Penal Code sections which said that dogs are personal property. She spoke on at some length about violations, by the City. She said that many dogs go into the gas tank, needlessly. She told, also, about a dog biting someone, and contended that there was no record of that.

The Mayor said, again, that the situation is being corrected.

Mrs. Dowell spoke regarding dogs which get away at night. She said that that master file copy should be given to the various agencies to help locate the owners.

Harry Hutton, who did not give his address or occupation, spoke regarding license numbers, and the description of dogs. He said that he can get no satisfaction. He referred to there being no records of where the money had gone.

Councilman Swan left the meeting, saying that he was due elsewhere, and that he could stay no longer.

Mr. Wood, who did not give his first name, address, or the organization he represented, said that the record is being straightened out as of tomorrow. Mr. Wood said that he had word to that effect from the Pound. He said he picks up 10 times as many dogs as the Pound. He spoke about the unlisted telephone number of the Pound man. He, too, asked for a master list.

Councilman Wincote spoke about the difficulties arising from lost licenses - possibly the dogs had them on when they escaped their premises, but had lost them before being found, making identification difficult or impossible.

Mr. Halcomb said that the matter of notification to the dog owners would be looked into.

Councilman Godfrey thought that the ordinance should possibly be amended relative to notification. He said that the City Attorney should look into that feature of the ordinance. He expressed the belief that notification should be by card, rather than by telephone.

Councilman Kerrigan moved to refer the matter to Council Conference, which motion was seconded by Councilman Dail.

Councilman Godfrey offered an amendment including asking the City Attorney to prepare the proper amendment to the Dog ordinance. That motion was not seconded.

The roll was called at this time on the original motion - not including the unseconded motion - resulting in

RESOLUTION NO. 109542, recorded on Microfilm Roll No. 57, referring to Council Conference the matter of lost dogs, and about the keeping of master file of records relative to dog licensing, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

At the hour of 12:05 o'clock Noon, the Council took a recess, on motion of Councilman Dail seconded by Councilman Schneider, to the hour of 2:00 o'clock P.M., this date.

Upon reconvening, at the hour of 2:05 o'clock P.M., the roll call showed the following:

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

Communication from San Diego Highway Development Association, 2205 National Avenue, dated December 3, 1952, signed by Robert Apitz, Secretary, transmitting statement memorializing the Mayor and members of the Council to take action on a request set forth in accompanying mimeographed request and on a booklet entitled "Proposal for Economic and Engineering Studies of the Great Southwest Tunnel Project by the U. S. Army Engineers", was presented.

There was no discussion on the subject by the Council.

RESOLUTION NO. 109543, recorded on Microfilm Roll No. 57, referring to Council Conference the communication from San Diego Highway Development Association submitting a statement memorializing the Council to take action on the request as set forth therein, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Communication from San Diego Chamber of Commerce, San Diego 1, dated December 4, 1952, signed by Stanley Grove, General Manager, transmitting action of the Board of Directors in response to recommendation of two of its committees, relative to employment of a representative to work as a liaison between local government and the Legislature, Departments of the State Government, and Legislative Interim Committees, was presented. The communication stated that the Directors have authorized support of a program and urged that an individual be selected to work with the members of the legislative delegation in the furtherance of the objectives of local government at the state level.

There was no Council discussion on the subject.

RESOLUTION NO. 109544, recorded on Microfilm Roll No. 57, referring communication from San Diego Chamber of Commerce supporting program of having a representative to work as a liaison between local government and the Legislature, etc., to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from Pacific Indemnity Company, dated December 2, 1952, signed by J. M. MacConnell, advising that the case of W. S. Sanders against the City of San Diego had been closed by cancellation on November 28, 1952, was presented.

RESOLUTION NO. 109545, recorded on Microfilm Roll No. 57, denying claim of Walter B. Saunders, 9355 El Cajon Boulevard, La Mesa, filed in the office of the City Clerk under Document No. 450395, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTIONS NOS. 109546 and 109547, brought up under unanimous consent at the meeting, were numbered at this point - out of order - at the request of the City Attorney's office. They will be found at the end of the meeting, where they were considered, in these Minutes.

RESOLUTION NO. 109548, recorded on Microfilm Roll No. 57, directing notice of the filing of the Street Superintendent's Assessment No. 2092 made to cover the costs and expenses of the work done upon the paving and otherwise improving of El Carmel Place and Ocean Front Walk, within the limits and as particularly described in Resolution of Intention No. 106323, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109549, recorded on Microfilm Roll No. 57, directing notice of filing of the Street Superintendent's Assessment No. 2091 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Felspar Street between Dawes Street and Everts Street, within the limits and as particularly described in Resolution of Intention No. 105901, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109550, recorded on Microfilm Roll No. 57, directing notice of the filing of the Street Superintendent's Assessment No. 2093 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, et al., within the limits and as particularly set forth in Resolution of Intention No. 102375, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109551, recorded on Microfilm Roll No. 57, setting Tuesday, the 16th day of December, 1952, at 10:00 o'clock A.M. in the Council Chamber of the Civic Center as the time and place for hearing protest of Mrs. Stephen Brown, et al against closing of 19th Street, between the easterly prolongation of the southerly line of A Street and the northerly line of B Street, under Resolution of Intention No. 108839 adopted October 21, 1952; authorizing and directing the City Clerk to give notice of said hearing in the manner and form required by law, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Councilman Kerrigan entered the meeting at this time.

RESOLUTION OF AWARD NO. 109552, recorded on Microfilm Roll No. 57, accepting bid of John B. Henry for the paving and otherwise improving of the Alleys in Blocks 2 and 27 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 108553, and awarding contract, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

A written report from the City Engineer stated that the low bid was 7.7% below the estimate.

RESOLUTION OF AWARD NO. 109553, recorded on Microfilm Roll No. 57, accepting bid of R. E. Hazard Contracting Co., a corporation, for the paving and otherwise improving of E Street, within the limits and as particularly described in Resolution of Intention No. 108555, and awarding contract, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 109554, recorded on Microfilm Roll No. 57, accepting bid of Al E. Riley, Inc., a corporation, for the paving and otherwise improving of 51st Street and the Alley in Block 42 Tract 1368, within the limits and as particularly described in Resolution of Intention No. 108554, and awarding contract, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109555, recorded on Microfilm Roll No. 57, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 31 Ocean Beach, filed in the office of the City Clerk under Document No. 459559, approving Plat No. 2394 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 to file said plat in the Office of the City Engineer upon the passage of the Resolution of Intention for said improvement, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109556, recorded on Microfilm Roll No. 57, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Francis Street, filed in the office of the City Clerk under Document No. 459563, approving Plat No. 2363 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 to file said plat in the Office of the City Engineer upon the passage of the Resolution of Intention for said improvement, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109557, recorded on Microfilm Roll No. 57, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of 62nd Street, filed in the office of the City Clerk under Document No. 459561, approving Plat No. 2377 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 to file said plat in the Office of the City Engineer upon the passage of the Resolution of Intention for said improvement, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109558, recorded on Microfilm Roll No. 57, 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, 1952, to and including October 14, 1953, in accordance with plans and specifications contained in the City Engineer's Report and Assessment filed October 17, 1952 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 109559, recorded on Microfilm Roll No. 57, for the furnishing of electric current for the furnishing of electric current for Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1952 to and including October 12, 1953, in accordance with the Engineer's Report and Assessment filed October 10, 1952 in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION CHANGING GRADE NO. 109560, portion of Adams Avenue, within the limits and as particularly described in said Resolution, in accordance with Resolution of Intention No. 108660 and map signed by the City Engineer and filed under Document No. 455770 in the office of the City Clerk, September 16, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION CHANGING GRADE NO. 109561, recorded on Microfilm Roll No. 57, Noyes Street, and Alleys in Blocks 280 and 281 Subdivision of Acre Lots 57, 58, 59, 60 Pacific Beach, within the limits and as particularly described in said Resolution, in accordance with Resolution of Intention No. 107387 and map signed by the City Engineer and filed under Document No. 449696 in the office of the City Clerk, May 20, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109562, recorded on Microfilm Roll No. 57, 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, 1952, to and including December 15, 1953, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109563, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of the Alley in Block 31 Ocean Beach, 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. 109564, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of Francis Street 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 PRELIMINARY DETERMINATION NO. 109565, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of 62nd Street and Fergus Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109566, recorded on Microfilm Roll No. 57, ascertaining and declaring the wage scale for the paving and otherwise improving of 44th Street and C Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109567, recorded on Microfilm Roll No. 57, 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 42 City Heights, within the limits and as particularly described in Resolution of Intention No. 106557, and to be assessed to pay the expenses thereof; 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109568, recorded on Microfilm Roll No. 57, 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 207 and 206 Mission Beach, within the limits and as particularly described in Resolution of Intention No. 106664, and to be assessed to pay the expenses thereof; 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109569, recorded on Microfilm Roll No. 57, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Pyncheon Street, within the limits and as particularly described in Resolution of Intention No. 104944, and to be assessed to pay the expenses thereof; 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109570, recorded on Microfilm Roll No. 57, approving diagram of the property affected or benefited by the work of improvement to be done on Rex Avenue, Shiloh Road, Wightman Street, Public Rights of Way in Lots 9 & 10 Block 3 Berkeley Heights, within the limits and as particularly described in Resolution of Intention No. 105355, and to be assessed to pay the expenses thereof; 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109571, recorded on Microfilm Roll No. 57, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Teak Street, within the limits and as particularly described in Resolution of Intention No. 106667, and to be assessed to pay the expenses thereof; 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109572, recorded on Microfilm Roll No. 57, granting petition contained in Document No. 458870 for the paving and otherwise improving of the Alley in Block 2 Chester Park; directing the City Engineer to furnish 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.

RESOLUTION NO. 109573, recorded on Microfilm Roll No. 57, authorizing the Street Superintendent to grant V. R. Dennis a 30-day extension of time for completion of contract for improvement of portions of Poplar Street, Manzanita Drive, et al, in accordance with his recommendation filed in the office of the City Clerk under Document No. 460051, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

At this time the City Clerk presented the certificate of the Registrar of Voters covering the results of the canvass of the returns of the Municipal Special Election held in the City of San Diego November 4, 1952, and consolidated with the State General Election held on the same date. Said certificate showed the following, to-wit:

CITY OF SAN DIEGO CHARTER AMENDMENT PROPOSITION.

Amend Article V of the Charter of The City of San Diego by adding thereto a new section to be numbered Section 60.2

This amendment authorizes the Council to enter into a contract with the Board of Supervisors of the County of San Diego which may authorize the performance by the county officers of all or part of the duties and functions of officers and employees of the Department of Public Health of the City; also the transfer of City Health Department employees to the County Health Department service, including the preservation of seniority and pension rights of city employees, for payments by the City to preserve said rights, and to compensate the county for the performance of said duties; the contract to contain reservations permitting the City to terminate the agreement upon notice.

	YES	NO	TOTAL
Total Votes in the City	91,517	30,622	122,139
Absent Votes	4,378	1,629	6,007
Total Votes including Absent Votes	95,895	32,251	128,146

The number of votes cast in each precinct for and against said charter amendment proposition and the number of absentee votes cast for and against said proposition are 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.

Said charter amendment proposition has received the vote of a majority ~~a majority~~ of the qualified voters voting thereon, and said proposition carried.

RESOLUTION NO. 109574, recorded on Microfilm Roll No. 57, declaring the result of the Canvass of Election Returns of the Special Municipal Election held November 4, 1952, upon the proposition to amend the Charter of The City of San Diego - set out in detail above; ordering the Clerk to enter on the minutes a statement showing the charter amendment proposition voted upon, the total number of votes cast in the City for and against said proposition, the total number of absentee votes cast for and against said proposition, and a statement that the number of votes cast in each precinct for and against said proposition, and a statement that the number of votes cast in each precinct for and against said proposition, and the absentee votes cast for and against said proposition, are recorded in the Elections Returns Book; declaring that the results of the canvass of the Special Municipal Election shall be immediately made public by publication of a copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

At this time the City Clerk presented the certificate of the Registrar of Voters covering the results of the canvass of the returns of the Special Municipal Election held November 4, 1952, and consolidated with the State General Election held on the same date. Said certificate showed the following ~~to-wit~~:

CITY OF SAN DIEGO STORM/PROPOSITION.

Shall The City of San Diego incur a bonded indebtedness in the principal sum of \$3,500,000.00 for the acquisition and construction by The City of San Diego of a certain municipal improvement, to-wit: Storm drains, with catch basins and appurtenances, for the drainage of storm, flood and surface waters, including the acquisition of easements, pipe, conduit, works, structures and property necessary therefor?

	YES	NO	TOTAL
Total Votes in the City	102,126	31,746	133,872
Absentee Votes	5,227	1,794	7,021
Total Votes including Absentee Votes	107,353	33,540	140,893

The number of votes cast in each precinct for and against said bond proposition and the number of absentee votes cast for and against said proposition are 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.

Said bond proposition was approved by the vote of more than two-thirds of the voters voting thereon, and said proposition carried, and the Council was duly authorized to issue bonds to the amount and for the purpose set forth in said proposition, as provided by law.

The Clerk was ordered to enter on the minutes a statement showing the bond proposition voted upon, the total number of votes cast in the City for and against said proposition, the total number of absentee votes cast for and against said proposition, and a statement that the number of votes cast in each precinct for and against said proposition, and the absentee votes cast for and against said proposition, are recorded in the Election Returns Book.

The results of the canvass of the special election shall be immediately made public by publication of a copy thereof.

RESOLUTION NO. 109575, recorded on Microfilm Roll No. 57, declaring the result of the canvass of the Election Returns of the Special Municipal Election held November 4, 1952, upon the proposition to incur a bonded indebtedness in the principal sum of \$3,500,000.00 for the acquisition and construction by The City of San Diego of a certain municipal improvement, to-wit: storm drains, with catch basins and appurtenances, for the drainage of storm, flood and surface waters, including the acquisition of easements, pipe, conduit, works, structures and property necessary - set out in detail above; determining that the proposition was approved by the vote of more than two-thirds of the voters voting thereon, and that said proposition carried, authorizing the Council to issue bonds to the amount and for the purpose set forth in said proposition, as provided by law; ordering the Clerk to enter on the minutes a statement showing that the bond proposition voted upon, the total number of votes cast in the City for and against said proposition, the total number of absentee votes cast for and against said proposition, a statement that the number of votes cast in each precinct for and against said proposition, and the absentee votes cast for and against said proposition, are recorded in the Elections Returns Book; declaring that the results of the canvass of the special municipal election shall be immediately made public by publication of a copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

At this time the City Clerk presented his certificate covering the canvass of the returns of the Special Annexation election held in that certain territory designated as La Mesa Colony No. 4, in the County of San Diego, State of California, on Tuesday, the 2nd day of December, 1952, upon the proposition to annex said territory to The City of San Diego. Said certificate showed the following, to-wit:

That he, Fred W. Sick, was at all times mentioned, the duly appointed, qualified and acting City Clerk of The City of San Diego, a municipal corporation in the County of San Diego, State of California; that pursuant to Resolution No. 109474 adopted by the Council of The City of San Diego on Thursday, December 4th, 1952, he certified that the results of the canvass of the Special Annexation Election, held on Tuesday, December 2nd, 1952, was as follows, to-wit:

(a) The whole number of votes cast in the territory designated as La Mesa Colony No. 4 was 30;

(b) The number of votes given in said territory in favor of the annexation was 29;

(c) The number of votes given in said territory against the annexation was 1.

RESOLUTION NO. 109576, recorded on Microfilm Roll No. 57, declaring the result of the Special Election held in certain territory designated as La Mesa Colony No. 4, in the County of San Diego, State of California, on Tuesday, December 2, 1952, upon the proposition to annex said territory to The City of San Diego - that pursuant to Ordinance No. 5356 (New Series) adopted October 28, 1952, the Council ordered a special election to be

held in said territory; that the property shall, after annexation, be subject to taxation equally with the property within The City of San Diego to pay the bonded indebtedness of The City of San Diego at the date of such annexation; that the City Clerk, at the time and place provided by law and the order of the Council, has canvassed the returns of said Special Election, and result of such canvass has been certified to the Council - set out in detail above - that the votes of more than one-half of the voters of said territory voting at said Special Election were cast in favor of said annexation, and said measure was declared to be carried - directing the City Clerk to enter on the minutes a statement showing the measure voted upon, the whole number of votes cast in said territory upon said measure, the number of votes given in said territory for and against said measure, and a statement that the number of votes given for and against said measure are recorded in the Elections Returns Book; and to make the results of the canvass of said election returns public immediately by publishing the same in the official newspaper of said City, to-wit: The San Diego Union, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Proposed Resolution making a finding that the use of a portion of Block 341 of Old San Diego - northwesterly of Camino del Rio - for storage and operation of a liquid petroleum gas business is more obnoxious and detrimental to the welfare of the particular community than other permitted uses in an M-1 zone - was presented.

The matter had to do with petition of Lewis H. Dowdy for permission to install 30,000 gallon propane tank and 4 3,000 gallon butane tanks.

The Mayor called the Council's attention to a letter from Clarence Harden, attorney for Mr. Dowdy stating that he would be engaged in a trial before the local Federal Court and requested a continuance for one week.

On motion of Councilman Wincote, seconded by Councilman Schneider, said matter was continued until the meeting of Tuesday, December 16, 1952.

(Judge Harden's office, the Mayor's office, the City Manager's office were notified by the City Clerk's office of the continuance).

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, recommending necessary action so that R. E. Hazard Contracting Company will be paid for extra work so that the City forces will not have to do work on La Palma Street, was presented.

RESOLUTION NO. 109577, recorded on Microfilm Roll No. 57, stating that the City entered into contract with R. E. Hazard Contracting Co. for grading, paving and installing curbs and sidewalks on La Palma Street, between Fanuel Street and Gresham Street under a 1911 Street Improvement Act proceeding; that the Engineer's Drawing 9511-L shows sidewalk work which was to be done by City forces, which would properly connect with existing sidewalk; that R. E. Hazard Contracting Co. has offered to do said replacement work at and for the sum of 39 cents per square foot, and the City Manager has recommended that the offer be accepted and work done; authorizing the City Manager to employ R. E. Hazard Contracting Co. to construct approximately 225 square feet of sidewalk at La Palma Street and Fanuel Street and at La Palma Street and Gresham Street, shown in red on Engineer's Drawing 9511-L on file in the office of the City Engineer at and for the sum of 39 cents per square foot, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109578, recorded on Microfilm Roll No. 57, authorizing the City Manager to execute a First Amendment to lease agreement entered into with the State of California on the 19th day of November, 1951, filed with the City Clerk as Document No. 448941, which amendment (a form of which has heretofore been filed with the City Clerk as Document No. 459550), adds certain beach lands adjacent to Blocks 226 and 227 Pacific Beach recently acquired by the State to the premises heretofore leased by the State to the City under said lease agreement; directing the City Clerk to transmit 3 certified copies of said Resolution, together with 2 executed copies of the amendment to the State of California, Department of Natural Resources, Division of Beaches and Parks, 523 Douglas Building, 257 South Spring Street, Los Angeles, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109579, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to execute a lease with Old San Diego Chamber of Commerce, a non-profit corporation, of a portion of Lot 4 Block 436 Old San Diego, together with building thereon, for a term of 5 years commencing October 1, 1952, at a monthly rental of \$75.00, payable monthly in advance - more particular description of property and terms and conditions set forth in form of lease filed in the Office of the City Clerk as Document No. 460316 - real property value \$12,000, as disclosed by report of the last appraisal made by the Auditor and Comptroller, which is leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109580, recorded on Microfilm Roll No. 57, authorizing the Purchasing Agent to arrange for the rental of a tractor bulldozer now being used by the Sanitation Division, for an additional period of not to exceed three weeks, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that rental has been authorized, and the Purchasing Agent has recommended that he be authorized to extend the rental period until the new bulldozer is ready for use.

RESOLUTION NO. 109581, recorded on Microfilm Roll No. 57, authorizing the Purchasing Agent to sell scrap cast iron and scrap steel - approximately 8 tons of iron and approximately 40 tons of steel - no longer desirable for use or retention by the City, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109582, recorded on Microfilm Roll No. 57, directing the Property Supervisor to file petition with the Board of Supervisors of The County of San Diego, State of California, requesting that all taxes against portion of Lot 1152 - more particularly described in said Resolution - together with all penalties and other expenses in connection therewith, be cancelled, that all deeds to The State of California for delinquent taxes thereon be cancelled; authorizing and directing the Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109583, recorded on Microfilm Roll No. 57, directing the Property Supervisor to file petition with the Board of Supervisors of The County of San Diego, State of California, requesting that all taxes against portions of Lots 9 and 10 of The Highlands, portion of Lot 78 of Rancho Mission, Lots 7, 8 and 9 Block 88 San Diego Homestead Union - more particularly described in said Resolution - together with all penalties and other expenses in connection therewith, be cancelled, that all deeds to The State of California for delinquent taxes thereon be cancelled; authorizing and directing the Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109584, recorded on Microfilm Roll No. 57, directing the Property Supervisor to file petition with the Board of Supervisors of The County of San Diego, State of California, requesting that all taxes against portion of Lot 5 Block B O. L. Steel Subdivision - more particularly described in said Resolution - together with all penalties and other expenses in connection therewith, be cancelled, that all deeds to The State of California for delinquent taxes thereon be cancelled; authorizing and directing the Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109585, recorded on Microfilm Roll No. 57, directing the Property Supervisor to file petition with the Board of Supervisors of The County of San Diego, State of California, requesting that all taxes against Lots 27 to 39 inclusive Block 5 The Dells Park - together with all penalties and other expenses in connection therewith, be cancelled, that all deeds to The State of California for delinquent taxes thereon be cancelled; authorizing and directing the Property Supervisor to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109586, recorded on Microfilm Roll No. 57, approving request of Cast Stone Company, contained in Change Order No. 3, for extension of 30 days, to and including January 20, 1953, heretofore filed with the City Clerk as Document No. 460198 in which to complete contract for construction of alterations to the Balboa Park Club Building, contract contained in Document No. 453653 on file in the office of the City Clerk, and extending time of completion to January 20, 1953, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109587, recorded on Microfilm Roll No. 57, approving request of Cast Stone Company, contained in Change Order No. 3, for extension of 30 days, to and including December 30, 1952, heretofore filed with the City Clerk as Document No. 460200, in which to complete contract for construction of Comfort Stations at Ventura Point and Carmel Point, contract contained in Document No. 453036 on file in the office of the City Clerk, and extending time of completion to December 30, 1952, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109588, recorded on Microfilm Roll No. 57, approving request of Ets-Hokin and Galvan, contained in Change Order No. 2, for extension of 90 days, to and including February 19, 1953, filed with the City Clerk as Document No. 460202, in which to complete contract for installation of traffic signals and safety lighting at Laurel Street and Kettner Boulevard, Sixth Avenue and Laurel Street, etc., contract contained in Document No. 452574 on file in the office of the City Clerk, and extending time of completion to February 19, 1953, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109589, recorded on Microfilm Roll No. 57, approving request of Ets-Hokin and Galvan, contained in Change Order No. 3, for extension of 120 days, to and including February 21, 1953, filed with the City Clerk as Document No. 460204, in which to complete contract for installation of safety lighting at Sunset Cliffs Boulevard Bridge, contract contained in Document No. 433598 on file in the office of the City Clerk, and extending time of completion to February 21, 1953, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

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RESOLUTION NO. 109591, recorded on Microfilm Roll No. 57, granting permission to Shell Oil Company, by C. W. Falkner, 6747 Radio Drive, San Diego, California, General Contractor, to install two 35-foot driveways, measured at top of full-height curb, on the northerly side of University Avenue, between 34th Street and Swift Avenue, adjacent to Lots 1 to 6 Block 192 City Heights, to serve service stations being constructed at said location; to be constructed at location shown on plan accompanying application for permit, plan contained in Document No. 460321 on file in the office of the City Clerk - on conditions set forth in said Resolution - was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

*RESOLUTION NO. 109590, recorded on Microfilm Roll No. 57, approving Change Order No. 1, dated November 13, 1952, filed with the City Clerk as Document No. 460206, issued in connection with contract between the City of San Diego and Pittsburgh-Des Moines Steel Company for construction of Chesterton Standpipe, contract contained in Document No. 455799 on file in the office of the City Clerk, changes amounting to decrease in the contract price of \$450.00, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109592, recorded on Microfilm Roll No. 57, granting revocable permit to J. O. Sabol, doing business as Sabol's Service, University Avenue and Bancroft Street, to install and maintain a 1000 gallon fuel tank underneath the sidewalk adjacent to Lots 35, 36, 37, 38 and 39 Block 4 North Park Villas, to replace old fuel tank at said location, on the terms and conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

ORDINANCE NO. 5403, (New Series), recorded on Microfilm Roll No. 57, appropriating the sum of \$6,550 from the Capital Outlay Fund for the purpose of providing funds for the purchase of portions of Lots 9 and 10 Block 3 Loma Grande, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Wincote, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Said Ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: on the 2nd day of December, 1952, and on the 9th day of December, 1952.

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

ORDINANCE NO. 5404 (New Series), recorded on Microfilm Roll No. 57, appropriating the sum of \$4,450.00 from the Capital Outlay Fund for the purpose of providing funds for construction of connecting sewer from Sunset Street, Juan Street, et al., Old San Diego, to the existing 27-inch V. C. Mission Valley Trunk Sewer, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

Said Ordinance was not finally passed until it had been read on two separate calendar days of the Council, to-wit: on the 2nd day of December, 1952, and on the 9th day of December, 1952.

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

ORDINANCE NO. 5405 (New Series), recorded on Microfilm Roll No. 57, changing the name of Solana Street to Glencoe Street, 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, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

ORDINANCE NO. 5406 (New Series), recorded on Microfilm Roll No. 57, establishing the grade of the Northwesterly and Southeasterly Alley in Block 45 between the northwesterly line of Sunset Cliffs Boulevard and the southeasterly line of the northeasterly and southwesterly alley in said block; the Northeasterly and southwesterly Alley in Block 45 between the northeasterly line of Pescadero Avenue and the southwesterly line of Orchard Avenue, 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 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. 5407 (New Series), recorded on Microfilm Roll No. 57, establishing the grade of Alpha Street, between the southerly prolongation of the east line of Balsa Street and the southerly prolongation of the west line of Clearview Subdivision according to Map No. 2703, 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:

*Ocean
Beach*

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.

ORDINANCE NO. 5408 (New Series), recorded on Microfilm Roll No. 57, establishing the grade of Moana Drive - between a line drawn from the intersection of the southeasterly line of Moana Drive with the southerly line of Varona Street to the intersection of the northwesterly line of Moana Drive with the westerly line of Moana Drive and the westerly prolongation of the northerly line of Varona Street; Moana Drive between the westerly prolongation of the southerly line of La Paloma Street and a line drawn westerly at right angles to the easterly line of Moana Drive from the point of intersection of the easterly line of Moana Drive with the northeasterly line of La Paloma 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 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.

ORDINANCE NO. 5409 (New Series), recorded on Microfilm Roll No. 57, establishing the grade of Trojan Avenue, between the northerly prolongation of the east line of Sharron Place and a line drawn from the intersection of the south line of Trojan Avenue with the southwesterly line of 54th Street, to the intersection of the north line of Trojan Avenue, with the northwesterly line of 54th Street, was on motion of Councilman Swan, seconded by Councilman Wincote, was passed on 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 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 next two matters, not listed on the Council's agenda, were presented under unanimous consent granted to the City Manager. The Manager explained each to the Council, as presented:

Communication from the Street Superintendant, bearing the Assistant City Manager's signature of approval, recommending granting petition to close Guatay Street, formerly Orange Avenue, as shown on map of Narragansett Heights, Map 1041 between the northerly prolongation of the easterly line of Bonsall Street, formerly Bay View Avenue, and the northerly prolongation of the westerly line of Jacumba Street, formerly Highland Avenue, said street lying adjacent to Lots 1 and 20 Block E and Lots 21, 22 and 23 of Block D Narragansett Heights, required as condition for approving the Tentative Map of Lomita Village Unit No. 3 - Guatay Street being entirely unimproved and adequate provisions for providing access to the adjacent property are being made in the resubdivision, was presented.

RESOLUTION NO. 109546, recorded on Microfilm Roll No. 57, granting petition for the closing of Guatay Street, formerly Orange Avenue, as shown on the map of Narragansett Heights, Map No. 1041, between the northerly prolongation of the easterly line of Bonsall Street, formerly Bay View Avenue, and the northerly prolongation of the westerly line of Jacumba Street, formerly Highland Avenue, said street lying adjacent to Lots 1 and 20 Block E and Lots 21, 22, and 23 of Block D Narragansett Heights, as recommended by the Street Superintendent; directing the City Engineer to furnish 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 Godfrey, adopted.

RESOLUTION NO. 109547, recorded on Microfilm Roll No. 57, authorizing the City Attorney, on behalf of The City of San Diego, to file a disclaimer of that certain action, entitled "Sweetwater Homes, Inc., a corporation, Plaintiff, vs. The City of San Diego, a municipal corporation, Defendant", No. 177522, now pending in the Superior Court of the State of California in and for the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Resolutions Nos. 109546 and 109547, while brought up at this time, were numbered out of order at the request of the City Attorney's Office. The numbers appear, in order, on page 196 of these Minutes.

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 2:12 o'clock P.M.

Upon adjournment, the Mayor announced that members of the Council would go into Conference within 3 minutes.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadston Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council, Thursday, December 11, 1952

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, Dail, Godfrey, Mayor Butler.

Absent---Councilmen None
Clerk----Fred W. Sick

The Mayor excused Councilman Dail at his request, immediately upon calling ing the roll by the Clerk.

Councilman Dail said that he was going to attend a State Board of Equalization meeting this morning, upon request, and that he would probably return to the meeting. He told the Mayor, however, that he expected to be back by 2:00 o'clock P.M. *return*

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on an ordinance incorporating portions of Bayview Quarter Acres and Bayview Addition, in The City of San Diego, into "R-4" Zone, as defined by Section 101.0408 and of The San Diego Municipal Code and repealing Ordinance No. 1947 (New Series) adopted October 1, 1904 insofar as the same conflicts, was presented.

The Mayor requested that the matter be continued until next Tuesday. He said that such a request had been made to him, and that it was passing it on to the Council.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the hearing was continued until next Tuesday.

No protest was in the Clerk's file.

At the request of Councilman Schneider, the Planning Director reported verbally that there is no argment in the district.

(See later action in these Minutes, of this date, for final adoption).

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing not less than 4 nor more than 7 transmitter-receiver combination units (Handi-Talki), received December 3, 1952, from 2 bidders, was presented. Recommendation was made for award to Motorola, Inc., the low bidder.

RESOLUTION NO. 109593, recorded on Mitrofilm Roll No. 57, accepting bid of Motorola, Inc., for the furnishing of not less than 4 nor more than 7 transmitter-receiver combination (Handi-Talkie); awarding contract to Motorola, Inc., authorizing and instructing the City Manager to enter into and execute contract therefor, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, reporting on request of Leonard H. Gowdy for postponement of setting of final monuments on portion of Subdivision of Glenclift in that the area adjacent to the corner of 47th Street and Market will necessitate about a 10 foot fill, recommending that Section 102.17-c of the Municipal Code be suspended to permit the delayed setting of the monuments in portion of Glenclift Subdivision, was presented.

RESOLUTION NO. 109594, recorded on Microfilm Roll No. 57, amending Resolution No. 108604 (Oct. 2, 1952) approving Tentative Map of Glenclift, a subdivision of portion of Lot 31 Horton's Purchase, to include suspension of Section 102.17-c to permit a delay in the setting of the final monuments on land adjacent to the northeast corner of ~~the final-monuments-on-land-adjacent-to-the-northeast-corner~~ of 47th and Market Streets, where area will be brought up to grade with a 10-foot fill, suspension to be conditioned upon posting of bond to guarantee the delayed setting of the monuments, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Lomita Village Unit No. 3, subject to closing of Guatay Street, the final check by the City Engineer and the posting of an adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 109595, recorded on Microfilm Roll No. 57, authorizing and directing the City Manager to execute a contract with Sweetwater Homes Inc., a corporation, subdividers, and the Security Title Insurance Company, a corporation, as trustee, for the installation and completion of the unfinished improvements and the setting of the monuments required for Lomita Village Unit No. 3 subdivision; 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 Swan, adopted.

RESOLUTION NO. 109596, recorded on Microfilm Roll No. 57, adopting Map of Lomita Village Unit No. 3, subdivision of Block E, portion of Block D, together with all of Jacumba Street (formerly Highland Avenue), portions of Bonsall Street (formerly Bayview Avenue), San Vicente Street (formerly Pennsylvania Avenue) and all of Guatay Street (formerly Orange Avenue), said Guatay Street having been vacated and closed to public use by Decree Quieting Title rendered in Superior Court Case No. 177522 dated December 10, 1952, all in Narragansett Heights, accepting on behalf of the public Anza Drive, Bonsall Street, Glencoe Drive, Guatay Street, Jacumba Street, Sabre Street, San Vicente Street and unnamed easements for public purposes; declaring said streets and unnamed easements to be public streets and unnamed 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; directing the City Clerk to transmit to the Clerk of the Board of Supervisors of the County of San Diego said Map, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, reporting on communication from David E. McGraw, President of Steelcrete Industrial Buildings, requesting elimination of the requirement of sidewalks in Unit No. 4 of Bay Park Vista, approved by Resolution No. 108088, August 21, 1952, was presented. The communication referred to statement in the McGraw letter stating that sidewalks were not required in Units 1, 2 and 3 Bay Park Vista which were correct, but those tentative maps were approved prior to July, 1950, before policy was established requiring sidewalks in all concentrated subdivision developments. It stated that the unit is in the immediate vicinity of Unit No. 6 of Clairemont, in which sidewalks were required on both sides of the streets. It reported that the Planning Commission had unanimously recommended that the request for elimination of sidewalks be denied in that it is not a large lot subdivision and sidewalks are necessary for the school children destined for the new Clairemont School, and that it would be contrary to the policy that has been in effect for the past year and a half. It stated that the Commission had recommended denial of the request.

Councilman Schneider asked the Planning Director about the matter.

Glenn A. Rick answered Councilman Schneider, and pointed out that the matter had been discussed previously.

Councilman Wincote referred to another tract discussed, in the Encanto district.

Mr. Rick, identifying the property, said that it is out near Mission Bay.

RESOLUTION NO. 109597, recorded on Microfilm Roll No. 57, denying the request of Steelcrete Industrial Buildings, Inc., 3375 Morena Boulevard, San Diego 9, dated November 17, 1952, for permission to delete requirement for sidewalks in Bay Park Vista Unit No. 4, sustaining the action of the Planning Commission thereon, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next matter had appeared on the agenda of December 2, 1952, discussed at that time, and continued to this meeting.

Communication from Cordtz Co., 3904 Mason Street, San Diego 10, signed by Joseph J. Blake, Property Manager, dated November 24, 1952, requesting the Council to reverse the action of the Planning Commission in denying building permit for advertising panels at 4334 Taylor Street, Lots 1, 2, 3, 4 Block 392 Old San Diego; and at 2925 and 2935 Chestnut Streets, Lot 2 Block 393 Old San Diego, was brought before the Council again.

RESOLUTION NO. 109598, recorded on Microfilm Roll No. 57, overruling and denying the decision of the planning commission in denying building permit to Cordtz for erection of advertising structures at 4334 Taylor Street, Lots 1, 2, 3, 4 Block 392 Old San Diego; at 2925 and 2935 Chestnut Street, Lot 2 Block 393 Old San Diego, in the form of panels; sustaining appeal from decision in denying the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Godfrey, Mayor Butler. Nays--Councilman Kerrigan. Absent--Councilman Dail.

*Cordtz Outdoor Advertising Co.

Communication from San Diego Highway Development Association, Inc., dated Dec. 3, 1952, signed by Robert Apitz, Secretary, was presented. Said communication transmitted a resolution adopted unanimously at regular meeting of Monday Dec. 1, 1952, urging favorable consideration to join with the County to employ a qualified man as representative for the City and County of San Diego before any and all meetings of the State Legislature and such Interim Committees as may meet from time to time and before the State Highway Commission and Department of Public Works hearings held at stated times. The communication offered assurance of the fullest support of the proposal and awaited Council call for whatever service the members could give in the matter.

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

Communication from Harry Warburton, 4615 College Avenue, San Diego 5, dated December 6, 1952, referring to consideration of a lobbyist for Sacramento, was presented. The communication stated that the writer believed that if the Council, Board of Supervisors together with State Legislators and representative on the State Highway Commission would get together in joint conference when necessary, there could be better results and more consideration than "we have had from Sacramento". It pointed out that the public officials are the official "lobbyists", that the public looks to the officials to get results rather than to small self appointed groups. It went on at some length about the possibility of securing under certain conditions more Freeway money. It mentioned that when he, during "depression" years (when Mr. Warburton was a Councilman) and Fred Rhodes (a former City Manager) had been successful in their meetings with the Highway Commission. It said, also, that if a lobbyist is appointed, the Council pick him for the taxpayers interests, and not let "private" interests pick him and monopolize him. Said communication was read by the Clerk upon request from the Council.

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

RESOLUTION NO. 109599, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids, one used Model 6-71 Gray Marine Engine complete with gear box, manifold, starter and generator at a price of \$1,450.00, plus State Sales Tax, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution stated that the Water Department has requirement for a

Diesel Marine Engine to replace a gasoline engine stated to be beyond economical repair for use in the landing craft at Hodges Reservoir, that a new engine for such use is in excess of \$5,000.00, that San Diego Marine Exchange of San Diego has a used engine available at the price stated, that it has been examined by the City mechanics who pronounced it in good condition and satisfactory for the purpose intended; that it is to the best interest of the City to purchase the engine.

The proposed Resolution approving agreement for amendment to lease with Abraham Sklar, David M. Zwanziger and Louis Moorsten, co-partners, d.b.a. the Four-O-Locker Club now occupying premises in the Harbor Department Administration Building, was presented.

Carl Reupsch, representing the Harbor Department, spoke, at request of the Council. Mr. Reupsch said that adoption of the Resolution would allow the Harbor Commission to recover costs. He told of the new occupancy and of the improvements to be made in the building. He pointed out that the matter had been reviewed by and approved by the Harbor Commission and the Planning Department. Mr. Reupsch told, also, of the increase in the rental. He said that there is no renewal clause included.

Councilman Schneider said that he believed the lessee should not be permitted to recover expenses so rapidly.

Mr. Reupsch told about the rental income which would come to the City under the new lease.

Members of the Council had considerable discussion, between themselves, and with Mr. Reupsch, over the rental.

Councilman Schneider made further reference to the recovery, that it would be more than a specified amount.

Mr. Reupsch said no; the lessee cannot recover more than \$12,000.

Councilman Wincote spoke about the income and the amount for which the lessee would be relieved.

Mr. Reupsch said that there is a \$250.00 minimum rental now.

Councilman Wincote asked if the City is protected.

Mr. Reupsch replied that it is, and that the accounts are audited.

A communication from the Harbor Department, signed by John Bate, Port Director, on the same subject, and going into details of the agreement for amendment to the lease, was presented.

RESOLUTION NO. 109600, recorded on Microfilm Roll No. 57, ratifying, confirming and approving Agreement for Amendment of Tideland Lease between the City of San Diego, as Lessor, and Abraham Sklar, David M. Zwanzer and Louis Moorsteen, as Lessees, in accordance with amendment of Tideland Lease contained in Document No. 460138 on file in the Office of the City Clerk - original lease with Abraham Sklar, an individual, on file in the office of the City Clerk under Document No. 435640, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next matter, having to do with lease with the National Marine Terminal, Inc., covering premises at the south end of Shelter Island, for a term of 5 years, was continued until this afternoon session - to permit discussion, in the meantime, with members of the Harbor Commission.

See the end of these minutes for later action on the Resolution.

RESOLUTION NO. 109601, recorded on Microfilm Roll No. 57, authorizing and directing the City Manager, for and on behalf of The City of San Diego, to execute a Termination of Lease-agreement with the United States of America, acting under direction of the Secretary of the Navy, by direction of the Chief of the Bureau of Yards and Docks, whereby Lease NOy(R)-43039, dated September 18, 1947 and Supplementary Agreement No. 1, dated October 10, 1947, affecting U. S. Naval Air Station, Miramar, are cancelled, all in accordance with the terms and conditions as set out in Document No. 457968 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

(An identical Resolution - then numbered 108968 - was adopted October 28, 1952, but repealed on November 6, 1952; Mayor was requested to intervene if the Navy abandons the Field, the City's present rights to take effect).

The new Resolution was included on the Agenda by request of the City Manager, and as a result of Council Conference on the subject.

Communication from the City Engineer, signed by R. A. Hall, addressed to the City Manager, and submitted to the Council with the Assistant City Manager's stamp of approval, was presented. The matter referred to the Fairchild contract for the current program of mapping extension northerly to the City boundary near Del Mar to include Camp Callan area, and stated that Fairchild had been requested to include the area in the current program. It stated that the Fairchild letter of October 29, 1952, quoted a price of \$7,321.00 for additional work, and that \$40,000.00 is available in the City Engineering Budget for mapping. The communication stated that the contract price for the 37 sections included in the 3rd Supplemental Agreement was \$39,759.76, so it will be necessary to appropriate additional funds to cover the additional cost for the 9 map sections to be added to the contract.

RESOLUTION NO. 109602, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to enter into and execute a First Amendment to the Third Supplemental Agreement for Aerial Survey with Fairchild Aerial Surveys, Inc., whereby for the sum of \$7,321.00 Fairchild Aerial Surveys, Inc., will include in the areas to be mapped pursuant to Third Supplemental Agreement, map sections set forth in said Resolution both within and without the City, in accordance with form of Agreement heretofore filed with the City Clerk as Document No. 460280, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109603, recorded on Microfilm Roll No. 57, 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, whereby the City agrees and consents to use by the California Highway Patrol, through remote control, of Radio Station KMA 363 and the State agrees to provide two metallic telephone circuits from the California Highway Patrol office to the Fire Alarm Building, Balboa Park, in compensation wherefor the State agrees to pay to the City \$37.00 per month the term of the agreement, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

(Other radio matters will be shown, following the next Resolution).

RESOLUTION NO. 109604, recorded on Microfilm Roll No. 57, resolving that it is the firm policy of the Council not to waive rental fee for use of Balboa Stadium, but due to postponement of a Council meeting necessitated by the Thanksgiving Day holiday and certain misunderstandings arising out of such fact, it is unequitable in the particular case to adhere rigidly to said policy; waiving, in connection with the Toys for Tots event held November 30, 1952, sponsored by the Salvation Army, and for which event no admission charge was exacted, the customary Stadium rental fee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109605, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to enter into an Agreement for and on behalf of The City of San Diego, with Fallbrook Volunteer Fire Department, Engine Company No. 1, whereby in consideration of the monthly payment the City of San Diego shall furnish and install and maintain certain radio equipment and permit the use of radio station K.M.A. 363, in accordance with terms and conditions set forth in copy of agreement on file in the office of the City Clerk as Document No. 460327, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109606, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to enter into agreement with the City of Chula Vista for the use of City radio equipment for a term of one year, beginning July 1, 1952 and ending June 30, 1953, on the terms and under the conditions set out in form of agreement filed with the City Clerk and designated as Document No. 460329, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109607, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to enter into agreement with the County of San Diego for the use of City radio equipment for a term of one year, beginning July 1, 1952, and ending June 30, 1953, on terms and under conditions set out in form of agreement filed with the City Clerk and designated as Document No. 460350, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109608, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to enter into agreement with the City of El Cajon for use of City radio equipment for term of one year beginning July 1, 1952, ending June 30, 1953, on terms and under the terms and under conditions set out in form of agreement filed with the City Clerk and designated Document No. 460356, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109609, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to enter into agreement for and on behalf of The City of San Diego with the County of Orange, whereby in consideration of the monthly service charge of \$7.50 The City of San Diego shall operate and maintain radio relay station, in accordance with terms and conditions contained in copy of agreement on file in the City Clerk being Document No. 460357, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109610, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to enter into agreement for and on behalf of The City of San Diego with the City of Coronado, whereby in consideration of the monthly payments, The City of San Diego shall service, maintain and keep in repair all fixed and mobile Police and Fire Department radio equipment of the City of Coronado, all in accordance with terms and conditions contained in copy of agreement on file in the office of the City Clerk, being Document No. 460360, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109611, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to enter into agreement with City of National City for use of City radio equipment for term of one year, beginning July 1, 1952 and ending June 30, 1953, on terms and under conditions set out in form of agreement filed with the City Clerk and designated as Document No. 460363, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

A question was asked about the Resolution listed in connection with this entry. The City Manager explained that the Resolution following it, explains the matter. RESOLUTION NO. 109612, recorded on Microfilm Roll No. 57, repealing Resolution No. 108949, passed and adopted by the Council on the 28th day of October, 1952, was

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

In connection with this Resolution, Resolution No. 108949 passed October 28, 1952, was repealed by Resolution No. 109612 shown on the preceding page.

RESOLUTION NO. 109613, recorded on Microfilm Roll No. 57, determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of a sewer in Horton's Purchase in the City of San Diego, through, over, under, upon, along and across portion of Lot 16 Rancho Ex-Mission, Horton's Purchase; that public interest, convenience and necessity demand acquisition of an easement and right of way through, over, under, upon, along and across portion of Lot 16 Rancho Ex-Mission, Horton's Purchase, for construction, operation and maintenance of sewer; declaring intention of The City of San Diego to acquire said easement and right of way under Eminent Domain Proceedings; directing the City Attorney of The City of San Diego 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 interest in said property and acquiring said easement and right of way, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109614, recorded on Microfilm Roll No. 57, authorizing the City Attorney, on behalf of The City of San Diego, to file disclaimer in that certain action entitled "Mid City Heights, Inc., a corporation, Union Title Insurance and Trust Company, a corporation, Joseph Brandl, Lizzie C. Brandl and Godfrey W. Burkhardt, Plaintiffs, vs. City of San Diego, a municipal corporation, Defendant," No. 176423 pending in the Superior Court of The State of California in and for the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites the suit has been filed against The City, seeking to quiet title to real property described in Document No. 460365 on file in the Office of the City of San Diego, and alleging that the City has no interest in the no interest in the property; states that the City Manager has advised the Council that the City has no interest therein, and that it will be in the interest of the City and its inhabitants to save the City unnecessary expense and costs in defending litigation if the City exercises its statutory right and files disclaimer.

RESOLUTION NO. 109615, recorded on Microfilm Roll No. 57, approving Change Order No. 4, dated November 20, 1952, heretofore filed with the City Clerk as Document No. 460293, issued in connection with contract between The City of San Diego and Cox Brothers Construction Co. for construction of approaches to Morena Boulevard Bridge, contract contained in Document No. 450409 on file in the office of the City Clerk; changes amounting to an increase in the contract price of \$70.00, was on motion of Councilman Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109616, recorded on Microfilm Roll No. 57, approving request of M. H. Golden Construction Company, contained in Change Order No. 4, for extension of 34 days, to and including December 31, 1952, heretofore filed with the City Clerk as Document No. 460295 in which to complete contract for construction of University Heights North Reservoir, contract contained in Document No. 446643 on file in the office of the City Clerk, extending completion time to December 31, 1952, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109617, recorded on Microfilm Roll No. 57, authorizing the City Manager to publish notice inviting proposals for the resort and tourist development of Gleason Point in Mission Bay Park, under lease from The City of San Diego, in accordance with conditions to be stated in said notice, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Application of C. V. Badger, 1676 Marland Drive, La Mesa, for permission to operate a Cabaret at the Brass Rail, Club Bagdad, 530 B Street, San Diego, was presented together with recommendations from various City departments for granting.

RESOLUTION NO. 109618, recorded on Microfilm Roll No. 57, granting permission to Clarence V. Badger, to conduct cabaret with paid entertainment at The Brass Rail and Club Bagdad at 532-546 B Street, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Application of Park Lane Corporation, d.b.a. Broadway Top Hat, by W. E. Wessels, Secy-Treas., for permission to operate cabaret at the Broadway Top Hat, 1640 Broadway, was presented, together with recommendations from various City departments for granting.

RESOLUTION NO. 109619, recorded on Microfilm Roll No. 57, granting permission to Park Lane Corporation to conduct cabaret with paid entertainment at Broadway Top Hat, 1640 Broadway, where liquor is sold, subject to regular license fee, and to compliance with existing regulations, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Application of James H. Kennedy, d.b.a. Sherman's, 402 West C Street, for Class A Dine & Dance License at Sherman's, 401 West C Street, was presented, together

with recommendations from various City departments for granting.

RESOLUTION NO. 109620, recorded on Microfilm Roll No. 57, granting application of James H. Kennedy for Class "A" License to conduct public dance at Sherman's, 402 West C Street, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Wincote, seconded by Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109621, recorded on Microfilm Roll No. 57, accepting deed of Nicholas R. Devich and Marjorie J. Devich, bearing date December 2, 1952, conveying portions of Lots 1 and 22 Block "D" El Nido; authorizing and directing the City Clerk to transmit said deed, together with 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. 109622, recorded on Microfilm Roll No. 57, accepting deed of W. B. (Mike) Eason, "Breezy" Reaves Eason, Pearle Merritt and Jodie Frame, bearing date October 19, 1952, conveying Lot 20 Block H El Cerrito Heights Unit No. 3; authorizing and directing the City Clerk to transmit said deed, together with 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. 109623, recorded on Microfilm Roll No. 57, accepting deed of J. Marshall Hall, Executor of the Estate of Pearl B. Zuch, bearing date December 1, 1952, conveying Lot 2 Block 55 Campo del Dios Unit No. 3; authorizing and directing the City Clerk to transmit said deed, together with 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. 109624, recorded on Microfilm Roll No. 57, accepting deed of Fred Clemens and Hulda Clemens, bearing date November 25, 1952, conveying Lots 4, 5, 6 Block 83 San Diego Homestead Union, 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 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.

In connection with the next matter, the City Manager reported that the survey of downtown traffic is being conducted, but that contract therefor had not been authorized. The Resolution would take care of the matter.

RESOLUTION NO. 109625, recorded on Microfilm Roll No. 57, authorizing and directing the City Manager to enter into contract for and on behalf of The City of San Diego with Quinton Engineers, Ltd., a corporation, whereby in consideration of the sum of \$2,500.00, said Quinton Engineers, Ltd., will conduct a downtown traffic survey in the City of San Diego, in accordance with contract on file in the office of The City Clerk under Document No. 460368, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Proposed Ordinance amending Section 102.02 of The San Diego Municipal Code, relative to the Tentative and Final Subdivision Map Requirements, was presented.

Asked by members of the Council about the matter, the Planning Director said that he had not seen the Ordinance as presented. He said that it was he who had suggested the change. Mr. Rick then reviewed what a subdivision is, and told of a joker which exists regarding "within one calendar year" in connection with property division. He pointed out that the present setup invites confusion.

Mr. Rick looked over the ordinance, and recommended its adoption.

ORDINANCE NO. 5410 (New Series), recorded on Microfilm Roll No. 57, amending Section 102.02 of The San Diego Municipal Code - Sec. 102.02 Tentative and Final Subdivision Map Required - Definitions - was on motion of Councilman 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, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5411 (New Series), recorded on Microfilm Roll No. 57, establishing grade of Newton Avenue, between a line parallel to and distant 50.00 feet westerly from the West line of 43rd Street and the easterly boundary line of the Pueblo Lands of San Diego, 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, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

At the request of Mayor Butler, the matter which had been continued from from the beginning of this meeting - shown on Page 204 of these Minutes - and held over on motion until Tuesday, December 16, 1952, was brought up for consideration at this time. The Mayor said that the matter had been held over until the 16th at his request, but that he had in the meantime had a telephone call from the Bishop who withdrew his objections and request for holding over of the ordinance and report that the Bishop had been incorrect in his earlier understanding of the matter. The action taken earlier today was reconsidered, and the ordinance brought before the Council at this time.

As reported earlier, was no protest, filed or oral, on the proposal in connection with zoning portions of Bayview Quarter Acres and Bayview Addition, upon which a hearing was set for the hour of 10:00 o'clock A.M. this date.

ORDINANCE NO. 5412 (New Series), recorded on Microfilm Roll No. 57, incorporating portions of Bayview Quarter Acres and Bayview Addition into "R-4" Zone, as defined by Section 101.0408 of the San Diego Municipal Code, and repealing Ordinance No. 1947 (New Series) adopted 1st 1940, insofar as the same conflicts, 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 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 City Manager requested, and was granted unanimous consent to present the next matter, not listed on the Agenda. He told the Council that new locations had been assigned for chimneys granted to the Volunteers of America.

RESOLUTION NO. 109626, recorded on Microfilm Roll No. 57, granting permission to Volunteers of America, 1637 Market Street, San Diego, to place a Christmas Chimney at Newport and Bacon Streets, during the Christmas holidays, between December 6 and 24, 1952, for the purpose of soliciting funds for their Christmas and welfare program, to carry on general relief work for the needy at Christmas-time and throughout the year, 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, not listed on the Agenda. The Manager made a brief explanation of the matter.

RESOLUTION NO. 109627, recorded on Microfilm Roll No. 57, granting revocable permit to the San Diego City Schools, Park Boulevard and El Cajon Avenue, San Diego 3, California, to install and maintain an underground two-inch fibre duct power service line and a 3/4-inch telephone conduit across the alley in Block 2 Chester Park Addition, to serve three kindergarten rooms at the southwest corner of Orange and 47th Streets, on the conditions set forth in said Resolution; directing the City Clerk to transmit certified copy of said Resolution to R. C. Dailard, Associate Superintendent of San Diego City Schools, Education Center, Park Boulevard and El Cajon Avenue, San Diego 3, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

At this time Councilman Wincote asked the City Manager about Milton Street. It was not clear to the Clerk, what problem is involved in the situation.

The City Manager said that he is looking into it.

Councilman Wincote said that there should be an answer, but felt that he should not be too critical now that the rainy season has started. He talked about an agreement from property owners above the street, which matter was not made clear. He made reference to statement made to him by his son in connection with an agreement and the cost of improvement. Milton Street, Mr. Wincote, said, should be paved.

No action was taken, and no motions were made on the subject.

(That street improvement was called to the City Manager's office attention by the Clerk on December 12, 1952).

At the hour of 10:30 o'clock A.M., the Council took a recess until the hour of 2:00 o'clock P.M. this date, on motion of Councilman Schneider, seconded by Councilman Godfrey.

The Mayor announced that the Council would go into recess immediately.

The Council reconvened at the hour of 4:25 o'clock P.M.

Present--Councilmen Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler.
Absent---Councilmen Swan, Dail.

The next matter, which had been continued from the earlier session today, was considered at this time.

Communication from the Harbor Department, signed by John Bate, Port Director, attaching form of lease with National Marine Terminal, Inc., covering premises at the south end of Shelter Island, was presented. The communication stated that the lease is for a term of 5 years with 4 5-year options to renew. The premises cover approximately 265,000 square feet of land and 390,000 square feet of water. At the beginning of the third year of the lease, approximately 234,000 square feet of additional water area will be added to the leased premises. Rental on the land is established at 3.6¢ per square foot per year and on the water area \$390.00 per month. Beginning with the third year, the

the rental will be increased \$235.00 per month, as consideration for additional water area being placed under lease at that time.

The communication stated that the premises are to be used for construction, maintenance and operation of buildings containing locker space, showers, restrooms, restaurant, bar facilities and living quarters, together with a swimming pool, bathing beach, tennis courts and piers for mooring of pleasure craft. It reported that the lease also provides that the improvements and facilities are to be used exclusively by bona fide members and their guests of the organization to be formed for the purpose of managing and supervising the premises, and in the event that the restaurant and bar facilities are made available to the general public, the rental shall be modified by establishing a percentage basis comparable to other such facilities on the tidelands. The Lessee, the communication reported, agrees to construct buildings, piers, landscaping and other improvements at an approximate cost of \$200,000.00, all of which improvements are to be completed by 1 August, 1953. It stated that other terms and provisions of the lease conform to established Harbor Commission policy.

There was no discussion of the matter at this time (members of the Council having met with members of the Harbor Commission, in Conference, between the morning and afternoon sessions.

RESOLUTION NO. 109628, recorded on Microfilm Roll No. 57, ratifying, confirming and approving Lease, a copy of which is on file in the office of the City Clerk as Document No. 460278, between The City of San Diego acting by and through the Harbor Commission, as Lessor, and National Marine Terminal, Inc., as Lessee, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said lease covers the south end of Shelter Island.

The agenda for the Council meeting of December 9, 1952, showed that the following items had been referred to the City Manager by the Clerk:

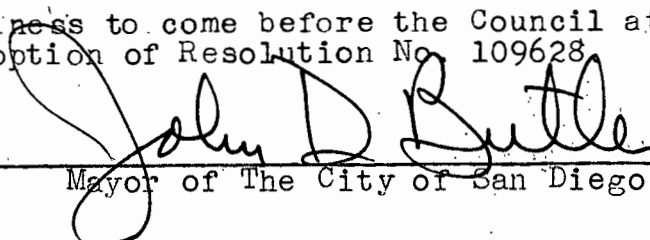
- Petition of Standard Oil Company of California for permission to surfact streets at the northeast corner of Torrey Pines Road and La Jolla Shores Drive, by private contract;
- Petition of J. S. Hamel, Engineer, for plumbing variances at the Pacific Beach High School;
- Communication from Carroll Weldin objecting to naming local sites; using other than Spanish names;
- Copy of communication from Capt. G. C. Weldin U.S.N. Ret., request-adoption of Resolution relative to display of the United States Flag.

The agenda for the Council meeting of December 11, 1952, showed that the following item had been referred to the City Manager by the Clerk:

- Petition of Clairemont Company for closing easement between Lots 528 and 529 of Clairemont Unit No. 5.

There being no further business to come before the Council at this time, the Council adjourned immediately upon adoption of Resolution No. 109628.

ATTEST: FRED W. SICK


Mayor of The City of San Diego, California

By 
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, December 16, 1952

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

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.

The Minutes of Tuesday, December 9, 1952, and of Thursday, December 11, 1952 were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Wincote, 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 signed agreements for San Diego Gas & Electric Company for the furnishing of electric current for the lighting of La Jolla Shores Lighting District No. 1, and Midway Drive Lighting District No. 1.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2086 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Diamond Street, Bayard Street, Opal Street and Loring Street, within the limits and as particularly described in Resolution of Intention No. 104767, the reported that written appeals had been received from Melvin G. & Virginia T. Phillips, George Gowland and others, Mrs. David A. Runnion, Angeline E. Pine, which appeals were presented.

Asked by the Mayor about the assessment, the City Engineer reported verbally. He said that there was a 12.6% protest on an area basis. He pointed out that the same formula had been used as on other proceedings. The Engineer said that appeals had been made through misunderstanding relative to the streets involved in connection with the assessing. He explained the manner in which the assessments were made.

John H. Marsh spoke relative to previous payment, and expressed the belief that the assessment was excessive.

The City Engineer explained the assessment, in reply to Mr. Marsh's protest.

The Mayor pointed out that the contract had been let out to bid, that the cost is in line with other proceedings, but that they are actually less than most. He said that the assessment was levied on a 30% area basis.

The City Engineer said that the cost of the proceedings was 22% less than the estimate.

The Mayor explained that property owners in the district received a bargain. He said that the work cost less, by comparison with other improvements.

The City Engineer said that the State law had been followed in the assessment spread. He asked for a property split, however, in connection with the appeal of Angeline E. Pine.

RESOLUTION NO. 109629, recorded on Microfilm Roll No. 57, overruling and denying appeal of Melvin G. Phillips and Virginia T. Phillips, John H. Marsh et al, Mrs. David A. Runnion, from the Street Superintendent's Assessment No. 2086 made to cover the expenses of the paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Loring Street, within the limits and as particularly described in Resolution of Intention No. 104767, overruling and denying other appeals; sustaining the appeal of Angeline E. Pine from said Assessment; authorizing and directing the Street Superintendent to modify and correct said assessment No. 2086 in accordance with the appeal of Angeline E. Pine, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109630, recorded on Microfilm Roll No. 57, confirming and approving the Street Superintendent's modified and corrected Assessment No. 2086 made to cover the expenses of the paving and otherwise improving of Tourmaline Street, Bayard Street, Opal Street and Lorel Street, within the limits and as particularly described in Resolution No. 104767; 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 said warrant, diagram and assessment in his office.

At this time, Mayor Butler introduced Dr. Heinrich Bunning, from Germany. In speaking about Dr. Bunning, the Mayor said that the doctor is here as a student of democratic processes. He said, also, that the visitor had worked in Berlin and is here to make a study. The Mayor hoped that the visit would be of help, and offered his assistance.

The hour of 10:00 o'clock A.M. the time set for the continued hearing for the installation of sewers in Brodiaea Way, Carrizo Drive, Country Club Drive, Encelia Drive, Remley Place, Romero Court, Romero Drive and Public Rights of Way, under the Street Superintendent's Assessment No. 2085 within the limits and as particularly described in Resolution of Intention No. 103893, he brought to the Council's attention a written receipt from George M. Gere acknowledging \$100.00 from Charles J. Dorfman, contractor, to

compensate for the damage Mr. Gere had claimed in connection with the work.

The hearing had been held on December 9, 1952, at which time protests had been presented.

It was pointed out by the Mayor that the hearing had been closed on the 9th, and that no further hearing would be held.

RESOLUTION NO. 109631, recorded on Microfilm Roll No. 57, overruling and denying the appeals of Wm. T. Poole, Jr., Helena J. Cowperthwait, George M. Gere, Helen P. Geisel, Jackson L. Schultz from the Street Superintendent's Assessment No. 2085 made to cover the cost of the installation of a sanitary sewer main in 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 Resolution of Intention No. 103893; confirming and approving said Assessment; authorizing and directing the Street-Superintendent to issue his warrant 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. 109064 for the construction of Sewer and Water Mains, etc., in Kearny Mesa Improvement District, 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 the preparation and presentation of the next step.

(See reference to this same proceeding at the end of this meeting, when it was brought up again.)

The next matter, being a hearing on the protest against the proposed closing of 19th Street, between A and B Streets, was continued temporarily.

The City Manager said that a brief meeting was being held by a member of the City's staff with the protestant. He asked that the hearing be held over temporarily until the protestant returned to the Council Chamber.

The hearing was held up awaiting the return of the the protestant.

(See later action in this same matter in these Minutes for this meeting.)

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 109270 of Preliminary Determination, for the installation of sewers in the Alley lying northerly of and contiguous to Lots 26 to 36 inclusive, Resubdivision of Block H and Lots 26 to 38 inclusive of Block G Encanto 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. 109632, recorded on Microfilm Roll No. 57, determining that the proposed improvement of the Alley lying northerly of and contiguous to Lots 26 to 36 Resubdivision of Block H and Lots 26 to 38 inclusive of Block G Encanto Heights, within the limits and as particularly set forth in Resolution No. 109270 of Preliminary Determination is feasible and that the lands to be assessed therefor will be able to carry the burden of the proposed assessment for installation of the sewers, 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. 109271 of Preliminary Determination for the installation of an ornamental street light system in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive and Wisteria 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.

RESOLUTION NO. 109633, recorded on Microfilm Roll No. 57, determining that the proposed improvement for the installation of an ornamental lighting system in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive and Wisteria Drive within the limits and as particularly described in said Resolution of Preliminary Determination No. 109271 is feasible and that the lands to be assessed 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 Wincote, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 109272 of Preliminary Determination for the paving and otherwise improving of Steele Street, Gillette Street, 33rd Street and Imperial 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.

Jom Colley, who resides on L Street, spoke. He said that he represented a group of residents who only wanted consideration and adjustment. (It developed that the

was not included in the district for the improvement being considered at this time). He said that he did not know what the rain damage will be, but thought it would be worse on certain properties after property is paved. He said that another petition has been turned in for improvement. He asked that the proceedings on this project be held up and that his project be combined with it.

The City Engineer reported that such a petition has just come in, but that he had not arrived in time to be included in these proceedings. He said that if this project were held up for inclusion of the rest of the project, it might not be made until before the rains of next year. He said that he felt the City should go ahead with this project now. He referred to hurrying up the project, and this one, also, and said that there is a matter of timing involved.

Mr. Colley said that he does not want to stop a project, but referred to having to contend with water waste deep from the last rain.

The Mayor pointed out that the City has done considerable work in the area toward relieving the situation.

Councilman Kerrigan moved to adopt the Resolution of Feasibility.

Before the motion was seconded, Councilman Wincote wondered if that project should be combined with this one, to save costs, although he usually opposes such a move. He wondered if that could be done.

The City Engineer said that the Councilman could abandon this project, and order it combined with the project about which Mr. Colley had been speaking. He pointed out that there has been no survey and there has been no plan drawn in connection with the other project proceedings.

Councilman Godfrey expressed the belief that this project show go in now, and that it should not be slowed down on account of the other one.

Councilman Wincote thought the other project should be given priority.

The City Engineer told the Council that he did not feel that other long-standing projects should be held back while his office went to work on a new project.

Mr. Colley said he felt it would be fair to all to continue. Asked about the length of his project, Mr. Colley replied that the property was not cut up into conventional blocks, but he imagined it would mean an additional 3 or 4 blocks, possibly.

Councilman Schneider told the Council that it would not be fair to make this project wait for another.

Councilman Godfrey agreed that adding the other improvement would slow this project.

Councilman Godfrey seconded the motion, resulting in

RESOLUTION NO. 109634, recorded on Microfilm Roll No. 57, determining that the proposed improvement of Steel Street, Gillette Street, 33rd Street and Imperial Avenue, within the limits and as particularly described in Resolution No. 109272 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 Godfrey, adopted.

At this time the City Engineer was request to do everything within his power to expedite the handling of plans for an additional improvement, in connection with flood problem, brought up in connection with the hearing held this date for the improvement of Steele Street, Gillette Street, et al, under Resolution of Preliminary Determination No. 109272.

No motion was made on the subject, but the Engineer indicated that he would do what he could to expedite the matter.

The matter of hearing on the protest against the closing of 19th Street, between A Street and B Street, which had been continued temporarily, was brought up again.

Mrs. Brown, whose first name was not given or asked, was heard at this time. Mrs. Brown read a protest which she said had been signed by her tenants. He said, also, that she backed up the tenants in their protest against closing the street. She said that it would necessitate walking out to another street, then back down another street instead of going straight out as they always have. She pointed out that she had owned the property for over 40 years.

The City Manager said that the matter could be postponed.

RESOLUTION NO. 109635, recorded on Microfilm Roll No. 57, abandoning proceedings heretofore taken for the closing of 19th Street, between the easterly prolongations of the southerly line of A Street and the northerly line of B Street, within the limits and as particularly described in Resolution of Intention No. 108839, 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 the continued hearing on the proposed Ordinance incorporating portion of Lot 16 C. C. Seaman's Subdivision and Lots 1 to 4 inclusive Furlow Heights Unit No. 3 into R-4 Zone, repealing Ordinance No. 184 N.S. insofar as it conflicts - which had been before the Council on October 7, 1952, October 16, 1952, October 23, 1952, October 30, 1952, November 13, 1952, December 2, 1952 - was brought before the Council again.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the hearing was continued again - until the hour of 10:00 o'clock, December 30, 1952.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received December 5, 1952 by the Purchasing Agent for gunniting portion of Dulzura Conduit - from 4 bidders - recommending award to Johnson Western Constructors, low bidder, was presented. The report said the bid is approximately 37% under the estimate.

RESOLUTION NO. 109636, recorded on Microfilm Roll No. 57, accepting bid of Johnson Western Constructors for gunniting of portion of Dulzura Conduit; awarding contract and authorizing and instructing the City Manager to enter into and execute the same, pursuant to plans and specifications on file in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on contract entered into with Morgan Linen Supply Co., Inc., for a period of 6 months for furnishing and laundering approximately 185 khaki uniforms for employees of the Sanitation Division, was presented.

The communication stated that the contract granted an option to renew contract for an additional 6 month period upon the same terms and conditions. It said that by communication from the Superintendent of the Sanitation Division request was made that contract be extended for period to June 30, 1953, and that the Purchasing Agent concurs with the recommendation. The necessary Resolution accompanied the communication.

RESOLUTION NO. 109637, recorded on Microfilm Roll No. 57, extending contract with Morgan Linen Supply Co., Inc., identified as Document No. 450813 for a period of 6 months beginning January 1, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109638, recorded on Microfilm Roll No. 57, declaring bid of Charles J. Dorfman for construction of sewer replacement in 33rd Street, from Lincoln Avenue to Adams Avenue to be accepted; awarding contract therefor to said Charles J. Dorfman at the estimated total sum of \$72,762.60; authorizing and empowering the City Manager to execute for and on behalf of the City contract therefor, upon execution, delivery, filing and approval of the bonds required and upon execution by Charles J. Dorfman of said contract, 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 the Purchasing Agent to advertise for bids for Copper Tubing, Copper Stops, Fittings and Valves for the Storeroom as per specifications on file in the office of the City Clerk bearing Document No. 460423, was presented.

RESOLUTION NO. 109639, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Copper Tubing, Copper Stops, Fittings and Valves, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of the City Clerk bearing Document No. 460423, 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 approximately 6,000 cubic yards of Decomposed Granite for period from January 1, 1953, through June 30, 1953 as per specifications on file in the office of the City Clerk bearing Document No. 460424, was presented.

RESOLUTION NO. 109640, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 6,000 cubic yards of Decomposed Granite for period January 1, 1953 through June 30, 1953, in accordance with Document No. 460424, 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 the Purchasing Agent to advertise for bids for 38 Electrical Fixtures for the Electrical Division as per specifications on file in the office of the City Clerk bearing Document No. 460425, was presented.

RESOLUTION NO. 109641, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 38 Electrical Fixtures in accordance with Document No. 460425, 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 advertising for bids for the furnishing of the City's requirements for gasoline for a 2 month period beginning January 1, 1953, as per specifications on file in the office of the City Clerk bearing Document No. 460426, was presented.

RESOLUTION NO. 109642, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing requirements of Gasoline for a 12 month period beginning January 1, 1953, in accordance with Document No. 460426, 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 advertising for bids for furnishing approximately five hundred tons of Liquid Sodium Silicate for the Water Department, to be used during period January 1, 1953, through June 30, 1953, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the Office of the City Clerk bearing Document No. 460427, was presented.

RESOLUTION NO. 109643, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately five hundred tons of Liquid Sodium Silicate during period January 1, 1953, through June 30, 1953, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the Office of the City Clerk bearing Document No. 460427, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Asked by Councilman Swan about the purpose for the project, the City Manager replied that it has to do with Water purification.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing valves for Sutherland-

San Vicente Conduit and Sutherland Dam outlet works, in accordance with specifications on file in the office of the City Clerk, bearing Document No. 460428, was presented.

RESOLUTION NO. 109644, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing Valves for Sutherland-San Vicente Conduit and Sutherland Dam outlet works, in accordance with Document No. 460428, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109645, recorded on Microfilm Roll No. 57, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of small water main replacements Group II, 1952-1953, bearing official Document No. 456768; 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 Wincote, adopted.

RESOLUTION NO. 109646, recorded on Microfilm Roll No. 57, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of small water main replacements in various locations Group IV, 1952-53, and 24" and 16" feeder main in Pueblo Lot 1202, bearing Document No. 460430; 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 Swan, adopted.

RESOLUTION NO. 109647, recorded on Microfilm Roll No. 57, stating that the City is the owner of 5 houses at the following locations: 272 No. Francis Street; 3421 Ocean View Boulevard; 3405 Newton Avenue; 1117 South 34th Street; 145 North Francis Street; said houses having been purchased in connection with acquisition of property for the Wabash Freeway, no longer needed for City purchases; that the City Manager has recommended that they be sold; authorizing and directing the Purchasing Agent to advertise and sell the houses described, to be moved by the purchaser or purchasers; all costs in connection with the sale to be deducted from the proceeds received from the sale thereof, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109648, recorded on Microfilm Roll No. 57, authorizing and directing the City Manager to execute a contract with Carlos J. Tavares and Marjorie Claire Tavares, and Louis C. Burgener and Patricia W. Burgener, husband and wife, for installation and completion of unfurnished improvements and setting of monuments required for Clairemont Manor Unit No. 1, and for making of a cash deposit in Deposit Trust Fund; 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.

In connection with Resolution No. 109648 and the next-numbered Resolution, a communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Clairemont Manor Unit No. 1, subject to final check by the City Engineer and posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 109649, recorded on Microfilm Roll No. 57, adopting Map of Clairemont Manor Unit No. 1, being subdivision of portions of Pueblo Lots 1237 and 1238; accepting on behalf of the public Pocahontas Avenue, Pocahontas Court, Coconino Way, Coconino Court, Clairemont Drive, Merrimac Avenue, Lakehurst Avenue, alley and unnamed 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, alley 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 Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 sections of the Municipal Code, relative to the Tentative Map of Muirlands Vista, was presented.

RESOLUTION NO. 109650, recorded on Microfilm Roll No. 57, suspending Sections 102.05, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code, in connection with the Tentative Map of Muirlands Vista, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next matter, listed on the agenda, was a communication from the Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map of Muirlands Vista, for subdivision of portion of the north half of P.L. 1774 westerly of La Jolla Mesa Drive, into 23 parcels of approximately one-half acre in size, was not read.

Instead, George Lazar, attorney representing Arthur E. Wilson, the subdivider, spoke relative to the Tentative Map of Muirlands Vista. He described the location, and told of the requirement in the recommendation for sewers. He said that the area comprises 13 acres, to be divided into 24 lots, about 1/2 acre each in size. He pointed out that it would be a high class subdivision, not a tract project. Mr. Lazar said that the nearest sewer is 1-1/4 miles away from the proposed project. He said that the Engineer had not recommended that sewers be made a requirement for the subdivision (it was not clear who was the

engineer.) He read a report relative to soil tests which had been made. He pointed out that several houses in the area use cesspools. Mr. Lazar said that a Health Department inspector had declared that it would be satisfactory to use drain lines and pits.

Mr. Halstead (whose first name was not given, or asked), who apparently made the soil tests, reported.

The Mayor asked Arthur E. Wilson if he is the same one who had sent him a copy of a letter.

Mr. Wilson came to the microphone, and said that it was he.

Mr. Lazar continued by saying that the whole program is ephemeral, and that the recommendations made would be unfair to Mr. Wilson.

Councilman Godfrey said that the City would need a letter from Dr. Askew, the Health Officer, on the subject.

Glenn A. Rick, Planning Director, said that there is a letter from the Health Department, which said that 90% of the cesspools in Muirlands are not working satisfactorily. He defended the recommendation made for the requirement. He told about the owners; and he made reference also to "Little Muirlands" which he said is going ahead, and that if property involved is subdivided and sewer lines required, that would help the area. He said that in his opinion, the City should not approve any subdivision with questionable sewer condition involved.

Mr. Lazar said that it is 1-1/4 miles to the sewer, necessitating construction, if required, to reach the subdivision being discussed.

Mr. Rick said that if Tavares ("Little Muirlands") puts in the subdivision and sewer, it would be only 300 or 400 feet of construction required to reach the Wilson property.

Mr. Wilson said that he would rather hook up to a sewer line, if possible. He said that the matter has been held a long time, and asked for action soon.

Councilman Wincote wanted to know how long it would be before Mr. Tavares develops his property.

That question was not answered. However, Mr. Wilson spoke again, and said he would not object to a slight delay. He said that he was willing to wait a week.

Councilman Godfrey spoke relative to 2 reports from the Health Department. He said that the matter of the proposed subdivision should be continued one week. He said that it would be possible to contact Mr. Tavares in the meantime.

Mr. Lazar said that information has been submitted to the Health Department. He said that the Health Department had said nothing about ifs, ands, or buts, in making recommendation.

Councilman Wincote said that a report will come from Mr. Slater (The Health Department) relative to the Padgett and Tavares development.

On motion of Councilman Godfrey, seconded by Councilman Swan, the matter was continued one week; contact to be made with Mr. Slater of the Health Department and with Messrs. Padgett and Tavares, subdividers of "Little Muirlands". The motion did not state who would make said contacts. (The Clerk asked the Mayor about that point in relation to the motion; it was not answered.)

Communication from Janowsky, 2348 El Cajon Boulevard, San Diego 4, dated December 10, 1952, was presented. The writer said he understands that the San Diego Transit System is contemplating moving its bus stop from the northeast corner of Texas and El Cajon to the northwest corner of Texas and El Cajon. It said that no one has discussed the matter with him but that he wished to registered unqualified opposition to the change. Reasons therefor were set out in detail in the communication.

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

Communication from Men's Democratic Club of San Diego County, 1113 First National Bank Bldg., San Diego 1, dated December 9, 1952, signed by H. M. Fisher, Acting Secretary, was presented. Said communication submitted Resolution passed by the Men's Democratic Club of San Diego County at its regular weekly meeting December 4, 1952, opposing a lobby as being subversive to the theory and practice of representative government and requesting that the Club be given notice of any public hearing in the matter so that there can be a representative present, said that the City should not expend any monies to hire a lobbyist to represent it in Sacramento. It said, also that if the City finds the Legislators to have inadequately represented the City it should publicly request their respective resignations, to the end that they may be replaced by legislators better able to represent the interests of the City of San Diego and its citizens.

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

RESOLUTION NO. 109651, recorded on Microfilm Roll No. 57, directing notice of filing of the Street Superintendent's Assessment No. 2094 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 19 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 106115, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109652, recorded on Microfilm Roll No. 57, directing notice of filing of the Street Superintendent's Assessment No. 2095 made to cover the costs and expenses of the work done on the paving and otherwise improving of the Alley in Block 79 Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 105801, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109653, recorded on Microfilm Roll No. 57, directing notice of filing of the Street Superintendent's Assessment No. 2096 made to cover the costs and

expenses of the work done upon the paving and otherwise improving of the Alley in Block 13 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 104766, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109654, recorded on Microfilm Roll No. 57, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Addison Street, approving Plat No. 2399 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 Wincote, adopted.

RESOLUTION NO. 109655, recorded on Microfilm Roll No. 57, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Vista Del Mar Avenue, approving Plat No. 2385 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 Wincote, adopted.

RESOLUTION NO. 109656, recorded on Microfilm Roll No. 57, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving with sewers the Alley in Block 136 City Heights, Quince Street, Lexington Avenue, approving Plat No. 2396 showing the exterior boundaries of the district to be included in 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. 109657, recorded on Microfilm Roll No. 57, directing notice inviting sealed proposals for the furnishing of electric current for the lighting of 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, 1952, to and including October 12, 1953, in accordance with the Engineer's Report and Assessment filed October 10, 1952, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 109658, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of the Alley in Block 87 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 109059, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 109659, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of the Alley in Block 12 Sunset Cliffs, within the limits and as particularly described in Resolution of Intention No. 109060, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 109660, recorded on Microfilm Roll No. 57, for the installation of sewers in Old San Diego, J. P. Jones Subdivision, Pueblo Lot 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reiner's Subdivision, Addition to Silver Terrace, Amended Map of Silver Terrace and Certain Pueblo Lands of San Diego, within the limits and as particularly described in Resolution of Intention No. 109063, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 109661, recorded on Microfilm Roll No. 57, 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, 1952 to and including November 15, 1953, in accordance with plans and specifications contained in the City Engineer's report and assessment filed October 31, 1952, in the office of the City Clerk, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 109662, recorded on Microfilm Roll No. 57, 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, 1952 to and including November 4, 1953, in accordance with plans and specifications contained in the City Engineer's report and assessment filed October 31, 1952 in the office of the City Clerk, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109663, recorded on Microfilm Roll No. 57, for the installation of sewers in 44th Street and C Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109664, recorded on Microfilm Roll No. 57, for the closing of portion of La Jolla Shores Drive, within the limits and as particularly described in said Resolution; finding that it is not necessary that any land be taken thereof; setting out the exterior 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; determining to proceed under the provisions of the Street Opening Act of 1889, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109665, recorded on Microfilm Roll No. 57, 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, 1953, to and including December 31, 1953; ordering that the entire amount of the costs and expenses of said improvement shall be assessed upon the district set out in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109666, recorded on Microfilm Roll No. 57, 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, 1953, to and including December 31, 1953; ordering that the entire amount of the costs and expenses of said improvement shall be assessed upon the district set out in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 109667, recorded on Microfilm Roll No. 57, 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, 1953 to and including December 31, 1953; ordering that the entire amount of the costs and expenses of said improvement shall be assessed upon the district set out in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109668, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of Addison 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. 109669, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of Vista Del Mar 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. 109670, recorded on Microfilm Roll No. 57, for the installation of sewers in the Alley in Block 136 City Heights, Quince Street, Lexington Avenue, 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 NO. 109671, recorded on Microfilm Roll No. 57, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 195 City Heights, and Lincoln Avenue, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109672, recorded on Microfilm Roll No. 57, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Roswell Street, Hilltop Drive, Selma Place, Creston Drive and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108556, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109673, recorded on Microfilm Roll No. 57, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Wightman Street, within the limits and as particularly described in Resolution of Intention No. 107938, and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109674, recorded on Microfilm Roll No. 57, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the installation of sewers in Nashville Street, Lapwai Street, Western Street, La Salle Street and Jupiter Street, within the limits and as particularly described in Resolution of Intention No. 107941, and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109675, recorded on Microfilm Roll No. 57, granting petition contained in Document No. 457307 for the paving and otherwise improving of Russell 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, including other improvements as required, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109676, recorded on Microfilm Roll No. 57, granting petition contained in Document No. 458341 for the paving and otherwise improving of Thomas Avenue; 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 other improvements as required, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of lease with Arthur Johns, William A. Olsen and Parker S. Olsen, co-partners, doing business under the name and style of Olsen-John Ship Chandlers, was presented.

The communication states that the lease covers premises on the "G" Street Pier, having a total area of approximately 12,000 square feet - rental is for 5 years with 2 5-year options to renew. The rental was established at 10¢ per square foot per year in accordance with established rentals in the area - subject to review at every 2-1/2 year period during the lease and options. It mentions supplies to be handled and improvements to be made.

Carl Reupsch, representing the Harbor Department, made a verbal report in which he told of the area and the cost.

RESOLUTION NO. 109677, recorded on Microfilm Roll No. 57, ratifying, confirming and approving Tidelands Lease with Arthur Johns, William A. Olsen and Parker S. Olsen, co-partners, doing business under the name and style of Olsen-Johns Ship Chandlers, a copy of which is on file in the office of City Clerk as Document No. 460399, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of Agreement amending tidelands lease held by the San Diego Baseball Club, now known as the Padres Exhibition Company, was presented.

The communication states that the lease as originally drawn was for 2 years with option to renew for an additional 3-year period. The proposed Article 1 of the amendment modifies the term to 2 years with 3 1-year options to renew. The communication states that the original lease also set forth a rental of \$20,000.00 per year for the first 2 years, with rental to be agreed upon for the last 3 years, but in no event to be less than \$15,000.00 per year. The Amendment modifies the lease by establishing a rental of \$20,000.00 for the first year, \$17,500.00 for the second year, \$20,000.00 for each of the first 2 1-year option periods, and the last 1-year period to be agreed upon, but in no event to be less than \$20,000.00. The communication points out that the lease is also amended by providing that the Lessee shall not be required to maintain the First and Third Base bleachers, excepting such portion as may be used by Lessee. It says that since the bleachers were condemned by the City Building Inspectors, and the cost of the repairs would be prohibitive, it was agreed that the Lessee should not be held responsible for their maintenance.

Carl Reupsch, representing the Harbor Department, made a verbal report in which he made detailed explanations. He reviewed, from the lease, the rate, told of work to be done, and the condemnation of the bleachers (all not in order yet). He said that the gross intake had been taken into consideration. The Commission feels that the rental is not high enough, Mr. Reupsch said, but that it is used by the Lessee for the purpose intended only about 90 days a year. He said that the Commission would like to see the area put to better uses, and would like to see the Lessee leave the premises.

RESOLUTION NO. 109678, recorded on Microfilm Roll No. 57, ratifying, confirming and approving Agreement for Amendment of Tideland Lease with Padres Exhibition Co., Lessee, (successors to San Diego Baseball Club), a copy being contained in Document No. 460402 on file in the Office of the City Clerk; directing the City Clerk to cause certified copies of said Resolution to be attached to the original and duplicate original of Agreement for Amendment of Tideland Lease, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of cancellation and surrender of the W. F. Nelson lease covering premises at the Foot of 28th Street Pier, was presented.

The communication states that the premises have been purchased by the National Steel and Shipbuilding Company, who have requested a short-term lease from the Harbor Commission in order that they might use the premises as a parking lot and for storage of materials.

Carl Reupsch, representing the Harbor Department, explained the activity, in accordance with the Commission's letter.

RESOLUTION NO. 109679, recorded on Microfilm Roll No. 57, ratifying, approving and confirming cancellation of lease with W. F. Nelson on portion of the Tidelands, lease approved by Resolution No. 107543 and on file in the Office of the City Clerk as Document No. 452230 - effective October 31, 1952 - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109680, recorded on Microfilm Roll No. 57, establishing a parking time limit of two hours, between the hours of 8:00 A.M. and 6:00 P.M., Sundays and holidays excepted, on Richmond Street between the south line of University Avenue and the north line of Essex Street; establishing Parking Meter Zones upon said street, authorizing the City Manager to cause parking meters to be installed and parking spaces to be designated; authorizing and directing the installation of the necessary signs and

markings; repealing all resolutions or parts of resolutions in conflict therewith, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109681, recorded on Microfilm Roll No. 57, declaring the following to be intersection stops:

Sunset Cliffs Boulevard and Cordova Street, affecting northbound traffic on Sunset Cliffs Boulevard;
Devonshire Drive with Froude Street and Leon Street, affecting all traffic on Froude Street and Leon Street;
Abbott Street and Voltaire Street, affecting traffic on Voltaire Street;
Estrella Avenue and Trojan Avenue, affecting traffic on Estrella Avenue;
San Jacinto Drive and Trinidad Way, affecting traffic on Trinidad Way; and

authorizing and directing the installation of the necessary signs and markings to be made on said streets, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109682, recorded on Microfilm Roll No. 57, authorizing and directing the Property Supervisor to advertise for a period of at least five consecutive days in the official newspaper the sale at public auction of portion of the northeasterly 50 feet of Lot 12 and all of Lot 13 Block 3 Drucker's Subdivision of Pueblo Lots 218 and 244; stating that the reason for selling the property is that the same is no longer needed for City purposes; finding that the value of the property as disclosed by an appraisal made by a qualified real estate appraiser is \$1,200.00; determining that the minimum amount which the Council will consider for sale of the property is \$1200.00; reserving the right to reject any and all bids at said public auction; directing that all costs in connection with the sale of said property shall be deducted from the proceeds received from the sale thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109683, recorded on Microfilm Roll No. 57, authorizing and directing the City Manager to make application to the Board of Supervisors of the County of San Diego, State of California, and to take all necessary steps to acquire from the State tax-deeded lands in Kensington Heights Unit No. 1, Kensington Manor Unit No. 2, et al - all as more particularly described in said Resolution - which property may be purchased by the City of San Diego by entering into an option with the Board of Supervisors of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109684, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to do all the work in connection with the construction of an extension to the culvert in Hugo Street (closed) northwest of Willow Street, which work consists of the installation of 148 feet of 15-inch concrete pipe and construction of curb outlet structure, as shown on City Engineer's Drawing 4420-B, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Said Resolution recites that the Engineering Department has recommended construction of an extension to the culvert, 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 Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109685, recorded on Microfilm Roll No. 57, authorizing the City Manager to execute, for and on behalf of The City of San Diego, a pipe line agreement between the City and The Atchison, Topeka and Santa Fe Railway Company, wherein and whereby said Railway Company grants to the City a license to construct and maintain a cast iron pipe carrying water (pressure 150 pounds), consisting partly of 10" and 12" pipe, located on the Railway Company's property, and crossing under the Railway Company's Track No. 129, shown in red on Division Engineer's Drawing No. L-3-18884, dated July 23, 1952, and attached to license agreement and marked "Exhibit A", was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Proposed Resolution authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego an agreement with John C. Ray and James Mitchell, whereby in consideration of \$2,000.00 they would furnish a plan for improvement of the Mission Beach Amusement Center, in accordance with terms and conditions submitted with said proposed Resolution and on file in the office of the City Clerk, was presented.

Without discussion, the matter was ordered filed upon motion of Councilman Schneider, seconded by Councilman Godfrey.

RESOLUTION NO. 109686, recorded on Microfilm Roll No. 57, accepting and consenting to assignment, filed in the Office of the City Clerk as Document No. 460602, and executed December 3, 1952, by J. C. Landers, Assignor, to Stafford Hannon, Assignee, of that certain lease heretofore executed and filed with the Office of the City Clerk as Document No. 401873, covering approximately 180 acres in Section 20 Township 12 South Range 4 East, S.B.B.M., was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109687, recorded on Microfilm Roll No. 57, approving Change Order No. 5, dated November 18, 1952, heretofore filed with the City Clerk as Document No. 460476, issued in connection with contract with Cox Brothers Construction Co. for construction of approaches to the Morena Boulevard Bridge, contract contained in Document No. 450409 on file in the office of the City Clerk, changes amounting to increase in contract price of approximately \$2,150.00, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109688, recorded on Microfilm Roll No. 57, approving Change Order No. 6, dated December 1, 1952, heretofore filed with the City Clerk as Document No. 460478, issued in connection with contract between The City of San Diego and Cox Brothers Construction Co. for construction of approaches to the Morena Boulevard Bridge, contract contained in Document No. 450409 on file in the office of the City Clerk, changes amounting to an increase in the contract price of approximately \$594.33, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109689, recorded on Microfilm Roll No. 57, approving request of Griffith Company, contained in Change Order No. 1 for extension of 60 days to and including February 27, 1953, heretofore filed with the City Clerk as Document No. 460480, in which to complete contract for installation of traffic lights and signals on Sixth Avenue from Pennsylvania Avenue to University Avenue, contract contained in Document No. 455103 on file in the office of the City Clerk, extending time of completion of said contract, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109690, recorded on Microfilm Roll No. 57, authorizing Convair Management Club to extend time of closing private dance given by the Club on December 27, 1952, from 1:00 A.M. to 2:00 A.M., December 28, 1952, pursuant to recommendation of the City Manager and San Diego Municipal Code Section 33.1520.15, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109691, recorded on Microfilm Roll No. 57, granting permission to Herman Roth, 7466 Muriel Place, La Mesa, to install a 4" cast iron sewer line between the property line and sidewalk, to be placed 0.5 feet outside the property line and run in an easterly direction, parallel to the northerly line of Lots 6 and 7 Block 17 Eastern Addition to New Subdivision, to point of intersection with the public sewer, to serve property at 2443 Bancroft Street; subject to approval by the City Engineering Department, the Health Department and the properties department, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109692, recorded on Microfilm Roll No. 57, granting permission to Asberry W. Stockton, 1825 Third Avenue, San Diego 1, to install a 4" 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 south line of Block 257 University Heights subdivision, to point of intersection with public sewer, to serve property at 2048 Robinson Avenue, San Diego; subject to approval by the City Engineering Department, City Inspection Department and Properties Department, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The following matter was brought before the Council at this time, having been continued from the meeting of December 9, 1952, at the request of Judge Clarence Harden, attorney, who was in Federal Court on the 9th.

Petition of Lewis H. Dowdy, for permission to use a portion of Block 341 Old San Diego, northwesterly of Camino Del Rio, for storage and operation of one 30,000 gallon propane tank and four 3,000 gallon butane tanks, in connection with his butane distribution business, wholesale and retail, with office located at 3641 Rosecrans Boulevard, was presented.

The petition stated that the Council adopted Resolution 98994 on August 8, 1950 relative to use of property for storage and operation of a 60,000 gallon Butane-Propane gasoline plat and that it was found to be no more obnoxious or detrimental to the welfare of the particular community than other permitted uses in an M-1 Zone, provided the installation is made in strict compliance with all requirements of the Fire Marshall, the Building Department, the Department of Industrial relations and any other agency having control of said type of installation.

In addition, the petition stated that since adoption of said Resolution, the petitioner has not found it feasible to make the installation allowed by the Resolution, but that he is now ready without delay to make the installation. It also made reference to other similar plants in the area, and listed communications from adjacent property owners who express no objection to the contemplated installation. They were: Mrs. J. H. Andersen, 3304 Hancock Street; Mead's Greenwood Trailer Sales, 3880 Greenwood Street; First National Trust and Savings Bank of San Diego, 3641 Rosecrans Boulevard; Public Housing Administration, Housing and Home Finance Agency, 2100 Linda Vista Road.

Judge Harden, attorney, representing Mr. Dowdy, spoke relative to various statements made. He asked Mr. Dowdy to explain the matter to the Council. Mr. Dowdy, the Judge pointed out, is a former member of the San Diego Fire Department, and knows more about the situation than anyone else.

The Mayor said that the City has had the subject under consideration.

Mr. Dowdy explained the matter, and also said that the Fire Marshal has taken the attitude that he opposes the installation. He, too, spoke of nearby installation. He also mentioned the Gas Company's 1,000,000 gallon tank on the edge of Mission Valley, and other installations throughout the City. He said that the City of San Diego is the

biggest user of gas, and carries it in cylinders. He pointed out that Griffith Company, Ryan Aeronautical Company, and Consolidated-Vultee Corporation all have installations. He told of an existing plant near Federal Housing. Mr. Dowdy also told of Kelco, and Naval installations. He said that the Gas Company will not give service to plants unless they have standby supply. He mentioned large schools which have Propane storage. Mr. Dowdy spoke about the previous grant, and said that the situation has not changed. Mr. Olson (it was not indicated who Mr. Olson was) has O.K'd it. He spoke about 2 tanks - 33,000 gallons of storage. He said that trailers have Propane and Butane in use. He pointed out that as being a new hazard, relative to having to fill small tanks at the plant. He said that he is ready to go ahead.

The Mayor spoke about the possible danger in connection with the matter, and said that the Attorney had been asked to draw an ordinance to prohibit such gases.

Mr. Dowdy admitted that the gas is dangerous, but said that it is safer than gasoline. He told of tests on the containers. He said that it works successfully throughout the City.

Councilman Wincote said that the Ordinance, referred to by the Mayor, might be passed, and that it is no discriminator. He said that the City is responsible for the buses not using the gas mentioned. He said that the City is responsible for seeing that there are no explosions. Mr. Wincote said that he was astonished to learn that schools use such gas.

Mr. Dowdy said that a school at University and Park has such a 3,000 gallon tank.

Councilman Wincote admitted that it is a problem.

Councilman Schneider said that the City is not trying to be discriminatory. Consolidated, he said has dead storage of gas which does not move, and said that it has provided protection therefor.

Mr. Dowdy said that he has supplied large quantities of the gas referred to to the Gas Company. He said that the Gas Company has such gas piped throughout the City, and said that the company is the biggest user in the City. He asked what industries are to do when they come to down, and that their only standby is Butane. He said that the State will assist at any time in the matter.

Councilman Schneider said that the City does not want to add to a dangerous situation, but that it rather wants to reduce it.

Councilman Wincote said that if it is eliminated, it would eliminate all. He said that all would have to be treated alike.

Mr. Dowdy said that the demand is in the area where the permission is asked. He said that 70,000 gallons pass the Civic Center on Pacific Highway everyday, going to Tijuana. He referred to changed use of streets, by the Fire Department.

Chief Courser, of the Fire Department, defended his interest in the protection of life and property. He spoke in connection with the Ordinance on the subject of gas in the Inner Fire Limits prohibition. He told of an explosion in Vista. The Chief said that there is a place for the business, but it is not where Mr. Dowdy asks for it and that his requested location is not proper. He said that the time has come to regulate Butane. Chief Courser said that there have been many fatalities in connection with Butane. He told about the explosion. He recommended denial in the interest of safety and relative to the property situation. He pointed out that the Gas Company had isolated its tanks, and said that the company will acquire more land for further tanks, to protect individuals. He said that gas storage should be regulated. The Chief said that he does not like the existing installation at the Foot of 5th Avenue. He said that Pacific Highway had to be used, to get the gas to Tijuana. He commented that the matter is being taken up elsewhere, and spoke of other cities which have ordinances governing storage. He said that he thought Sacramento even prohibits the hauling.

Once again Councilman Wincote said that all have to be treated alike.

The Fire Chief said that he would favor an ordinance prohibiting the storage of the gas in large quantities, in cities. He admitted that the present hauling of the product is dangerous. He said that the schools referred to by Mr. Dowdy may be in the County - which could not be regulated by the City - and that they do not exist in the City.

Councilman Godfrey said that the schools' storage referred to is at University and Park as being in the County.

Councilman Kerrigan referred to the various characteristics of the gas, and said that location of tanks is important. He said that they should not be placed on low, flat ground.

Councilman Schneider asked about the problem which would result if permission were not granted in the City.

Mr. Dowdy replied that the cost and danger relative to hauling would be greater.

Chief Courser spoke about the Consolidated and the Ryan storage. He pointed out that they are under government regulation, but said that he does not approve. He reviewed the reasons behind the proposed ordinance. He said that he does not want the gas in the City.

There was general discussion between the Council and Chief Courser relative to the various users of the gas.

Mr. Dowdy spoke regarding agreement for use of streets, later refused.

The Chief denied that he had talked to Mr. Dowdy, who had referred to telephone conversation on the subject.

The Mayor said that it is the City's problem to consider the ordinance.

Councilman Wincote said that any action today would become part of an overall plan.

Judge Harden asked for continuance of the petition, until the whole action has been taken by the Council.

There was discussion relative to the gas and relative to action proposed in connection with the agenda.

Councilman Kerrigan pointed out that the matter for consideration at this time is the recommendation of the Planning Commission relative to use in M-1 Zone.

Councilman Wincote moved that the matter be delayed until the Council could see the entire picture, then take action on the request for permission to install the tanks, which motion was seconded by Councilman Schneider.

Councilman Godfrey said it "may take longer".

On motion made by Councilman Schneider there was added to the motion, that the petition of Mr. Dowdy be considered one week after the Council had reviewed the entire picture relative to the proposed Ordinance, which motion was seconded by Councilman Schneider.

RESOLUTION NO. 109693, recorded on Microfilm Roll No. 57, delaying action on the matter of use of portion of Block 341 Old San Diego, northwesterly of Caminada del Rio, for storage and operation of liquid petroleum gas business, in M-1 Zone, until one week

after the Council has reviewed the entire picture relative to the Gas question, in connection with proposed Ordinance on the subject, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109693, recorded on Microfilm Roll No. 57, authorizing Clara E. Breed, City Librarian, to attend the Mid-Winter meeting of the American Library Association, to be held in Chicago, Illinois, February 2 to 7, 1953; 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. 109694, recorded on Microfilm Roll No. 57, authorizing Mayor John D. Butler to attend the Governor's conference on educational television to be held in Sacramento on December 16 and 17, 1952; authorizing the incurring of the necessary expenses in connection therewith, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

(The Resolution originally read December 15 and 16, and were changed to the 16th and 17th by the Clerk at the request of the Mayor).

RESOLUTION NO. 109695, recorded on Microfilm Roll No. 57, allowing the bill of San Diego-California Club, bearing date December 9, 1952, in the sum of \$8,546.12, for expenses incurred; authorizing requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1952-53 for said sum, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5413 (New Series), recorded on Microfilm Roll No. 57, appropriating the sum of \$19,250.00 from the Capital Outlay Fund, for the purpose of providing funds to purchase property necessary for the proposed widening of University Avenue in Blocks G, H, and I, El Cerrito Heights Unit No. 3, 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, 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.

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

ORDINANCE NO. 5414 (New Series), appropriating the sum of \$18,000.00 out of the Unappropriated Balance, and transferring the same to the Engineering Department - as broken down in said Ordinance - 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, Godfrey, Mayor Butler. Nays--Councilman None. Absent--Councilman Dail.

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, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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

ORDINANCE NO. 5415 (New Series), recorded on Microfilm Roll No. 57, appropriating the sum of \$2,500.00 out of the Unappropriated Balance for the purpose of providing funds to cover the cost of a traffic survey of the Downtown Area of The City of San Diego, 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--Councilman 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.

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

ORDINANCE NO. 5416 (New Series), recorded on Microfilm Roll No. 57, appropriating the sum of \$30,000.00 from the Unappropriated Balance for the purpose of providing funds to cover the cost of the alteration and renovation of Municipal Offices in the City-County Administration Building, and for the purchase of necessary equipment, 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, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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

A proposed Ordinance incorporating a portion of Lot 16 Ex-Mission Lands into R-4" Zone and repealing Ordinance No. 35 (New Series), insofar as the same conflicts, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M. Thursday, January 8, 1953.

A proposed Ordinance incorporating portion of N.E. 1/4 of Lot 16 Ex-Mission Lands into C Zone, and repealing Ordinance No. 35 (New Series) insofar as it 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., Thursday, January 8, 1953.

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

RESOLUTION NO. 109696, recorded on Microfilm Roll No. 57, granting permission to the County of San Diego, by George H. Crawford, to make plumbing installations in connection with construction of Juvenile Hall by the County of San Diego, which deviate from the Building Ordinance, pursuant to provisions of Section 93.0403 of the San Diego Municipal Code, and recommendation of the City Manager; granting said permission subject to approval of the City Manager, Health Department and Inspection Department, and upon the express condition that the City shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said plumbing, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

It was moved by Councilman Schneider, seconded by Councilman Swan, to adjourn the meeting.

Before adjourning, however, the Mayor asked if there were any people in the audience who wished to speak at this time.

Lt. Comdr. Martinson, representing the Commandant of the Eleventh Naval District, said that he was here in connection with the hearing on the Kearny Mesa Improvement District, for construction of sewer and water mains, etc. (Page 213 of these Minutes). The Commander said that he was appearing in connection with flight pattern of planes on the Mesa. He referred to the future development that would take place in connection with the improvement, and said that there is now much objection to planes using fields in the vicinity of housing, and thought that there might develop a similar situation between the Kearny Mesa residents and the U.S. Navy which uses the Miramar Air Field.

The Mayor told Commander Martinson that the City will work with Admiral Roper in the matter.

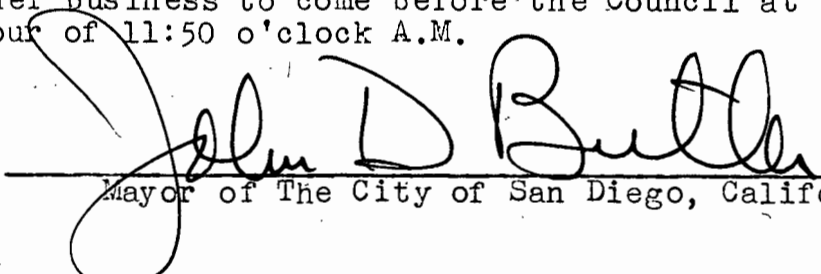
No action was taken other than what was noted earlier, in connection with the Improvement District Resolution of Intention adoption.

The Mayor announced that he thought there would be no conference held this date, and asked the Council's wishes in the matter. Councilman Schneider moved that no conference be held, which motion was seconded by Councilman Swan. The roll call determined that the Council would not meet in Conference today.

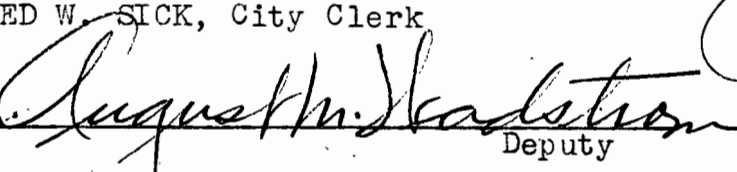
There being no further business to come before the Council at this time, the meeting was adjourned at the hour of 11:50 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By


Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, December 18, 1952

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

In the absence of Mayor Butler from the City, Vice Mayor Swan, who acted as Chairman, called the Regular Meeting to order, at the hour of 10:04 o'clock A.M.

The proposed ordinance incorporating portion of Lot 10 Horton's Purchase, Ex-Mission Lands into "R-2" Zone, was presented.

The property lies on the southeast side of Home Avenue about 1800 feet east of Federal Boulevard in Zone 1, is bounded on three sides by R-1 and on the south by R-2. The purpose of the rezoning is for a proposed school site.

ORDINANCE NO. 5417 (New Series), recorded on Microfilm Roll No. 57, incorporating portion of Lot 10 Horton's Purchase, Ex-Mission Lands into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code and repealing Ordinance No. 35 (New Series) adopted September 12, 1932, insofar as the same conflicts, 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, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, 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, Godfrey, Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

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

Prior to adoption of said Ordinance 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 proposed ordinance incorporating portion of Lot 67 Ex Mission Rancho into "R-4" Zone, was presented.

The property is 20x100 feet, located 80 feet south of the south line of Boston Avenue on the east side of 43rd Street, in Zone C. The existing C zone at the corner is 100x100 feet.

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. 5418 (New Series), recorded on Microfilm Roll No. 57, incorporating portion of Lot 67 Ex Mission Rancho into "R-4" Zone as defined by the San Diego Municipal Code Section 101.0408, and repealing Ordinance No. 78 (New Series) adopted November 14, 1932 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, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, 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, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

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

Communication from Burgener-Tavares, by Carlos Tavares, dated December 11, 1952, stating that petition for commercial zoning of approximately 12 acres in South Clairemont as shown in red on map attached, had been submitted. The communication stated that northeast of the site across the Kearney Mesa pipe line is an area of approximately 12 acres which is still in the planning stage and through which is tentatively shown a street. It stated, also, that the Commission seems to be concerned about the certainty of the continuation of Cowley Way through the area, that they have agreed to definitely locate and improve Crowley Way and file subdivision map for the shopping center area within a year of the rezoning of approximately 12 acre portion, was presented.

There was discussion on the communication, as to whether or not the proper procedure was being followed in connection with the zoning. It was thought that perhaps the matter should be referred to the Planning Commission.

Glenn A. Rick, City Planning Director, made a verbal report. He said he thought that the letter, which had not been read, should be. Mr. Rick said that Mr. Tavares wants to give evidence that he intends to go ahead with the subdivision, and that he wants the property zoned prior to the acceptance of the subdivision.

J. F. DuPaul, City Attorney, told the Council that no action should be taken other than to refer the matter to the Planning Commission. He said that it is not known, now, just where the proposed zone would go. He said that it was a bad practice to do what was proposed.

Mr. Rick told the Council about the proposed C Zone, and said that it has been through the required procedure, but that the east boundary is vague. He spoke of no dedication or zoning in the adjoining area, and mentioned that it is indefinite at the present time. He said that the rezoning is for a proposed shopping center.

Councilman Kerrigan moved to refer the communication to the Planning Department, which motion was seconded by Councilman Schneider.

The roll was not called at this time. Instead, Councilman Swan asked about the policy in connection with establishment of shopping centers.

Mr. Rick replied that it varies with various districts, and spoke about the relationships of such districts to the residences.

Councilman Swan wondered what downtown businesses would think about the new outlying shopping centers.

Councilman Godfrey said that the Planning Commission has looked into the request, and that it is reasonable. He said that the City is not interfering, and that the matter comes before it on request of the property owner.

The question was called for.

The roll was not called at this time. Instead, Mr. Rick reported again relative to the highway system and the parking involved. He pointed that in the new proposal parking would be provided for in connection with the businesses. He said that he thinks the location is desirable. He stressed the point that the needs of the people in the area comes first.

Councilman Godfrey spoke again, and said that reference to the Planning Commission and to the City Attorney might be needed.

Mr. Rick spoke about the easterly edge relative to dedicated street. He told about the subdivision, the improvements, and the streets.

The City Attorney said that the City does not have sufficient evidence in the matter at this time.

Councilman Godfrey then moved to refer the communication to the Planning Commission, which motion was seconded by Councilman Kerrigan. The roll was called on the motion, and the matter referred to the City Planning Commission and to the City Attorney.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending granting petition in connection with Cabrillo Heights Unit No. 2 amendment to Resolution No. 107869 dated August 7, 1952, insofar as Section 102.18 of the San Diego Municipal Code is concerned, to permit map to be filed at scale of one-inch equals 80 feet, was presented.

RESOLUTION NO. 109697, recorded on Microfilm Roll No. 57, amending Resolution No. 107869 adopted August 7, 1952, suspending sections of the San Diego Municipal Code in connection with subdivision of portions of Lots 37 and 40 Rancho Mission known as Cabrillo Heights Unit No. 2, to include Section 102.18, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending that Change of Grade proceedings be started on Midway Street between a line drawn southeasterly at right angles to the northwesterly line of Midway Street from the point of intersection of said northwesterly line with the northeasterly line of Cliffside and a line drawn southeasterly at right angles to said northwesterly line from the point of intersection of said northwesterly line of Midway Street with the westerly line of Calmut Avenue, was presented. The communication stated that it is recommended that the City allocate funds to pay the cost of proceedings, estimated to cost \$300.00. It said, also that the Change of Grade is required because improvements on the northerly one-half of the street were not constructed to the established grade, and that the southerly one-half is to be improved by private contract.

RESOLUTION NO. 109698, recorded on Microfilm Roll No. 57, adopting recommendation of the City Engineer filed in the office of the City Clerk December 18, 1952, under Document No. 460628 for starting of a change of grade proceeding on Midway Street, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from California Electric Works, 424 Eighth Avenue, San Diego 12, signed by V. R. Knight, president and general manager, assuming that the Council will act favorably upon request of San Diego Baseball Club to locate in Mission Valley, was presented. The communication advanced various reasons why the request should be granted, and lauded the sport, etc. It said, also, that matters of handling traffic always follow business developments, but do not curtail it.

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

Communication from Federal Safety Council of San Diego and Imperial Areas, signed by William E. Krenning, chairman, United States Post Office, was presented. Said communication stated that in the interest of reducing the amount of deaths due to accidents on the Highways of the State of California, and especially in the County of San Diego, the Motor Vehicles Committee of said Council, after a careful study, submitted the proposal accompanying the same, for consideration and study.

Councilman Kerrigan moved to refer the communication to the Traffic Safety file. The motion was not seconded.

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

Communication from San Diego Highway Development Association, 747 Pacific Beach Drive, signed by Robert Aplitz, Secretary, making inquiry relative to the status of the specific particulars involved in expediting the building of a new and higher bridge over Lake Hodges, and other matters on the subject of that bridge, was presented.

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

Communication from the Harbor Department, signed by the Port Director, submitting form of lease with Harry M. Dort, covering approximately 8,000 square feet of area at the northwest corner of Kettner Boulevard and Market Street, was presented. In addition it mentioned the length of lease and the rental, to be used for purchase, sale, rental and storage of automobiles, and that the premises would be surfaced six months after the effective date of the lease.

Carl Reupsch, representing the Harbor Department spoke about the term of time, and of the rental fee. He pointed out that the premises are not on tidelands, but had been acquired by the City in a trade, and that they adjoin the tidelands.

Mr. Reupsch asked about Harbor Commission authority over the lands, if not on tidelands.

The City Attorney said that a legal question had been asked, and that Mr. Reupsch was not qualified to answer.

Councilman Schneider moved to refer the matter to the City Attorney relative to the "tidelands" question of jurisdiction, which motion was seconded by Councilman Godfrey. Added to that motion by Councilman Wincote, seconded by Councilman Godfrey, was the matter of continuance for one week. The City Attorney had been asked if he could report by the next meeting, and he said he doubted it.

Communication from the Harbor Department, signed by the Port Director, submitting form of lease with Edward A. Britbard, William Breitbard, Robert Breitbard and Elford Breitbard, co-partners, doing business under the name and style of Balloon Dye Works, was presented. The lease covers premises on the "G" Street Pier of approximately 10,000 square feet of area for a 5-year term with 2 5-year options to renew. Rental is 10¢ per square foot per year for land and \$15.00 per month for each and every boat moored at the float which is located on the premises. It reported that the Lessees agree to construct a building costing approximately \$6,000.00 within 120 days after effective date of the lease, and that remaining conditions and provisions confirm in all respects to established policy.

Carl Reupsch, representing the Harbor Department, made a brief verbal report along the lines of the communication.

RESOLUTION NO. 109699, recorded on Microfilm Roll No. ratifying, confirming and approving lease, a copy of which is on file in the Office of the City Clerk as Document No. 460635, with various individuals doing business under the name and style of Balloon Dye Works, as Lessee, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109700, recorded on Microfilm Roll No. 57, ordering the work described in Resolution of Intention No. 109064 in the matter of the Kearny Mesa Improvement District, referring to Council determination to order that \$60,000.00 of the costs and expenses of the contemplated work and improvement shall be paid out of the Treasury of the City as set out in Ordinance No. 5324 (New Series), and that the remaining portion shall be chargeable upon the district described in said Resolution of Intention, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Acting City Engineer recommending that the petition for paving and otherwise improving of portion of Adams Avenue easterly of El Cerrito Drive, by private be granted, under City inspection, according to plans and specifications filed in the office of the City Clerk under Document No. 458999, at no cost to the City of San Diego, was presented.

RESOLUTION NO. 109701, recorded on Microfilm Roll No. 57, granting property owners permission to pave and otherwise improve portion of Adams Avenue by private contract, in accordance with plans, etc. on file under Document No. 45899, and as otherwise set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109702, recorded on Microfilm Roll No. 57, accepting deed of Union Title Insurance and Trust Company, bearing date December 8, 1952, conveying easement and right of way for public street purposes in portion of Pueblo Lot 1238, setting aside and dedicating the same to the public use as and for a public street, and naming the name Clairemont Mesa Boulevard (in connection with Clairemont Unit No. 11 final map); authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109703, recorded on Microfilm Roll No. 57, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Claremont Rental Housing Company, a corporation, subdivider, and Union Title Insurance and Trust Company, a corporation, Trustee, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Unit No. 1, and for making of a cash deposit in Deposit Trust Fund No. 302; 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.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending that the final map of Clairemont Unit No. 1 be approved subject to the final check by the City Engineer, posting of adequate bond to insure installation of required improvements, was presented.

RESOLUTION NO. 109704, recorded on Microfilm Roll No. 57, adopting Map of Clairemont Unit No. 11, accepting Ogalala Avenue, Neosha Place, Moraga Avenue, Moccasin Avenue, Lake Forest Avenue, Norwalk Avenue, Otami Avenue, together with any and all abutters' rights of access in and to Clairemont Mesa Boulevard, adjacent and contiguous to Lots 2349 to 2357 inclusive, and named and unnamed easements shown for public purposes, deching the same 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, abutters' rights of access in and to Clairemont Mesa Boulevard adjacent and contiguous to 2349 to 2357; 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.

RESOLUTION NO. 109705, recorded on Microfilm Roll No. 57, 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, State of California, and to take all necessary steps to acquire from the State of California lands located in Normal Heights Resub of Villa Lots, Tract 1353; P.L. 1110, et al, relative to tax-deeded lands needed for public purposes by the City of San Diego, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

(Property covered by said Resolution are set forth in detail therein.)

RESOLUTION NO. 109706, recorded on Microfilm Roll No. 57, approving request of Drainage Construction Co. contained in Change Order No. 2, for extension of 30 days to and including November 27, 1952, heretofore filed with the City Clerk as Document No. 460737 in which to complete contract for construction of Tecolote Canyon Sewer, Part II, and which is contained in Document No. 451825 on file in the office of the City Clerk, and extending completion time under said contract to November 27, 1952; waiving provisions of the specifications for work with respect to liquidated damages until termination of contract period as herein extended, to November 27, 1952, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

Prior to adoption of said Resolution, Les Halcomb, Asst. to the City Manager, explained the matter verbally to the Council.

RESOLUTION NO. 109707, granting permission to La Jolla Development Company, 6363 La Jolla Boulevard, La Jolla, to remove 40 feet of curb on the easterly side of La Jolla Boulevard between points 68 and 108 feet south of the southerly curb line of Winamar Avenue produced (points 29 and 69 feet north of utility pole 51705 H) for installation of driveway adjacent to portion of Pueblo Lot 1258 bounded by La Jolla Boulevard, Electric Avenue, Mesa Way and Palomar Avenue; proposed driveway will provide access to La Jolla Hotel and Apartments; upon conditions that contained in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109708, recorded on Microfilm Roll No. 57, granting permission to Richard E. O'Connor, 4518 Bayard Street, San Diego 9, to install two 43-foot driveways as measured at the top of the full-height curb on the easterly side of Columbia Street, approximately between points 2 and 45 feet and points 53 and 96 feet north of the north line of Quince Street, adjacent to Lots 4, 5 and 6 Block 115 Middletown, to serve 8-eight car garage at said location, upon condition that telephone pole 724 T be moved to location free and clear of driveway area, and that the installation be in accordance with all rules, regulations and ordinances of The City of San Diego governing same; provided that if at any time the area to be served by said driveway is not used for parking of motor vehicles, the permit granted shall be null and void, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109709, recorded on Microfilm Roll No. 57, approving claim of A. Myrtle Goss on file in the office of the City Clerk under Document No. 459519 in the amount of \$6.21; directing the City Auditor to draw his warrant in favor of A. Myrtle Goss in said sum in full payment of said claim, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109710, recorded on Microfilm Roll No. 57, authorizing the City Attorney to compromise claim of Vivian C. Peterson for \$20.000 Document No. 459564, in the amount of \$10.00; directing the City Auditor to draw his warrant in favor of Vivian C. Peterson in the amount of \$10.00 in full payment of the aforesaid claim, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109711, recorded on Microfilm Roll No. 57, denying claim of Mary Insko, on file in the office of the City Clerk under Document No. 457948 and amended by Document No. 459645, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109712, recorded on Microfilm Roll No. 57, denying claim of Mrs. Robert B. Jauregui on file in the office of the City Clerk under Document No. 460265, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109713, recorded on Microfilm Roll No. 57, denying claim of

Mathew Miller, on file in the office of the City Clerk under Document No. 459400, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109714, recorded on Microfilm Roll No. 57, denying claim of Walter R. Newbern on file in the office of the City Clerk under Document No. 459569, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109715, recorded on Microfilm Roll No. 57, modifying contract under Document No. 453553 filed in the office of the City Clerk, with R. E. Hazard Contracting Company for resurfacing portions of 33rd Street, 38th Street and La Jolla Boulevard, authorizing and directing the City Auditor to pay to said Company \$15,123.84 when said company files with the City Auditor a duly verified written demand, approved by the City Engineer, showing satisfactory completion of resurfacing work of La Jolla Boulevard from Prospect Street to Mesa Way, and expiration of statutory lien period, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109716, recorded on Microfilm Roll No. 57, approving bill of San Diego City-County Convention Bureau in the sum of \$735.21, for expense incurred in soliciting and servicing conventions; authorizing requisition to be written for said amount on the Advertising & Publicity Fund for the fiscal year 1952-1953, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109717, recorded on Microfilm Roll No. 57, accepting quitclaim deed executed on the 5th day of December, 1952, by Roy R. Brockbank and Dorothy M. Brockbank, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without, the subdivision named Brockbank Manor, being a subdivision of portion of Lot 13 La Mesa Colony; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109718, recorded on Microfilm Roll No. 57, accepting quitclaim deed executed on the 1st day of December, 1952, by Muirlands, Inc., a corporation, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public streets, rights of ways, highways and public places, either within or without the subdivision named La Jolla Lomas, being subdivision of Muirlands in a portion of Pueblo Lots 1257 and 1258 and filed as Map No. 2683; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109719, recorded on Microfilm Roll No. 57, accepting quitclaim deed of Elizabeth Sharkey Lee, bearing date December 5, 1952, quitclaiming portions of Lot C of La Mesa Colony, and portion of Cajon Avenue vacated; authorizing and directing the City Clerk to file said deed for record in the office of the County Recorder, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109720, recorded on Microfilm Roll No. 57, accepting deed of Helen Hughes, bearing date November 21, 1952, conveying portion of Lots 115 and 116 Sunshine Gardens; 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 transmit said deed, together with 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. 109721, recorded on Microfilm Roll No. 57, accepting deed of Ernest Ambort and Eileen A. Ambort, bearing date September 18, 1952, conveying easement and right of way for public street purposes in portion of Lots 1 and 28 Block 69 Morena; setting aside and dedicating the same to the public use as and for a public street, and naming the same Huxley Street; authorizing and directing the City Clerk to transmit said deed, together with 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. 109722, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector of the County of San Diego, bearing date November 19, 1952, conveying Lots 27 and 28 Block 8 Bayside; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109723, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying portion of Lot 12 Block 2 and all of Lot 14 Block 2 Electric Line Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109724, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lots 20 and 21 Block 10 Electric Line Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109725, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lots 3, 4, 5 Block 13 Electric Line Addition; authorizing and directing the City Clerk to file said deed for 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. 109726, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lots 7 and 8 Block 13 Electric Line Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109727, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot as tax collector of the County of San Diego, bearing date November 19, 1952, conveying Lots 9 to 16 Block 33 Tract No. 1381; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109728, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lots 13 and 14 Block 13 Sellar's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109729, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lots 16 and 17 Block 15 Sellar's Addition; authorizing and directing the City Clerk to file said deed for 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. 109730, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lots 6 and 7 Block 25 Sellar's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109731, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lots 3 and 4 Block 38 Sellar's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109732, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lots 4 and 5 Block 39 Sellar's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109733, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lot 14 Block 45 Sellar's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109734, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying undivided 1/4 interest in Lots 23 and 24 Block 52 Sellar's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109735, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lots 1 and 2 Block 290 Seaman & Choate's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109736, recorded on Microfilm Roll No. 57, accepting deed of Raymond B. Talbot, as tax collector for the County of San Diego, bearing date November 19, 1952, conveying Lots 11 and 12 Block 13 Electric Line Addition; authorizing and directing the City Clerk to file the said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109737, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by William H. Black, beneficiary, and Union Title Insurance & Trust Company, trustee, bearing date October 2, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 9 and 10 the Highlands, and a portion of unnamed street as vacated to public use May 31, 1949, and a portion of Lot 78 Rancho Mission of San Diego, to the right of way and easement for public sewer purposes heretofore conveyed to the City of San Diego; authorizing and directing the City Clerk to file said subordination for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109738, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by William H. Black, beneficiary, and Union Title Insurance & Trust Co., trustee, bearing date October 2, 1952, wherein said parties subordinate all their right, title and interest in and to portion of Lots 9 and 10 the Highlands, and a portion of an unnamed street vacated to public use, and portion of Lot 78 Rancho Mission of San Diego, to the right of way and easement for water main purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109739, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by William Gibbs, Jr. and Barbara M. Gibbs, beneficiaries, and Southern Title and Trust Company, trustee, bearing date October 3, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 13 New Riverside, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego in portion of said property; authorizing and directing the City Clerk to file said subordination agreement for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109740, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by Percy H. Goodwin Company, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date October 16, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 78 Rancho Mission of San Diego, to the right of way and easement for public sewer purposes heretofore conveyed to the City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109741, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by Zelma N. Myers and Wilbur W. Myers, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date October 15, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 78 Rancho Mission of San Diego, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to

file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109742, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by Linn Platner, beneficiary, and Southern Title & Trust Company, trustee, bearing date October 3, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 78 Rancho Mission of San Diego, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109743, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by San Diego Beach Company, beneficiary, and Southern Title and Trust Company, trustee, bearing date October 7, 1952, wherein said parties subordinate all their right, title and interest in and to portion of Lot 78 Rancho Mission of San Diego, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109744, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by Harrison G. Sloane and Elizabeth A. Sloane, beneficiaries, and Southern Title and Trust Company, trustee, bearing date October 6, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 78 Rancho Mission of San Diego, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109745, recorded on Microfilm Roll No. 57, accepting subordination agreement, executed by Sam Ferry Smith Company, beneficiary, and Southern Title & Trust Company, trustee, bearing date October 11, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 78 Rancho Mission of San Diego, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109746, recorded on Microfilm Roll No. 57, accepting deed of Ernest Ambort and Eileen A. Ambort, bearing date September 18, 1952, conveying easement and right of way for earth excavation and embankment slope purposes in portion of Lots 1, 2, 3, 4, 27 and 28 Block 69 Morena; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Property Department, for recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109747, recorded on Microfilm Roll No. 57, accepting deed of William Black and Ruth F. Black, bearing date September 22, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 78 Rancho Mission of San Diego; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109748, recorded on Microfilm Roll No. 57, accepting deed of Erling B. Branden, bearing date September 11, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 48 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109749, recorded on Microfilm Roll No. 57, accepting deed of Glen Fries and Olive Mary Fries, bearing date September 6, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 13 New Riverside; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109750, recorded on Microfilm Roll No. 57, accepting deed of Nicholas J. Giardina and Irene V. Giardina, bearing date September 6, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 48 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the

Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109751, recorded on Microfilm Roll No. 57, accepting deed of William Gibbs, Jr. and Barbara W. Gibbs, bearing date October 13, 1952, conveying easement and right of way for public sewer purposes in portion of Lots 11 and 12 New Riverside; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109752, recorded on Microfilm Roll No. 57, accepting deed of Roy Greenwood, Ronald Greenwood and H. M. Redfield, bearing date September 23, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 78 Rancho Mission of San Diego; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109753, recorded on Microfilm Roll No. 57, accepting deed of Wilbur L. Hanlon and Gwendolyn R. Hanlon, bearing date September 15, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 33 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109754, recorded on Microfilm Roll No. 57, accepting deed of Mary G. Hatch and Jessie G. Mathews, bearing date September 9, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 47 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109755, recorded on Microfilm Roll No. 57, accepting deed of Ernest T. Lamb and Mary R. Lamb, bearing date September 13, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 36 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109756, recorded on Microfilm Roll No. 57, accepting deed of William S. Lang and Marie G. Lang, bearing date September 13, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 48 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109757, recorded on Microfilm Roll No. 57, accepting deed of Roy D. Obert, bearing date October 3, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 27 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109758, recorded on Microfilm Roll No. 57, accepting deed of James H. Porter and Irene M. Porter, bearing date September 11, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 48 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109759, recorded on Microfilm Roll No. 57, accepting deed of San Diego Heights Company, bearing date September 16, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 38 of the Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109760, recorded on Microfilm Roll No. 57; accepting deed of E. L. Scholder and Pauline Z. Scholder, bearing date September 8, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 48 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109761, recorded on Microfilm Roll No. 57, accepting deed of James V. Smith and Ruth A. Smith, conveying easement and right of way for sewer purposes in portion of Lot 36 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109762, recorded on Microfilm Roll No. 57, accepting deed of John B. Starkey and May B. Starkey, bearing date September 6, 1952, conveying easement and right of way for public sewer purposes in portion of Lots 35 and 46 The Highlands; authorizing and directing the City Clerk to file the said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109763, recorded on Microfilm Roll No. 57, accepting deed of Union Title Insurance and Trust Company, bearing date September 24, 1952, conveying easement and right of way for public sewer purposes in portion of Lots 9 and 10 The Highlands, portion of unnamed street vacated to public use, and portion of Lot 78 Rancho Mission of San Diego; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109764, recorded on Microfilm Roll No. 57, accepting deed of Union Title Insurance and Trust Company, bearing date October 18, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 78 Rancho Mission of San Diego; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109765, recorded on Microfilm Roll No. 57, accepting deed of Robert R. Young and Jacqueline A. Young, bearing date September 8, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 37 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109766, recorded on Microfilm Roll No. 57, accepting deed of William Gibbs, Jr. and Barbara M. Gibbs, bearing date October 13, 1952, conveying easement and right of way for water main purposes in portion of Lot 11 New Riverside; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109767, recorded on Microfilm Roll No. 57, accepting deed of Reginald G. Stalmer and Alma J. Stalmer, bearing date October 11, 1952, conveying easement and right of way for water main purposes in portion of Lots 5, 6, 10 New Riverside; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109768, recorded on Microfilm Roll No. 57 accepting deed of Union Title Insurance and Trust Company, bearing date September 24, 1952, conveying easement and right of way for water main purposes in portion of Lots 9 and 10 The Highlands, a portion of an unnamed street vacated to public use, and portion of Lot 78 Rancho Mission of San Diego; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5419 (New Series), recorded on Microfilm Roll No. 57, dedicating easements for public use over certain public lands being portions of Lots 9, 10, and 11 New Riverside; Lots 36, 37, 38, 43, 44, 45 The Highlands; Lots 7, 8 and 9 New Riverside, and Lots 22 and 11 and portion of Main Street vacated, all in The Highlands, was on motion on motion of Councilman Schneider, seconded by Councilman Gofrey, 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.

In connection with the next Ordinance, having to do with establishing of official property line grades, Councilman Kerrigan asked for information, but none was given.

ORDINANCE NO. 5420 (New Series), recorded on Microfilm Roll No. 57, establishing official property line grades on 63rd Street between a radial line bearing 64° 30' 53" E through a point on the northeasterly line of Lot 32 Collwood Park, distant therealong 58.42 feet southeasterly from the most northerly corner of said Lot 32 and a radial line bearing N 83° 41' 00" W through a point on the westerly line of Lot 18 Acacia Park, distant therealong 22.00 feet northerly from the most southerly corner of said Lot 18; Catoctin Drive between the northwesterly prolongation of the southwesterly line of Art Street and the southeasterly line of 63rd Street, and Choctaw Drive between the southeasterly line of 63rd Street and a line drawn at right angles southwesterly to the northeasterly line of Choctaw Drive from a point thereon distant 55.12 feet southeasterly from the most westerly corner of Lot 20 Acacia Park, 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, 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.

Proposed Ordinance incorporating portions of Monte Villa Tract and First Addition to Pacific Beach Vista Tract into "R-2" Zone, as defined by Section 101.0406 of The San Diego Municipal Code and repealing Ordinance No. 119 (New Series), adopted January 3, 1933, insofar as the same conflicts, was presented.

Said property is at the north end of Cass and Dawes Streets, now zoned R-1, and is proposed to be R-2 by petition attached to the proposed Ordinance; it abuts R-4 zoning on the alley and the south between Archer and Agate Streets.

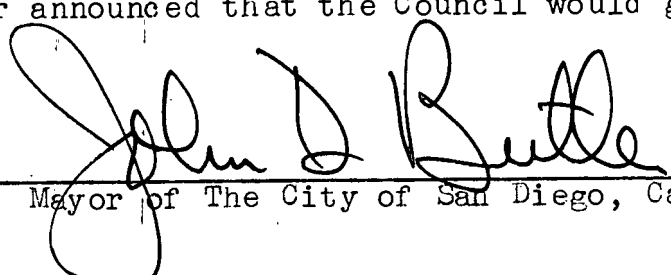
The Planning Commission recommended against the rezoning by a vote of 4-1. An informal hearing was held on the recommendation for rezoning on December 9, 1952, and Mr. S. D. Warner, 981 Van Nuys Street, was heard at that time. The Council referred the matter to the City Attorney for preparation of the ordinance to make the zone change, and agreed at the request of Mr. Warner to notify him of a hearing set.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, a hearing was set on set proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, January, 8, 1953. (As requested, The City Clerk's Office mailed Mr. Warner a copy of the Notice setting the time and place for hearing on the proposed Ordinance).

There being no further business to come before the Council at this time, the meeting was adjourned at the hour of 10:27 o'clock A.M., on motion of Councilman Schneider, seconded by Councilman Wincote.

Upon adjourning, the Mayor announced that the Council would go into Conference immediately.

ATTEST:
FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By  Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, December 23, 1952

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler
Absent---Councilmen None
Clerk----Fred W. Sick

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.

The Minutes of the Regular Meetings of Tuesday, December 16, 1952 and of Thursday, December 18, 1952, 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.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for construction of Drainage Facilities at Mission Boulevard and Pacific Beach Drive, and including alterations and additions to existing Pump Station, Specification No. 296, 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 H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of 10% of bid, which bid was given Document No. 461015;

The bid of Walter H. Barber, an individual, 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. 461016;

The bid of W. V. Hutchison, accompanied by bond written by Fireman's Fund Indemnity Company in the sum of \$150 of Bid, which bid was given Document No. 461017;

The bid of Johnson-Western Constructors, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of 10% of amount bid, which bid was given Document No. 461018;

The bid of Charles J. Dorfman, accompanied by bond written by General Casualty Company of America in the sum of 10% of the amount of the bid, which bid was given Document No. 461019.

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. 109267 for the paving and otherwise improving of the Alley in Block 231 University Heights and Richmond Street, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Arthur and Lettie Stone, Joseph C. Voigt, Jr.; Fred W. Beck, Nannie Lanning, Ralph J. Virden, Edward H. Blair, Richard J. Bartsch, Nellie A. Matchinske, which protests were presented to the Council.

The City Engineer reported verbally that there was a 71% protest.

Councilman Wincote moved to abandon the project, which motion was seconded by Councilman Kerrigan.

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

A. J. Douglas questioned the percentage reported as a protest.

The City Engineer stated that the protest figure was on an area basis.

RESOLUTION NO. 109769, recorded on Microfilm Roll No. 57, sustaining the protests against the proposed paving of the Alley in Block 231 University Heights and Richmond Street, within the limits and as particularly described in Resolution of Intention No. 109267, abandoning the project for said proposed improvement, 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 Resolution of Intention No. 109268 for the paving and otherwise improving of Cottonwood Street, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received from Celia Matters and Loretta Matters, which protest was presented.

The City Engineer was asked for a report on the protest. He said that the protest had just arrived and that he did not have a record of it. The Engineer made a quick check and said that it was a small percentage protest - a trifle more than 2%.

The Mayor asked one of the protestants if she wished to be heard. She replied that she did not.

RESOLUTION NO. 109770, recorded on Microfilm Roll No. 57, overruling and denying the protest of Celia Matters and Loretta Matters, against the proposed paving and otherwise improving of Cottonwood Street, within the limits and as particularly described

in Resolution of Intention No. 109268, overruling and denying all other protests thereon, 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 paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 109269, 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 Schneider, the proceedings were referred 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. 2087 made to cover the costs and expenses of the paving and otherwise improving of 33rd Street, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103207, 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.

R. W. Mitchell appeared and said that he and several others wanted to know of the system for payment.

The City Engineer explained to Mr. Mitchell how that matter is handled.

Mr. Mitchell asked about the Caesar assessment cost.

The Engineer explained that to Mr. Mitchell and to Mr. Caesar, who was present also.

Others came forward to look over figures with the City Engineer, who explained the matter to various individuals. All looked over work sheets which the Engineer had.

Mr. Mitchell stated, then, that no one wished to protest or file appeals.

RESOLUTION NO. 109771, recorded on Microfilm Roll No. 57, confirming and approving the Street Superintendent's Assessment No. 2087 made to cover the cost and expenses of the paving and otherwise improving of 33rd Street, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 103207; 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 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. 2088 made to cover the costs and expenses of the paving and otherwise improving of Coronado Avenue, Del Mar Avenue, and Orchard Avenue, within the limits and as particularly described in Resolution of Intention No. 103210, 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. 109772, recorded on Microfilm Roll No. 57, confirming and approving the Street Superintendent's Assessment No. 2088 made to cover the cost and expenses of the paving and otherwise improving of Coronado Avenue, Del Mar Avenue and Orchard Avenue, within the limits and as particularly described in Resolution of Intention No. 103210; 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 Swan, 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. 2089 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 20 City Heights, within the limits and as particularly described in Resolution of Intention No. 104447 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. 109773, recorded on Microfilm Roll No. 57, confirming and approving the Street Superintendent's Assessment No. 2080 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 20 City Heights, within the limits and as particularly described in Resolution of Intention No. 104447; authorizing and directing the Street Superintendent to record in his office said warrant, diagram and assessment, 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. 2090 made to cover the expenses of the paving and otherwise improving of Quimby Street and Plum Street, within the limits and as particularly described in Resolution of Intention No. 104945, the Clerk reported that written appeal had been received from Anthony Mascarenhas and Rita Mascarenhas, requesting that re-assessment be made to cover the northeasterly one-half of Lots 7 & 8 Block 136 Roseville; which appeal was presented by the Clerk.

The City Engineer told the Council that the property split is being made, and that the assessment roll was being modified accordingly.

RESOLUTION NO. 109774, recorded on Microfilm Roll No. 57, sustaining the appeal of Anthony Mascarenhas and Rita Mascarenhas filed in the office of the City Clerk

relative to the Street Superintendent's Assessment No. 2090 made to cover the expenses of the paving and otherwise improving of Quimby Street and Plum Street, within the limits and as particularly described in Resolution of Intention No. 104945; directing the Street Superintendent to modify said Assessment No. 2090 insofar as it affects Lots 7 and 8 Block 136 Roseville, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109775, recorded on Microfilm Roll No. 57, confirming and approving the Street Superintendent's modified and corrected Assessment No. 2090 made to cover the expenses of the paving and otherwise improving of Quimby Street and Plum Street, within the limits and as particularly described in Resolution of Intention No. 104945; 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 his 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 proposed annexation to The City of portions of The Highlands, New Riverside, all of Orcutt's Subdivision of Lot 1 New Riverside, portion of Lot 78 Rancho Mission - to be known as "Highlands-New Riverside Tract" - having been continued from November 18, 1952, November 25, 1952, and considered again this date, the City Manager reported verbally that there were some details to be worked out relative to easements. That matter, he said, could still be ironed out, and recommended that the hearing be closed and that the matter be referred to the City Attorney for preparation and presentation of the necessary ordinance.

No protests were presented at this time.

RESOLUTION NO. 109776, recorded on Microfilm Roll No. 57, closing the hearing on the proposed annexation of all of Lots 25 to 28 inclusive, lots 33, 34, 35, 37, 38, Lots 46 to 49, portions of Lots 20 to 22 inclusive, 29 to 32 inclusive, portions of Lots 36, 43 and 44 Highlands; all Lots 2 to 6 inclusive and portions of Lots 8, 9, 10, 11, 12 and 13 New Riverside; all of Orcutt's Subdivision Lot 1 New Riverside; portion of Lot 78 Rancho Mission of San Diego - to be known and designated as "Highlands-New Riverside Tract" - directing the City Attorney to prepare and present the necessary ordinance to annex said territory, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Petition of Post #6 American Legion, by Richard J. Curran, Judge Advocate, 2691 B Street, San Diego 2, for permission to conduct dance at its hall New Year's Eve, December 31, 1952, to extend closing hour to 2 o'clock A.M., was presented.

The City Manager made a verbal report in which he recommended granting.

RESOLUTION NO. 109777, recorded on Microfilm Roll No. 57, granting permission to Post Number Six of the American Legion to extend the closing hour to two o'clock A.M. for their New Year's Eve Dance, December 31, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, reporting on bids for furnishing a one-half-ton pickup truck for the Harbor Department, received December 10, 1952, from 4 bidders; recommending award to Bay Shore Motors, the low bidder, was presented.

RESOLUTION NO. 109778, recorded on Microfilm Roll No. 57, accepting bid of Bay Shore Motors for furnishing one half-ton pickup truck; awarding contract, and authorizing and instructing a majority of the members of the Harbor Commission to enter into and execute a contract for the furnishing thereof, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, making detailed report for the furnishing of Water Meters and Parts for a period of six or twelve months Deceginning January 1, 1953, received December 12, 1952, from 5 bidders in accordance with tabulation attached thereto, was presented.

The report stated that one bidder failed to bid on a longer period than six months, and of three other bidders who bid on either six months or twelve months basis, two bidders quoted a higher percent in the event they supply meters on a twelve months contract. The communication recommended award to Western Metal Supply Company sole bidder for furnishing 5/8 x 3/4" heavy duty meters on a 12 months basis at \$19.00 per meter and discount of 5% on repair parts; recommended award to Hudson Corporation, low bidder for furnishing 5/8 x 3/4" standard size Worthington meters, at \$18.00 each; 3/4 x 3/4" meters at \$28.40 each; 1" meters at \$41.29 each; 1-1/2" meters at \$78.49 each; and 2" meters at \$118.24 each; discount on repair parts 15%; time of contract 12 months, all plus State Sales Tax, was presented.

RESOLUTION NO. 109779, recorded on Microfilm Roll No. 57, accepting bid of Western Metal Supply Company for furnishing 5/8" x 3/4" heavy duty meters on a 12 months basis; awarding contract and authorizing and instructing the City Manager to enter into and execute the same, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109780, recorded on Microfilm Roll No. 57, accepting bid of Hudson Corporation for furnishing 5/8 x 3/4" standard size Worthington meters, 3/4 x 3/4" meters, 1" meters, 1-1/2" meters, 2" meters - time of contract 12 months - awarding contract, authorizing and instructing the City Manager to enter into and execute the same, 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 construction of sanitary sewer in Pacific Highway from Balboa Avenue southerly to the existing trunk sewer - received November 20, 1952, from 3 bidders - recommending award to Charles J. Dorfman, low bidder, was presented.

The communication stated that the low bid is 50% above the estimate.

RESOLUTION NO. 109781, recorded on Microfilm Roll No. 57, accepting bid of Charles J. Dorfman for construction of sanitary sewer in Pacific Highway from Balboa Avenue southerly to the existing trunk sewer; authorizing and instructing the City Manager to

enter into and execute contract for the same, 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 approximately 7500 feet of Fire Hose for the Fire Department as per specifications on file in the office of the City Clerk bearing Document No. 460897, was presented.

RESOLUTION NO. 109782, recorded on Microfilm Roll No. 57, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing approximately 1000 feet 1-1/2" Fire Hose, approximately 2500 feet 2-1/2" Fire Hose, and approximately 4000 feet 3" Fire Hose, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission - continued from the meeting of December 16, 1952, relative to sewers - in connection with the Tentative Map of Muirlands Vista, and recommending approval of the map with various conditions, was presented again.

Glenn A. Rick, City Planning Director, explained the matter to the Council. He said that he had been in touch with Mr. Padgett and Mr. Tavares (subdividers of a nearby subdivision, which would have the sewers) and explained the matter further. He said that if the larger subdivisions did not go ahead, it would be a burden on Mr. Wilson and on others. He said that Mr. Tavares will do the work for the sewer.

Dr. Askew, Public Health Officer said that there is trouble with at least one third of the septic tanks and cesspools. He recommended sewers on the hill of Muirlands.

George Lazar, attorney, speaking for the subdivider and who had been heard last week, spoke again. Mr. Lazar said that the land is satisfactory for septic tanks, and leaching lines. He said that the trouble referred to is in an entirely different area. Mr. Lazar said that Mr. Tavares' statement relative to sewer line for other subdivision is no assurance to the present proposed subdivider. He said that it is an unreasonable situation. Mr. Lazar spoke regarding contract for starting and completion of the nearby development (Tavares). At this time he showed a map of the entire area to the Council. He referred to 800 feet-to-1000 feet- required to reach the trunk sewer. He referred to \$395.00 per lot plus \$500.00 per lot inside the subdivision extra relative to sewers. He contended that it would be inequitable to hold back the development of Muirlands Vista.

Glenn A. Rick, Planning Director, went out for maps to show to the Council. The City Engineer spoke at this time, and referred to 1,600 feet in connection with reaching the sewer. He referred to neither of the previous statements as being correct to reach the Tavares installation. If the subdivider were to go another way, and if the Tavares property were not developed, the Engineer said that the developer would have to go 2,400 feet.

Councilman Dail said that septic tanks and sewers are not permitted in the City.

Dr. Askew replied that they have been approved, where they are found to be proper.

The Mayor asked Dr. Askew if it is economically impossible to put in the sewers that the Health Department would oppose the disposal method proposed.

Dr. Askew told about differences in dates of reports. He said that his department should review the situation, if it has not.

The Mayor said that it is unfair to hold up the subdivider. Councilman Godfrey expressed the belief that the matter should be reviewed. He pointed out that additional information had been submitted.

Asked by the Mayor if the firm which had made the soil tests on the property in question is reputable, Dr. Askew replied that it is.

Councilman Wincote wanted to continue the matter until the afternoon session today.

Dr. Askew requested a few minutes in connection with the matter. Councilman Godfrey moved to continue the matter temporarily. There was no second to the Godfrey motion. Instead, Mr. Rick arrived with a map which he showed to the Council.

Dr. Askew went over the maps with Mr. Rick, then went out. There was a conference over the map, including Mr. Lazar, the City Engineer, members of the Council, and the subdivider.

The City Council reviewed with the Council 3 possibilities relative to the subdivider reaching the sewer. He pointed out that no engineering has been done, and that he has at this point only looked over maps. He estimated \$8.00 to \$10.00 per foot, but said that he could not be sure of any figures.

There was general discussion by a number of individuals at one time. Councilman Godfrey said that there are lots of "if" injected into the situation, and said that he is interested in getting the facts. He said "let's not get confused, although he wants to hasten the matter."

Mr. Lazar told about a conference on the subject held in the office of Mr. Blom (Asst. City Manager). He said that Mr. Slater had said that the Health Department opposed septic tanks - no matter what. Mr. Lazar took exception to that statement. He said that no one knew when developments of the other property would go in. He spoke about the property under discussion being susceptible to septic tanks. Many places are being served by septic tanks in the area now, the speaker said. He told of successful and feasible operation. He said that the matter had been under consideration since April 15, 1952, and told the Council that it is not being hurried. He said that Mr. Wilson, the proposed subdivider, has built several houses in the area with septic tanks, none of which is causing any trouble.

Councilman Wincote pointed out that the Council is no authority on the subject, and that it needs to be guided by the thinking and recommendation of the Health Department.

Councilman Dail said that septic tanks are not satisfactory, and referred to many in his district which have caused trouble, and pointed out that their use is just a means to an end.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, the matter was postponed. See page 248 of these minutes for later action.

Mayor Butler left the meeting at this time, and Councilman Swan assumed the chairmanship as Vice Mayor.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 sections of the San Diego Municipal Code in connection with the Tentative Map of Units 1 and 2 of Furlow's Aztec Manor, was presented.

RESOLUTION NO. 109783, recorded on Microfilm Roll No. 57, suspending Sections 102.07-5, 102.12-6, 102.18, 102.17-c of the San Diego Municipal Code insofar as they refer to the Tentative Map of Units 1 and 2 of Furlow's Aztec Manor, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map of Furlow's Aztec Manor Units 1 & 2, for a 32-lot subdivision in Lot 27 and a portion of Lot 28 La Mesa Colony, located adjacent to Montezuma Road westerly of Catocin Drive, and recommending approval subject to 10 conditions on each of the units, was presented.

RESOLUTION NO. 109784, recorded on Microfilm Roll No. 57, approving the Tentative Map of Furlow's Aztec Manor Units 1 and 2, subject to the various conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map of Lomita Village Unit No. 4, for suspension of Sections of Sections 102.11-2, 102.12-8, 102.17-c, 102.18 of the San Diego Municipal Code in connection therewith, was presented.

RESOLUTION NO. 109785, recorded on Microfilm Roll No. 57, suspending Sections 102.11-2, 102.12-8, 102.17-c, 102.18 of the San Diego Municipal Code in connection with the Tentative Map of Lomita Village Unit No. 4, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Lomita Village Unit No. 4, for the addition of 244 lots located in the Narragansett Heights area immediately adjacent to Unit No. 3, was presented. The report states that the unit contains a school site and alternate park site; the park site is on the rear of a canyon, and the acquisition of the parcel of land for park depends upon the usability of the land after it has been filled as proposed by the subdivider.

RESOLUTION NO. 109786, recorded on Microfilm Roll No. 57, approving the Tentative Map of Lomita Village Unit 4, subject to 10 conditions, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for proposed rezoning of portion of La Jolla Hermosa Unit A and the adjoining City-owned property, from C Zone to R-1, advocated by the owners of the property in La Jolla Hermosa and the La Jolla Hermosa Improvement Association, which does not have the signatures of any property owners within the area proposed to be rezoned, was presented. The report stated that several property owners within the area to be rezoned objected to the rezoning and insisted that the property remain as it is. It stated that the Planning Commission voted 7-0 to recommend that the petition to rezone portion of La Jolla Hermosa Unit A as shown on drawing B-515 be denied.

Councilman Kerrigan moved to adopt the recommendation for the denial of the petition, which motion was seconded by Councilman Schneider. A Resolution of denial was not numbered by the Clerk, however, inasmuch as there was later action on the same subject.

At this time Councilman Swan referred to the action taken by the Council in denying the petition for rezoning in portion of La Jolla Hermosa Unit A, and wanted to know if any appeals had been received.

Glenn A. Rick replied to Mr. Swan by saying that Mr. Andeck wants the matter continued.

On motion of Councilman Schneider, seconded by Councilman Dail, the action taken on the rezoning was reconsidered, and the matter held until not later than 12:00 o'clock Noon today.

See later action on this subject.

Communication from the Planning Commission, signed by P. Q. Burton, submitting the proposed rezoning of portion of Lot 31 Horton's Purchase of Ex Mission Lands at 47th & Market Sts. (Guymon Co.), was presented. The matter referred to change in the proposal which had been before the Council on June 4, 1952, for change from R-1 to R-4. The report stated that the petitioner has submitted a new subdivision map and has requested that the property be zoned R-2 being a more restrictive zone than R-4 originally petitioned for. It stated that the area shown on Map C-77 to be rezoned R-4 changed to R-2 does not include all of the proposed subdivision of property to be known as Glenclift in that a portion of the existing C Zone on 47th Street is to be part of 3 lots to be used for R-2, that 2 more proposed lots are in C Zone adjacent to Market Street.

The Planning Commission voted 7-0 to rezone the property to R-2 and R-4 as shown on Drawing B-518, and that the ordinance rezoning the property be not effective until the Final Map of Glenclift, a subdivision of the property is filed of record in the County Recorder's office, it stated.

RESOLUTION NO. 109787, recorded on Microfilm Roll No. 57, directing the City Attorney to prepare and present the necessary Ordinance to rezone property in portion of Lot 31 Ex Mission Lands at the northeast corner of 47th & Market Streets (Guymon Co.) into R-2 and R-4 zones - ordinance to provide that the rezoning shall not be effective until the Final Map of Glenclift, subdivision of the property, is filed of record in the County Recorder's office - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, submitting petition of James J. and Bess B. Walsh for rezoning of some R-4 property to C Zone, was presented. The report stated the property is located on the southerly side of Imperial Avenue at Gannet Street, about 1000 feet west of Merlin Drive, that surrounding property is R-4 except portion of West Hollywood to the east between Imperial Avenue and Gannet Street which is C Zone and the property to the south on the hill which is R-1. It recommended that the property be rezoning, being portion of the easterly 668 feet of Lot 16 Partition of Rho Mission of S.D., Sly of Imperial Avenue, to C and CP Zones as shown on the accompanying Drawing B-516.

RESOLUTION NO. 109788, recorded on Microfilm Roll No. 57, directing the City Attorney to prepare and present the necessary Ordinance to rezone property being portion of the easterly 668 feet of Lot 16 Partition of Rho Mission of San Diego, Southerly of Imperial Avenue, to C and CP Zones as shown on Drawing B-516, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting petition for rezoning part of the Clairemont development on the tableland easterly and northerly of Mission Bay, being portion of P.L. 1235, 1236, 1237 and portion of C.C.C. Tatum's Bay Hills Mesa into R-2 Zone from R-1 in furtherance of the development as a part of commitment to the Federal Government in construction of allocated living units, was presented. The report stated that the area is generally part of C.C.C. Tatum's Bay Hills area, a recorded subdivision map, that the lots are approximately 150x200 feet and much too large for the type of house contemplated. It stated that the subdivision map proposed to be filed includes a 10-acre parcel for school purpose and an adjoining 10-acre parcel for park and recreational purposes, that the Commission had voted 7-0 to recommend that the area shown on B-513 be rezoned to R-2 and that the Ordinance rezoning the property be not effective until the approved Final Subdivision Map is filed of record in the County Recorder's Office.

RESOLUTION NO. 109789, recorded on Microfilm Roll No. 57, directing the City Attorney to prepare and present the necessary Ordinance to rezone property in P.L. 12356, 1236, 1237 and portion of C.C.C. Tatum's Bay Hills Mesa from the existing R-1 zone to R-2, in accordance with B-513 sheet, that the zoning be not effective until the approval of the Final Subdivision Map on said property is filed of record in the County Recorder's office, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission submitting letter from R. P. Reddingius requesting ruling on behalf of his client, Maury Ginn, re use of property for 3-minute car wash in C Zone, was presented. The report stated that the Planning Commission by a vote of 7-0 made a finding that a place of business for washing of cars, regardless of the time involved is a business similar to and not more obnoxious or detrimental to the welfare of the particular community than the uses enumerated, and recommended that similar action be taken by the Council.

RESOLUTION NO. 109790, recorded on Microfilm Roll No. 57, making finding that the proposed use by Maury Ginn of property at the southwest corner of Pearl & Fay Streets, La Jolla - Lots 29 to 32 inclusive Block 6 La Jolla Park Subdivision - for washing of cars is similar to other permitted uses in C Zone, that it is not more obnoxious or detrimental to the welfare of the particular community than uses enumerated in Sec. 101.0411 (C Zone) of the San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Application of John A. Pettus, 2244 Bacon Street, for Class C Dine & Dance License for Na-Lani Club, at same address was presented, together with recommendations from various City departments, for granting.

RESOLUTION NO. 109791, recorded on Microfilm Roll No. 57, granting application of John A. Pettus, 2244 Bacon Street, for a Class C Dine & Dance License to conduct public dance at Na-Lani Club, at same address, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from Mrs. Nell Adams, dated December 17, 1952 - no address given - relative to accidents and injured children due to careless drivers and speeders on Pendleton Street and Camino Vuelta, was presented.

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

Communication from the Bar Association of San Diego, dated December 18, 1952, signed by Ferdinand T. Fletcher, president, reporting the members voted into offices for 1953, was presented.

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

Communication from Big Sister League, Inc., signed by Fannie S. Woods, President, expressing appreciation for Council making it possible to maintain temporary shelter for stranded women and children, pointing out that large numbers are cared for regularly, accomplished by superintendent and housekeeper, pointing out that the Community Chest has failed to reach its goal and that it is doubtful that the annual allotment of \$2500.00; requesting reconsideration of terms of the proposed lease, was presented.

RESOLUTION NO. 109792, recorded on Microfilm Roll No. 57, referring Big Sister League, Inc. communication to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Newton B. Drury, Chief of the Division of Beaches and Parks, dated December 3, 1952, being copy addressed to Mr. Carl P. Staal, President of Shoreline Planning Assoc. of Calif., Inc. relative to policy on operation, was presented.

RESOLUTION NO. 109793, recorded on Microfilm Roll No. 57, referring copy of communication from Newton B. Drury, Chief of the Division of Beaches and Parks, addressed to Mr. Carl P. Staal, President of Shoreline Planning Assoc. of Calif., Inc., bearing Document No. 460619, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from Lee English, Arcade Bldg., Pacific Beach, San Diego 9 - and 767 Turquoise St. - relative to having received a ticket for parking at an out of order meter, which he marked out of order and to which he attached his business card, was presented. He complained of the routine involved and the time wasted in connection with the citation for overtime parking.

The City Manager reported that the meter was out of order as stated, and that a refund had been made to Mr. English.

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

RESOLUTION NO. 109794, recorded on Microfilm Roll No. 57, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Maple Street, filed in the office of the City Clerk under Document No. 460928; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109795, recorded on Microfilm Roll No. 57, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Trojan Avenue, filed in the office of the City Clerk under Document No. 460927; 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. 109796, recorded on Microfilm Roll No. 57, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of 2,260 feet of 8" water main extension, Shelter Island, Foot of Byron Street, filed in the office of the City Clerk under Document No. 460929; 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. 109797, recorded on Microfilm Roll No. 57, recorded on Microfilm Roll No. 57, directing notice of filing of the Street Superintendent's assessment No. 2098 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alleys in Blocks 96, 97, 99, 100, 103, 104, 107 Mission Beach; Santa Barbara Place, Mission Boulevard, Ventura Boulevard and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 104662, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109798, recorded on Microfilm Roll No. 57, recorded on Microfilm Roll No. 57, directing notice of the filing of the Street Superintendent's assessment No. 2099 made to cover the costs and expenses of the work done upon the installation of sewers in Sherman Street, Alley in Block 2 Subdivision of Pueblo Lot 277, Houston Street, Kurtz Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 106118, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109799, recorded on Microfilm Roll No. 57, recorded on Microfilm Roll No. 57, directing notice of the filing of the Street Superintendent's Assessment No. 2097 made to cover the paving and otherwise improving of Wawona Drive, within the limits and as particularly described in Resolution of Intention No. 106459, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109800, recorded on Microfilm Roll No. 57, recorded on Microfilm Roll No. 57, approving and accepting license agreement executed by Pacific

Union Metal Co., December 10, 1952, filed in the office of the City Clerk December 11, 1952 under Document No. 460328 relative to standards and luminaires, etc., for street lighting system to be installed in Plumosa Manor Unit No. 2 and in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Hyacinth Drive, for their entire lengths in Plumosa Manor No. 2, Oleander Place, and Wisteria Drive, at the prices named in said license agreement, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 109801, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of Beta Street, within the limits and as particularly described in Resolution of Intention No. 109061, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 109802, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of Diamond Street, within the limits and as particularly described in Resolution of Intention No. 109062, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109803, recorded on Microfilm Roll No. 57, 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, 1952, to and including November 15, 1953, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109804, recorded on Microfilm Roll No. 57, 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, 1952, to and including November 4, 1953, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF INTENTION NO. 109805, recorded on Microfilm Roll No. 57, for the paving and otherwise improving of the Alley in Block 195 City Heights, and Lincoln 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. 109806, recorded on Microfilm Roll No. 57, ascertaining and declaring the wage scale for the installation of an ornamental street lighting system in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive and Wisteria Drive, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109807, recorded on Microfilm Roll No. 57, ascertaining and declaring the wage scale for installation of sewers in the Alley lying northerly of and contiguous to Lots 26 to 36 inclusive, Resubdivision of Block H and Lots 26 to 38 inclusive of Block G Encanto Heights, and 63rd Street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109808, recorded on Microfilm Roll No. 57, ascertaining and declaring the wage scale for the paving and otherwise improving of Steel Street, Gillette Street, 33rd Street, and Imperial Avenue, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109809, recorded on Microfilm Roll No. 57, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alley easterly of and contiguous to Block K University Heights Subdivision of Pueblo Lot 1113, and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 107937, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109810, recorded on Microfilm Roll No. 57, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Gresham Street and Oliver Avenue, within the limits and as particularly described in Resolution of Intention No. 107936, and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109811, recorded on Microfilm Roll No. 57, directing the City Engineer to furnish diagram of the property affected and benefited by the work of paving and otherwise improving of Landis Street, within the limits and as particularly described in Resolution of Intention No. 108055, was on motion of Councilman Godfrey,

seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109812, recorded on Microfilm Roll No. 57, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Roosevelt Avenue and Haines Street, within the limits and as particularly described in Resolution of Intantion No. 107940 and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109813, recorded on Microfilm Roll No. 57, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the installation of sewer system in Sunset Street, Juan Street, Gaines Street and Public Rights of Way and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109814, recorded on Microfilm Roll No. 57, 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 A Belmont, within the limits and as particularly described in Resolution of Intention No. 106458, and to be assessed to pay the expenses; 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 Wincote, adopted.

RESOLUTION NO. 109815, recorded on Microfilm Roll No. 57, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Puterbaugh Street, within the limits and as particularly described in Resolution of Intention No. 105803, 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 of said City, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109816, recorded on Microfilm Roll No. 57, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of San Elijo Street, within the limits and as particularly described in Resolution of Intention No. 106325, 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 of said City, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109817, recorded on Microfilm Roll No. 57, granting permission to Hal Construction Corp. to pave and otherwise improve portion of 63rd Street, by private contract, in accordance with Document No. 459336, and on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109818, recorded on Microfilm Roll No. 57, granting permission to Coast Sec. Corp. and Harold L. Fleur to pave and otherwise improve portion of West Point Loma Boulevard, by private contract, in accordance with Document No. 458796, and on conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109819, requesting the Registrar of Voters of the County of San Diego, under direction and supervision of the City Clerk to perform services set forth in detail in said Resolution, in connection with the Municipal Primary Election to be held on the 10th day of March, 1953, and the Municipal General Election to be held on the 21st day of April, 1953, for the various reasons set forth thereon; authorizing and directing the City Auditor and Comptroller to reserve an amount ten per cent in excess of the estimated cost of the services requested of the County of San Diego from City funds in such manner that a sum equal to actual cost of the services may be transferred to the County when the work is completed; requesting the Board of Supervisors of the County of San Diego to adopt a resolution concurring in the proposals and procedure set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109820, recorded on Microfilm Roll No. 57, approving change order No. 2 dated December 1, 1952, heretofore filed with the City Clerk as Document No. 460949, issued in connection with contract between The City of San Diego and The Griffith Company for widening of Sixth Avenue; changes amounting to increase in the contract price of \$100.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109821, recorded on Microfilm Roll No. 57, approving Change Order No. 1 dated December 1, 1952, heretofore filed with the City Clerk as Document No. 460951, issued in connection with contract between The City and Sim J. Harris Company for improvement of Fetter Drive, in Hollywood Park, contract on file in the Office of the City Clerk; increase in the contract price to be \$100.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109822, recorded on Microfilm Roll No. 57, extending term of the Use and Occupancy Permit Agreement entered into between The City of San Diego and the Stanley Andrews Sport Goods Company, on the 14th day of November, 1949 and filed with the City Clerk as Document No. 409388 for operation of sporting goods and refreshment stand in the Municipal Gymnasium Building in Balboa Park, for a period of 3 years beginning January 16, 1956, upon the same terms and conditions as are stated in said agreement; the exercise by the permittee of any of the privileges granted by said agreement are extended as an acceptance of the terms and conditions stated therein and shall obligate and bind the permittee to perform and fulfill the same; directing the City Clerk to transmit certified copy of said Resolution to said Company at 1144 Third Avenue, San Diego, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109823, recorded on Microfilm Roll No. 57, authorizing the City Manager to employ R. E. Hazard Contracting Co. to replace 137 feet of curb and 47 lineal feet of gutter on Kendall Street, Chico Street and Shasta Street; the cost not to exceed \$217.85, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City of San Diego has entered into contract with said Company for grading, paving and installing curbs and sidewalks, etc., on Kendall Street, Chico Street and Shasta Street, under a 1911 Street Improvement Act proceeding, that 137 feet of curb and 47 feet of gutter are to be constructed, that said company has offered to do the work at said sum and the City Manager has recommended that the offer be accepted and work done, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109824, recorded on Microfilm Roll No. 57, authorizing and empowering the City Manager to do all the work in connection with construction of approximately 10,000 square feet of yard area at Chollas Yard, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Manager has recommended such construction and 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. 109825, recorded on Microfilm Roll No. 57, authorizing the City Manager to execute First Amendment to the Agreement for Operating Fountain, Sandwich Bar and Checkstand located in the Balboa Park Club, between The City of San Diego and Helen C. Haas and Louis J. Haas, which amendment provides for furnishing of light refreshments in the Balboa Park Club ballroom and lounge, in accordance with form of agreement filed with the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109826, recorded on Microfilm Roll No. 57, granting permission to The Pacific Telephone and Telegraph Company to place a concrete slab 36 inches wide, 7 feet long and 3 inches thick on City parking separating Linda Vista Road and the access road to the residential area of Magnolia Downs Subdivision, to be located adjacent to a San Diego Gas & Electric Company pole at the intersection of Cullen Street and Linda Vista Road, one foot back from the inside curb line, to be used for the purpose of placing a public telephone booth or booths thereon, on terms and conditions set forth in said Resolution, directing the City Clerk to transmit certified copy of said Resolution to The Pacific Telephone & Telegraph Company, c/o R. E. Hart, Sales Manager, 3940 Seventh Avenue, San Diego 1, California, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109827, recorded on Microfilm Roll No. 57, authorizing and directing the Mayor for and on behalf of the people of The City of San Diego, the City Council and the Mayor, to write a letter of congratulation to Archie Moore upon his winning the championship in the light heavy-weight division on the 17th day of December, 1952, in St. Louis, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109828, recorded on Microfilm Roll No. 57, vacating sewer easement over portions of Lots 52 and 53 Beacon Hill, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City acquired said easements, that since the acquisition they have not been used for the 5 consecutive years next preceding the proposed vacation, that the easements are unnecessary for present or prospective public use; stating that from and after date of the vacation title to the land shall revert to the owners of the land free from the rights of the public; authorizing and directing the City Clerk to cause certified copy of said Resolution, attested under seal, to be recorded in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109829, recorded on Microfilm Roll No. 57, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of the City, a quitclaim deed quitclaiming to San Diego Unified School District portion of Pueblo Lot 1203; authorizing and directing the Property Supervisor to place said deed in escrow, with directions that the same be delivered to successful bidder when all escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that on March 1, 1949 the Council adopted Ordinance No. 3997 (New Series) authorizing leasing for a period in excess of 15 years, or sale of, Pueblo Lot 1203, or any portion thereof, which Ordinance was ratified by the electors on the 19th day of April, 1949 pursuant to the provisions of Section 219 of the Charter; that the San Diego Unified School District desires to purchase approximately 11.41 acres of said Pueblo Lot for construction of schools to serve Linda Vista area, and that the City Manager has recommended that said property be sold to said District; that the value of real property disclosed by appraisal made by a qualified real estate appraiser is \$2,000.00 per acre, or a total sum of \$22,820.00; that the Council finds that the lands are required for public purposes, and will be in the interests of the City to sell the same to the San Diego Unified School District at and for the price of \$2,000.00 per acre, or a total sum of \$22,820.00.

RESOLUTION NO. 109830, recorded on Microfilm Roll No. 57, accepting quitclaim deed executed by Josephine King on the 28th day of November, 1952, quitclaiming to The City of San Diego all water mains and appurtenant structures constructed for the use of the City, located in public streets, rights of way, highways and public places, either within or without the subdivision named El Cerrito Terrace Unit No. 2, being portions of Lot 7 La Mesa Colony; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 5421 (New Series), recorded on Microfilm Roll No. 57, approving the annexation to The City of San Diego of territory in the County of San Diego, State of California, designated as La Mesa Colony 4, 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, Schneider, Wincote, 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, Schneider, Wincote, Kerrigan, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

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

ORDINANCE NO. 5422 (New Series), recorded on Microfilm Roll No. 57, appropriating the sum of \$79,000.00 from the Sewer Bond Fund (713) of The City of San Diego, for the purpose of providing funds for replacement of the sewer in 33rd Street, between Lincoln Avenue and Adams 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. Nays--Councilmen None. Absent--Mayor Butler.

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 Butler.

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

ORDINANCE NO. 5423 (New Series), recorded on Microfilm Roll No. 57, appropriating the sum of \$10,240.00 from the Capital Outlay Fund for the purpose of providing funds for the purchase of Lot 16 Cave and McHatton Subdivision, to be used for Park and Recreation purposes, 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 Butler.

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 Butler.

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

ORDINANCE NO. 5424 (New Series), appropriating the sum of \$3,700.00 from the Unappropriated Balance for the purpose of providing funds to cover the cost of materials and equipment usage required in connection with construction of retaining wall, and surfacing approximately 10,000 square feet of yard area at Chollas Yard, 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. Nays--Councilmen None. Absent--Mayor Butler.

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. Nays--Councilmen None. Absent--Mayor Butler.

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

ORDINANCE NO. 5425 (New Series), recorded on Microfilm Roll No. 57, appropriating the sum of \$2,800.00 from the Unappropriated Balance, for the purpose of providing funds for purchase of 3,000 feet of 30-pair Electrical Cable and 2 Reels, 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. Nays--Councilmen None. Absent--Mayor Butler.

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 Butler.

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

ORDINANCE NO. 5426 (New Series), recorded on Microfilm Roll No. 57, appropriating the sum of \$555.00 from the Unappropriated Balance, for the purpose of providing additional funds for installation of meters on the water service of The San Diego Zoological Gardens, 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. Nays--Councilmen None. Absent--Councilmen None; 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--Councilmen None; Mayor Butler.

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

ORDINANCE NO. 5427 (New Series), recorded on Microfilm Roll No. 57, dedicating portions of Lot 151 Morena Subdivision for portions of public highways and naming the same Crete Street and Chicago Street; repealing all ordinances or parts of ordinances in conflict therewith, 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 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 was furnished to each member of the Council.

Proposed Ordinance incorporating portions of Pueblo Lot 1195 Fos Addition and Lots 141 to 145 inclusive, Morena into "CP" and "C" Zones, repealing Ordinance No. 13457 and 100 New Series insofar as they conflict, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Tuesday, January 13, 1953.

At this time Councilman Godfrey referred back to the Ordinance appropriating funds for purchase of land in Cave and McHatton Subdivision. At his request, the City Manager made a brief verbal explanation.

There was no further action.

See also page 240 on this same subject.

In connection with Tentative Map of Muirlands Vista, and the sewer matter, Dr. Askew returned to the meeting, and made a further report. He said that Mr. Strachan, who had been referred to, had been in the Health Department before being transferred to the City, and commented that it had been Mr. Strachan who had given the opinion that the proposal for the sewer is a temporary measure. He pointed out that with many people there would be trouble. Dr. Askew read the "Engineer's" report from the testing laboratory.

Mr. Strachan told about the meeting held in the office of E. W. Blom, Assistant City Manager. He said that the matter looked alright on paper, but that there has been trouble with individual systems. He pointed out that it can be a menace to the property before the cesspools are pumped out. Mr. Strachan told about trouble in the lines developing from growth therein, etc. He said that about 60% of the older systems are causing trouble. Two years, he said, is a reasonable time to expect trouble.

The Mayor returned to the meeting at this time, and resumed the Chair.

Councilman Kerrigan said that lack of sewer causes property to remain undeveloped, and he told of assistance in some cases.

Councilman Dail said that he does not know of any place where the septic tanks and cesspools are allowed. He told of the Valencia Park "last word" in septic tanks which did not last any time.

Councilman Wincote wanted to know about the new houses in the area which are on septic tanks.

Dr. Askew told the Council that there had been cases of individual use, and pointed out that this would be a subdivision and subjected to concentrated use.

Councilman Wincote said that the area is quite built up.

Councilman Schneider said that it is not an easy problem. He told the Council that the City Manager had told of the City possibly being able to work out something in connection with the sewer being brought in.

Mr. Lazar, who had spoke earlier for the subdivider, said that he had refrained from using blackjack methods. He said that they have to have a decision, and have

it now. He said that if the disposal system is not permitted, the subdivider will have to abandon the project, and lose what he has put into it.

Councilman Dail asked regarding the bond issue (for sewer lined).

The City Manager pointed out that it was intended for use on an investment basis.

Councilman Dail said that the subdivider should have City assistance.

The City Manager and Councilman Kerrigan said that it would be an assistance in the development.

Mr. Lazar referred to the overall basis, in connection tanks, the Health Department's rulings, and other phases of the sewer situation.

At this point there was over-the-rail conversation between Councilman Dail and Mr. Lazar.

Mr. Lazar told the Council that there would be 24 half-acre lots, and referred to the prominent families who reside in the area now. He pointed out that there would be large lots, and that they would be occupied by small families, resulting in minimum demand on the tanks.

Councilman Kerrigan referred again to the City's revolving fund for use in sewer matters.

Councilman Wincote said that the lots involved would be equivalent to 4 usual lots. He asked Dr. Askew if he thought the proposed disposal methods would last until the sewers get there.

Dr. Askew replied that they might last 3 or 4 years. He referred to future requirement to hook up to the sewers when they become available. He said that use of the property can be stopped if trouble develops. He contended that trouble would develop in the area the the cesspools.

The Mayor asked Mr. Lazar if the property involved is on an option basis by Mr. Wilson, the developer, or if he owns it.

Mr. Lazar said that it is a contingent proposition, and that it needs solution now. If said that if the sewer were available within a reasonable time, they would hook up, but that the trunk lines are too far away now. He said that approval is needed, based upon septic tanks subject to condition that if the sewer line becomes available to the property within the time that the property goes on the market that they hook up to the sewers, and that the owners will accept such a condition. He told of the plan for each lot. He referred to about \$450. to \$500. per lot for septic tanks and cesspools.

Councilman Wincote spoke about the hooking up of the remining lots not sold.

Councilman Schneider moved that the recommendation of the Planning Commission be approved. There was no second.

Councilman Schneider moved that there be approval of the use of septic tanks on the property. There was no second.

Councilman Godfrey wondered about the conditions, and thought that it might go to the City Manager for proper recommendation.

The City Manager said that it is not impossible to get the sewer lines. All that is needed, he said, is the assurance to develop.

Mr. Rick spoke regarding approval of other septic tanks. They are large, he said, and not in subdivisions. He referred to the Tavares property being susceptible to 1/2-acre development, if it goes through. He pointed out that if this goes through, Mr. Tavares might ask for the same thing.

Councilman Dail spoke about Lomita Village having been held up 5 or 6 years, and said that while it had been undeveloped for the same reason, owners are tying into the sewers now that they are available.

The City Manager said that it is necessary to look at the facts before he can state anything regarding development of the property.

Councilman Godfrey said that if there is to be an agreement, he wants to have the matter investigated thoroughly. He said that he wanted to have it studied by the City Manager.

Mr. Lazar then referred to a memo, which he had not mentioned previously. It referred to the time element, and read from it to the effect that the matter can be continued one week.

RESOLUTION NO. 109831, recorded on Microfilm Roll No. 57, referring to the City Manager for report and recommendation the matter of sewers in the proposed Muirlands Vista, report to be returned to the Council for the meeting of December 30, 1952, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The Mayor referred to the recommendation of the Planning Commission, which had been before the Council earlier, relative to rezoning portion of La Jolla Hermosa Unit A. He said that he had received a call from Mr. Andeck on the subject.

On motion of Councilman Dail, seconded by Councilman Schneider, said matter was continued to the meeting of December 30, 1952, for further consideration.

The City Manager requested, and was granted, unanimous consent, to present the next matter, not listed on the agenda. He explained it to the Council:

RESOLUTION NO. 109832, recorded on Microfilm Roll No. 57, granting revocable permit to the State of California, Division of Highways, to install and maintain overhead communication wires across Taylor Street at a point 72 feet east of the center line of Calhoun Street, between the California Division of Highways Maintenance Building and the new office building of the California Highway Division, on conditions set forth in said Resolution, was on motion of Schneider, seconded by Councilman Kerrigan, adopted.

The City Manager presented the next matter, under unanimous consent granted by the Council:

Application of Saddlerock Grill, by C. E. Oliver, Manager, for cabaret license at 1126 Fourth Avenue, was presented, together with recommendations from various City departments for granting.

RESOLUTION NO. 109833, recorded on Microfilm Roll No. 57, granting permission to Saddlerock Grill, by C. E. Oliver, Manager, at 1126 Fourth Avenue, to conduct a cabaret with paid entertainment at said address, where liquor is sold but no dancing

conducted, subject to regular license fee, and compliances with existing ordinances and regulations, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Mayor Butler requested, and was granted, unanimous consent to present the next matter to the Council. Before the resolution was presented, he made a brief explanation:

RESOLUTION NO. 109834, recorded on Microfilm Roll No. 57, authorizing Mayor John D. Butler to attend the IV Meeting of the Inter-American Congress of Municipalities, to be held in Montevideo, Uruguay, February 20th to 28th, 1953, at no expense to The City of San Diego; granting Mayor Butler permission to be absent from the City for such length of time as he finds necessary to make such trip, was on motion of Councilman Swan, seconded by Councilman Schneider, adopted.

Said Resolution recites that the Mayor of New Orleans, who is president of the Inter-American Organization of Intermunicipal Cooperation, has suggested that a proper delegation from the State of California attend; said Mayor emphasizes the importance of representation from California because of the rich Spanish and Latin-American tradition which means so much to the California history; the League of California Cities urges attendance of Mayor Butler at the meeting, on account of the interest of The City of San Diego and as one of the representatives of the League of California Cities.

There being no further business to come before the Council at this time, the meeting was adjourned at the hour of 11:15 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Skadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Thursday, December 26, 1952; Chamber of the Council
of the City of San Diego,
California

Present-Councilman Kerrigan

Absent--Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Butler.
Clerk---Fred W. Sick

Councilman Kerrigan appeared in the Council Chamber at the hour of 10:30 o'clock A.M., and declared the meeting adjourned due to lack of a quorum.

ATTEST:

FRED W. SICK, City Clerk

By

August M. Skadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council, Tuesday, December 30, 1952,
San Diego, California

A Regular Meeting 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, December 23, 1952 and of Friday, December 26, 1952 (not held) 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, being the latest time set for the receiving of bids for the paving and otherwise improving of the Alley in Block 3 Ocean View, and Block 6 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 108765, the Clerk reported that one bid had been received, which bid was opened and publicly declared.

Said bid was 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, which bid was given Document No. 461205.

On motion of Councilman Wincote, seconded by Councilman Swan, 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 Roseville Lighting District No. 1, for a period of one year from and including October 15, 1952 to and including October 14, 1953, the Clerk reported that one bid had been received, which 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 \$57.00 written by San Diego Trust and Savings Bank, which bid was given Document No. 461206.

On motion of Councilman Wincote, seconded by Councilman Dail, said bid was referred to the Council and to the City Attorney for report and recommendation.

The hour of 10:00 o'clock A.M. having arrived, the hour set for hearing on Resolution No. 109377 of Preliminary Determination for installation of sewers in 48th Street, Duval Street, 49th Street, Mary Lou Street, 50th 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 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. 109835, recorded on Microfilm Roll No. 58, determining that the proposed improvement of 48th Street, Duval Street, 49th Street, Mary Lou Street, 50th Street and Public Rights of Way within the limits and as particularly described in Resolution No. 109377 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 Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 109378 of Preliminary Determination for the paving and otherwise improving of 55th 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. 109836, recorded on Microfilm Roll No. 58, determining that the proposed improvement of 55th Street, within the limits and as particularly described in Resolution No. 109378 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 Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 109379 of Preliminary Determination for the paving and otherwise improving of La Paz Drive and San Bernardo Terrace, 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. 109837, recorded on Microfilm Roll No. 58, determining that the improvement of La Paz Drive and San Bernardo Terrace, within the limits and as particularly described in Resolution No. 109379 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. 109441 of Preliminary Determination for the paving and otherwise improving of Manzanita Drive, Heather Street and Glenfield 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. 109838, recorded on Microfilm Roll No. 58, determining that the improvement of Manzanita Drive, Heather Street and Glenfield Street, within the limits and as particularly described in Resolution No. 109441 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 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 Resolution No. 109442 of Preliminary Determination for the paving and otherwise improving of Date 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. 109839, recorded on Microfilm Roll No. 58, determining that the improvement of Date Street, within the limits and as particularly described in Resolution No. 109442 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 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. 109443 of Preliminary Determination for the paving and otherwise improving of Tulip 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. 109840, recorded on Microfilm Roll No. 58, determining that the improvement of Tulip Street, within the limits and as particularly described in Resolution No. 109443 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 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 furnishing of electric current for the lighting of the ornamental street lights located in El Cajon Boulevard, for the period of one year, 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. 109841, recorded on Microfilm Roll No. 58, confirming and adopting as a whole the Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 1, filed in the office of the City Clerk November 21, 1952, 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 the continued hearing on the ordinance - which had been before the Council previously several times - for incorporating portion of Lot 16 C. C. Seaman's Subdivision and Lots 3-4 Furlow Heights Unit No. 3 into R-4" Zone and repealing Ordinance No. 184 N.S. insofar as it conflicts, was brought up again.

Councilman Kerrigan, who had been heard in the matter before, suggested that the hearing be continued until the City gets right of way for a street. He said that the subdivision will require that, and that it will be given to the City. That action, he said, ought to be assured before the rezoning is made.

By common consent the hearing was continued temporarily.

Communication from Vernon E. Taylor, 826 Garnet Avenue, dated 12/18/52, relative to permitting off street parking areas in R-4 Zones where the R-4 property abuts or is adjacent to (across alley from) C-Zone or R-C Zone with zero setback and without the necessity of a Zone Variance, was presented. The communication outlined suggestions for requirements in such parking areas.

By request, the communication was read in its entirety to the Council by the Clerk.

It was moved by Councilman Kerrigan, seconded by Councilman Schneider to refer said communication to Council Conference.

Before the roll was called, there was brief discussion during which Councilman Wincote said that there the off-street parking matter involved, and thought the communication should go to that file. Councilmen Kerrigan and Schneider expressed the belief that the subject could be handled through zoning, rather than with off-street parking regulation.

The roll was called, resulting in

RESOLUTION NO. 109842, recorded on Microfilm Roll No. 57, referring petition of Vernon E. Taylor on off street parking areas in certain R-4 Zones to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for improvement of Hill Street, received by the Purchasing Agent December 17, 1952, from 4 bidders, was presented. It recommended award to Daley Corporation, low bidder; the bid being 11.7% below the estimate. The report stated that the money will be available when appropriated by the Council, that the City is to be reimbursed for the cost of the work by the San Diego Unified School District.

RESOLUTION NO. 109843, recorded on Microfilm Roll No. 58, accepting bid of Daley Corporation for the improvement of Hill Street; authorizing and instructing the City Manager to enter into and execute contract therefor pursuant to plans and specifications on file in the office of the City Clerk, 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 the Purchasing Agent to advertise for bids for one Hydraulic Aerial Ladder for the Public Works Department as per specifications on file in the office of the City Clerk bearing Document No. 461136, was presented.

RESOLUTION NO. 109844, recorded on Microfilm Roll No. 58, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of one hydraulic aerial ladder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 sections of the San Diego Municipal Code in connection with the tentative map of Arnold Heights Unit No. 2, a 34-lot subdivision in portion of Lots 19, 20 and 21 Wadsworth's Olive Grove, was presented.

RESOLUTION NO. 109845, recorded on Microfilm Roll No. 58, suspending Sections 102.16-8, 102.18, 102.12-8, 102.17-c of the San Diego Municipal Code in connection with the Tentative Map of Arnold Heights, insofar as the tentative and final maps are concerned, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the tentative map of Arnold Heights Unit No. 2, located on the ridge easterly of Home Avenue and southerly of Euclid Avenue, connecting with street system of Arnold Heights Unit No. 1 and the proposed Delta Heights, subject to 10 conditions, was presented.

RESOLUTION NO. 109846, recorded on Microfilm Roll No. 58, approving the Tentative Map of Arnold Heights Unit No. 2, subject to conditions set forth therein, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, which had been before the Council on December 23, 1952, reporting on petition seeking to rezone portion of La Jolla Hermosa Unit A from the existing C Zone to R-1 was brought up again at this time.

Mayor Butler mentioned calls he had received on the subject, and expressed the opinion that the matter should be continued further. He said that a further delay would hurt no one.

Harry Haelsig, representing the Planning Department, was asked for a report. Mr. Haelsig replied that he was not too familiar with the particular matter, that he had attended the Planning Commission meeting when it was considered but that he had been obliged to leave to attend to other matters.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, the

matter was ordered filed.

(Andrew Andeck, of the La Jolla Town Council, who had telephoned the Mayor last week and at whose request the matter was postponed, was notified of the filing by the Clerk's office on 12/30/52).

Communication from Daniel G. Rody, Sr. Major, Commanding Officer, The Salvation Army, requesting the Clerk to convey to the Council his sincere thanks and deep sense of appreciation for the splendid cooperation given (in connection with free use of Balboa Stadium for the toy drive), was presented to the Council.

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

George Lazar, who had appeared before the Council in connection with the recommendations made relative to sewers in the proposed Muirlands Vista Subdivision on December 23, 1952, came before the Council again at this time.

The City Engineer, who had spoken previously, Mr. Lazar, George A. Wilson the subdivider, all looked at maps spread out by the City Engineer, relative to a sewer. The Engineer spoke to those interested about the sewer, and reviewed prospects.

(The matter was not reported by the Clerk, inasmuch as there was discussion over the maps between the various individuals, during which no motions were made).

At this time Councilman Kerrigan moved that the Planning and Health Departments be upheld, that the City Manager be authorized to enter into contract regarding a sewer as expeditiously as possible.

George Lazar, attorney, said that he had been authorized to say that the proposal of the City Engineer, as delineated on the map which the Engineer had, is satisfactory if the Council gives approval to go ahead. Mr. Lazar pointed out that time is an element of considerable concern. He had made the same assertion at the previous discussion before the Council.

Councilman Kerrigan asked that there be added to the motion, the City Engineer's statement of the sewer going in in the late Fall.

At this time the roll was called on

RESOLUTION NO. 109847, recorded on Microfilm Roll No. 58, approving the Tentative Map of Muirlands Vista, a subdivision of portion of the north half of Pueblo Lot 1774 westerly of La Jolla Mesa Dr., into 23 parcels of approximately one-half acre in size, subject to 10 conditions set forth therein, and referring the sewer matter for each lot to the City Manager for the purpose of working out an agreement with the subdivider, and for a report back to the Council, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said resolution makes mention of the street requirements; sewers, and sewer laterals; water mains, and water services; curbs; sidewalks; roadways; drainage provisions; street names, as well as the sewers and the working out by the Manager and report to the Council.

The next matter, which appeared on Page 253 of these Minutes, was brought up again.

The proposed Ordinance incorporating portion of Lot 16 C.C. Seaman's Subdivision and Lots 1-4, inclusive Furlow Heights Unit No. 3 into "R-4" Zone as defined by Section 101.0408 of the San Diego Municipal Code and repealing Ordinance No. 184 (New Series) insofar as the same conflicts, was continued until the meeting of Tuesday, January 13, 1953.

RESOLUTION ORDERING WORK NO. 109848, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of Cottonwood Street, within the limits and as particularly described in Resolution of Intention No. 109268, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 109849, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 109269, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 109850, recorded on Microfilm Roll No. 58, for the changing of the grade of Midway Street, according to Map No. 2799 on file in the office of the County Recorder, and Map showing official property line grade to be changed signed by A. K. Fogg, City Engineer, and filed under Document No. 460882 in the office of the City Clerk December 22, 1952, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109851, recorded on Microfilm Roll No. 58, rescinding all proceedings taken under Resolution No. 109416 and abandoning the project (for closing portions of Baker Street, Tatum Street, et al, in C.C.C. Tatum's Bay Hills Mesa - closed

Superior Court decree), was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109852, recorded on Microfilm Roll No. 58, 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 67 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 104943 and to be assessed to pay the expenses thereof, which diagram is dated December 22, 1952; 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 Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109853, recorded on Microfilm Roll No. 58, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Locust Street, within the limits and as particularly described in Resolution of Intention No. 105705 and to be assessed to pay the expenses thereof, which diagram is dated December 19, 1952; directing the City Clerk at the 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109854, recorded on Microfilm Roll No. 58, declaring intersection stops as follows:

Pershing Avenue and Upas Street, affecting traffic on Pershing Avenue;

National Avenue and 30th Street, affecting traffic in all four directions;

National Avenue and 32nd Street, affecting traffic in all four directions;

authorizing installation of the necessary signs and markings to be made on said streets, was on motion of Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109855, recorded on Microfilm Roll No. 58, declaring intersection stops as follows:

India Street between the south line of Broadway and the north line of Market Street;

Lincoln Avenue, between the east line of Texas Street and the west line of Utah Street;

authorizing installation of the necessary signs and markings to be made on said streets, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109856, recorded on Microfilm Roll No. 58, prohibiting the parking of automobiles on both sides of University Avenue, between the east line of Front Street and the west line of Fifth Avenue, from 7:00 o'clock A.M. to 9:00 o'clock A.M., and from 3:30 o'clock P.M. to 6:00 o'clock P.M., (Sundays excepted); authorizing installation of the necessary signs and markings to be made on said street, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109857, recorded on Microfilm Roll No. 58, prohibiting the parking of automobiles on the east side of 30th Street, between the south line of Upas Street and a point 300 feet south of Upas Street, from 4:00 P.M. to 6:00 P.M. (Sundays excepted); authorizing installation of the necessary signs and markings to be made on said street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Port Director, which had been before the Council on December 18, 1952, submitting lease with Harry M. Dort covering approximately 8,000 square feet of area at the northeast corner of Kettner Boulevard and Market Street, was presented again. The lease is for a term of 5 years at a rental of \$150.00 per month; to be used for purchase, sale, rental and storage of automobiles, and the Lessee agrees that within 6 months after the effective date of the lease he will surface the premises with not less than 2 inches of asphaltic concrete or equivalent. It stated that the terms and provisions, otherwise, conform with established Harbor Commission policy.

The Council questioned the matter coming under the Harbor Commission, inasmuch as the premises are not upon tidelands. The City Attorney was requested to give an opinion, which opinion was attached to the file. It stated that an exchange of property had been made with the Navy by election held April 27, 1937, and that in said election it was specified that the property be placed under jurisdiction, supervision, management and control of the Harbor Commission.

RESOLUTION NO. 109858, recorded on Microfilm Roll No. 58, ratifying, confirming and approving the Lease, a copy of which is on file in the Office of the City Clerk as Document No. 460518 between The City of San Diego acting by and through the Harbor Commission as Lessor, and Harry M. Dort as Lessee, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109859, recorded on Microfilm Roll No. 58, authorizing and empowering the Port Director to do all the work in connection with the remodeling of the building recently vacated by the State Division of Highways at 1365 Harbor Drive for occupancy by the Harbor Department and related offices by appropriate City forces in accordance with his recommendation, was adopted on motion of Councilman Schneider, seconded by Councilman Kerrigan. Resolution recites that the Port Director has submitted estimates for the work and has indicated that the same can be done by the City forces more economically than if let by contracting.

RESOLUTION NO. 109860, recorded on Microfilm Roll No. 58, approving Change Order No. 4, dated December 11, 1952, heretofore filed with the City Clerk as Document No. 461149, issued in connection with the contract between The City of San Diego and Cast Stone Company, for remodeling of the Balboa Park Club Building, contract contained in Document No. 453653 on file in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109861, recorded on Microfilm Roll No. 58, approving Change Order No. 3, dated December 5, 1952, heretofore filed with the City Clerk as Document No. 461151, issued in connection with the contract between The City of San Diego and Bent Construction Company and Daley Corporation for construction of Sutherland Dam, contract contained in Document No. 452841 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$1600.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109862, recorded on Microfilm Roll No. 58, approving Change Order No. 1, dated November 28, 1952, heretofore filed with the City Clerk as Document No. 461153, issued in connection with contract between The City of San Diego and V. R. Dennis Construction Company for improvement of Imperial Avenue, from Escuela Street to 49th Street, contract contained in Document No. 459897 on file in the office of the City Clerk, changes amounting to increase in the contract price of \$398.50, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109863, recorded on Microfilm Roll No. 58, approving request of Johnson Western Constructors, contained in Change Order No. 1, for extension of time of 45 days, to and including December 12, 1952, heretofore filed with the City Clerk as Document No. 461155, in which to complete contract for construction of Azure Vista Pump Station and Sewer Pressure Line, contract contained in Document No. 448958 on file in the office of the City Clerk; extending completion of contract to December 12, 1952; waiving provisions of specifications with respect to liquidated damages until the termination of the contract period as extended, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109864, recorded on Microfilm Roll No. 58, approving request of Johnson Western Constructors, contained in Change Order No. 5, for extension of 30 days to and including November 6, 1952, heretofore filed with the City Clerk as Document No. 461157 in which to complete contract for construction of the 36-inch sewer replacement at Witherby Street Pump Station, contract contained in Document No. 449230 on file in the office of the City Clerk; extending completion time to November 6, 1952; waiving liquidated damages under specifications until termination of the contract as extended, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109865, recorded on Microfilm Roll No. 58, approving request of Wulff's Automatic Sprinkler Company, contained in Change Order No. 3, for extension of 30 days to and including December 18, 1952, heretofore filed with the City Clerk as Document No. 461159, in which to complete contract for installation of sprinkler system at the Balboa Park Club, contract contained in Document No. 450579 on file in the office of the City Clerk; extending completion time to December 18, 1952; waiving provisions of the specifications with respect to liquidated damages, until the termination of the contract period was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109866, recorded on Microfilm Roll No. 58, granting permission to James M. Becker to install temporary sewer to serve house now under construction at 5455 LaJolla Mesa Drive (Portion of P.L. 1782) to connect to private sewer presently serving 5411 LaJolla Mesa Drive, which is owned by Paul Walker, who is agreeable to the temporary connection; granted on condition and standing that it will be removed and proper connection made to trunk line which will be available within very near future; subject to approval by the Engineering Department, Inspection Department and Properties Department, and upon express condition that the City of San Diego shall be held free and clear of any damages by reason of installation, operation and maintenance thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109867, recorded on Microfilm Roll No. 58, granting permission to Howard L. Carnes, 3767 Acacia Street, to install a 4" cast iron sewer line between the property line and the sidewalk; to be placed 2.0 feet outside the property line and run in a southerly direction, parallel to the easterly line of Lot 20 Block 255 Pacific Beach Subdivision, to point of intersection with public sewer; to serve property at

1269-1277 Grand Avenue; subject to approval by the City Engineering Department, City Inspection and Properties Department, upon conditions contained therein, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109868, recorded on Microfilm Roll No. 58, granting permission to J. S. Hamel, Engineer, 2835 Gilroy Street, Los Angeles 39, to make plumbing variances set forth in said Resolution, in connection with the Pacific Beach High School, on conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109869, recorded on Microfilm Roll No. 58, granting permission to R. W. Haustein, 4067 Nabal Drive, La Mesa, California, to install a 4" cast iron sewer line between the property line and the sidewalk, to be placed 2 feet outside the property line and run in a northerly direction, parallel to the eastern line of Lot 26 Block 69 Ocean Beach Subdivision, to point of intersection with public sewer, to serve property at 1718 Bacon Street; subject to approval of the Inspection Department, Sewer Department, Property Department Engineering Department, on conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109870, recorded on Microfilm Roll No. 58, granting permission to Howerton Plumbing Company, for Jackson & Scott, builders, Sanford & Schiefer Clinic, 4002 Park Boulevard, to use 2" copper pipe, Type K, in lieu of 2" cast iron lead pipe (as required by Ordinance) to vent a sink located in laboratory and placed in center of room - no walls or partitions to be installed thereby insuring vent pipe will be in open - subject to approval of the City Manager and Inspection Department, upon express condition that the City be held free and clear of any claim for damages by reason of installation, operation and maintenance of said vent pipe, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

Before adoption of said Resolution, Councilman Kerrigan wondered if the City was going to permit use of the copper pipe in lieu of cast iron.

There was considerable discussion on the point, during which it was pointed out that the pipe proposed to be used is for a specific purpose rather than for general use.

No action was taken, other than adoption of Resolution No. 109870.

RESOLUTION NO. 109871, recorded on Microfilm Roll No. 58, granting permission to Fred B. Mitchell, 1401 Sixth Avenue, San Diego, to install and maintain one 2-1/2 inch electrical conduit and one and one-half inch telephone conduit under and across 8th Avenue, at a distance approximately 137 feet on center line north of the north line of Washington Street, on the various conditions and terms set forth in said resolution - the permit to be revocable - was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109872, recorded on Microfilm Roll No. 58, granting permission to William Nethaway to connect houses numbered 310-350 Playa Del Norte, La Jolla, to one common sewer line, provided the house sewer is installed with a 6" pipe, in accordance with terms specified in Section 93.1301 of the Municipal Code; provided further that the property will not be subided without providing separate sewers; subject to conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109873, recorded on Microfilm Roll No. 58, authorizing the City Manager to enter into agreement, for and on behalf of The City of San Diego, with San Diego and Arizona Eastern Railway Company, wherein and whereby the Railroad grants to the City a permit and license to construct, reconstruct, maintain and operate an 8" cast iron pipe encased in a 16" smooth steel pipe, 39 feet long, for conveying water, beneath the property of the railroad at or near Encanto Station, from a point in the railroad's northerly right of way line to a point in the southerly right of way line and crossing not less than 3 feet below base of ties in Railroad's main line track at Engineer Station 313+93.1, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109874, recorded on Microfilm Roll No. 58, granting permission to Star & Crescent Oil Co. (Ray W. Patrick, Sales Manager) 656 Spreckels Building, San Diego 1, to install two 30-foot driveways, as measured at the top of the full-height curb, on the southerly side of Carleton Street between points 0 and 30 feet, and 52 feet and 82 feet east of the east line of Rosecrans Street, adjacent to Lots 11 and 12 Block 25 Roseville; with the understanding that driveway being located on Rosecrans Street, a State Highway, will be reviewed by the State Division of Highways, upon condition that the installation of driveways shall be in accordance with all rules, regulations and ordinances of The City of San Diego governing the same, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109875, recorded on Microfilm Roll No. 58, granting permission to Stone & Mulloy, architects (Donald N. Sharp Memorial Community Hospital) to install house sewer line at less than 1/4" grade per foot, on account of depth of line presently

installed to which connection will be made; also to use separate acid waste system from laboratory to connect to above-stated line after dilution of acid waste by influent of major laundry line, subject to conditions set forth in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109876, recorded on Microfilm Roll No. 58, authorizing the City Auditor and Comptroller to transfer all unexpended funds in Account 19.12, Dog Pound, Health Department Fund, to Account 15.15 Dog Pound, Police Department Fund, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109877, recorded on Microfilm Roll No. 58, authorizing Sergeant O. W. Baker, of the Police Department, to attend the course in Traffic Accident Investigation, to be given at the University of California at Berkeley, California, from January 26 to February 6, 1953; authorizing the incurring of all expenses necessary in connection with the taking of said course, provided that said expenses shall not exceed the sum of \$350.00, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109878, recorded on Microfilm Roll No. 58, 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 Robert R. Betts and Pauline C. Betts, husband and wife, as joint tenants, Lots 3 and 4 Block 60 Campo del Dios Unit No. 3; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions to place the deed in escrow with directions that the same be delivered to the grantees when all escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City is desirous of acquiring Lot 2 Block 12 in Campo Del Dios Unit No. 1 for ultimate development of Super Hodges Reservoir, that R. R. Betts is willing to deed said land to the City in exchange for quitclaim from the City for property owned by the City, that the value of the property to be granted to the City is \$500.00, that the property owned by the City is \$500.00 and that the City Manager has recommended said exchange.

RESOLUTION NO. 109879, recorded on Microfilm Roll No. 58, 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 quitclaiming to Rufus Choate, as trustee under the last will and testament of D. Choate, deceased, portions of Lots 5 and 6 Block 2 Western Addition and portions of Lots 8, 9, 10, 11, 12, 16, 17, 18, 19, 20 Block 2 Western Addition, excepting and reserving unto the City any and all rights of ingress to and egress from land conveyed over and across the property described in said Resolution; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered to the grantee upon receipt by the City of the deeds for the property as required by the City for construction of Wabaska Drive, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City is desirous of acquiring portions of Lots 4, 13, 14, 15, 23 and 24 Block 2 Western Addition to be used in the construction of Wabaska Drive, that said property is owned by Rufus Choate, Flora M. Choate and Rufus Choate, as trustee under the last will and testament of D. Choate, deceased, willing to deed said land to the City in exchange for quitclaim from the City for property owned by the City, that the land to be granted is valued at \$3,500.00; that the City is willing to deed its Lots 5, 6, 8, 9, 10, 11, 12, 16, 17, 18, 19, 20 Block Western Addition, which are no longer required by the City, that the value of the Choate property is identical, and that the City Manager has recommended said exchange.

RESOLUTION NO. 109880, recorded on Microfilm Roll No. 58, 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 to Anna Dohl, a single woman, Lots 13, 25, 26 and the north one-half of Lot 14 Block 106 Campo Del Dios Unit No. 5; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions to place it in escrow with directions that the same be delivered to the grantee when all escrow instructions have been complied with, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Said Resolution states that the City is desirous of Acquiring Lots 9 and 10 Block 94, Lots 5 and the North 15.0 feet of Lot 6 Block 95 in Campo Del Dios Unit No. 4, for the ultimate development of Super Hodges Reservoir, that Miss Anna Dohl is willing to deed land to the City in exchange for quitclaim deed from the City for property owned by the City; that the value of the City property is \$2,100.00; that the Dohl property is valued at \$2,100.00, that the City Manager has recommended said exchange.

RESOLUTION NO. 109881, recorded on Microfilm Roll No. 58, 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 Republic Development Company, a Partnership, an easement formerly conveyed to The City of San Diego in portions of Lots 24-1/2, 25 and 25-1/2 Block D Narragansett Heights; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered to the grantees thereof, upon receipt of a deed conveying easement as required by The City of San Diego, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Said Resolution recites that The City of San Diego is desirous of acquiring an easement for sewer purposes over portion of Block D Narragansett Heights, that Republic Development Company is willing to deed said easement to the City in exchange for quitclaim deed from the City for an easement owned by the City over the same property. It states that the value of both parcels is \$10.00, and that the City Manager has recommended said exchange.

RESOLUTION NO. 109882, recorded on Microfilm Roll No. 58, accepting grant deed of Republic Development Company, a Partnership, bearing date November 10, 1952, conveying an easement for right of way for sewer purposes in portions of Lots 24-1/2, 25 and 25-1/2 Block D Narragansett Heights; authorizing and directing the City Clerk to file said deed for record in the office of the County Recorder, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109883, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Wesley G. Maddox and Mildred V. Maddox, Beneficiaries, and Union Title Insurance and Trust Company, Trustee, bearing date November 6, 1952, wherein said parties subordinate all their right, title and interest in and to portions of Lots 24-1/2, 25 and 25-1/2, Block D Narragansett 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5428 (New Series), recorded on Microfilm Roll No. 58 appropriating the sum of \$8,700.00 from the Capital Outlay Fund, for the purpose of providing funds for the improvement of Hill Street, between the northerly prolongations of the westerly line of Sunset Ridge and a line parallel to and distant 666.30 feet westerly; said City to be reimbursed for the cost of said work by San Diego Unified School District, 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 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.

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

ORDINANCE NO. 5429 (New Series), recorded on Microfilm Roll No. 58, appropriating the sum of \$8,200.00 from the Capital Outlay Fund, for the purpose of providing funds for the construction of a sanitary sewer in Pacific Highway, from Balboa Avenue southerly to the existing trunk sewer, 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, Mayor Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

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

ORDINANCE NO. 5430 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of the Alley in Block 126 Amended Map of City Heights, between the south line of Thorn Street and the north line of Redwood 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--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.

ORDINANCE NO. 5431 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of the North and South Alley in Block 67 E. W. Morse's Subdivision, between the south line of F Street and the north line of G 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--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 Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

ORDINANCE NO. 5432 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of the Alley in Block 300 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 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 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.

ORDINANCE NO. 5433 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of The Alley in Block 2 Reed's Ocean Front Addition, between the easterly line of Bayard Street and the westerly line of Cass 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 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.

ORDINANCE NO. 5434 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of Naranja Street, between the east line of Euclid Avenue and the westerly line of 54th 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: 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 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.

ORDINANCE NO. 5435 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of Soledad Way, between the westerly line of Soledad Road and the northeasterly prolongation of the northwesterly line of Alta Vista 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--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 Butler. Nays--Councilmen None. Absent--Councilman Godfrey.

A proposed Ordinance incorporating Lots 17 to 22 Block 15 and Lots 18 to 20 Block 16 Loma Alta Unit No. 1 into "R-c" Zone, and repealing Ordinance No. 12793 insofar as the same conflicts, was presented.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, a hearing was set for the hour of 10:00 o'clock A.M., Thursday, January 15, 1953.

Councilman Kerrigan requested, and was granted unanimous consent to present the following matter, not listed on the Council's agenda.

Communication from the law offices of Gray, Cary, Ames & Frye, signed by John M. Cranston, attorney, in behalf of Pacific Homes, a corporation, was presented.

The communication appealed from the decision of the Zoning Committee in denying petition for zone variance, and requesting the Council to hold a public hearing and reverse the decision of the Committee, relative to converting and maintaining portion of the existing La Jolla Casa de Manana Corporation as an infirmary as an integral part of the proposed home for retired people, at 849 Coast Boulevard. It suggested that prior to the date set by the Council for the hearing the matter be referred back to the Zoning Committee or to the Zoning Commission for reconsideration, for the reasons listed thereon. (The Council did not, however, refer the matter back.)

On motion of Councilman Schneider, seconded by Councilman Dail, a hearing was set on said appeal, for the hour of 10:00 o'clock A.M., Tuesday, January 13, 1953.

The next matter was presented by the City Manager on unanimous consent granted by the Council:

ORDINANCE NO. 5436 (New Series), recorded on Microfilm Roll No. 58, approving the annexation to the City of San Diego Lot 63 and portion of Lot 64 Ex Mission Lands of San Diego, known as Horton's Purchase, in the City of National City, known and designated as "Logan Tract", 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 Kerrigan, 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 was furnished to each member of the Council.

The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda. He made a verbal explanation, based on the language of the Resolution.

RESOLUTION NO. 109884, recorded on Microfilm Roll No. 58, expressing appreciation for the services rendered by Mr. Arthur C. Johnson, Manager of the San Diego Office of the National Production Authority, Department of Commerce, whose death has occurred recently, extending sympathy to members of Mr. Johnson's family; authorizing and directing the City Clerk to transmit certified copy of said Resolution to the widow and family,

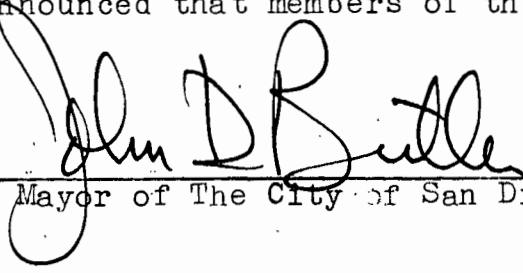
was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

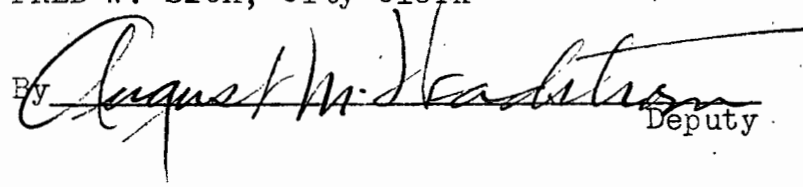
There being no further business to come before the Council at this time, the Meeting was adjourned on motion of Councilman Schneider, seconded by Councilman Wincote, at the hour of 10:40 o'clock A.M.

Upon adjourning, the Mayor announced that members of the Council would go into Conference within three minutes.

ATTEST:

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By 
Deputy

REGULAR MEETING

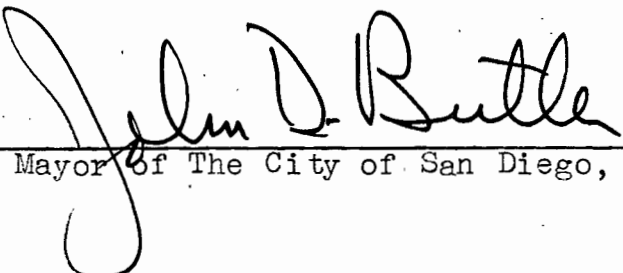
Chamber of the Council of the City of San Diego,
California, Friday, January 2, 1953

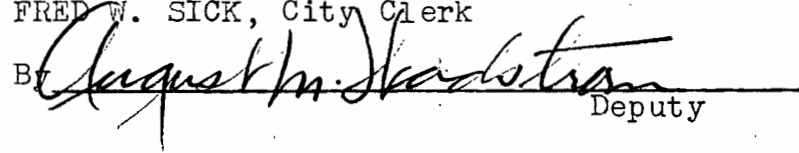
Present--Councilman Kerrigan
Absent---Councilmen Swan, Wincote, Schneider, Dail, Godfrey, Mayor Butler.
Clerk----Fred W. Sick

Councilman Kerrigan appeared in the Council Chamber at the hour of 10:00 o'clock A.M., and declared the meeting adjourned, for lack of a quorum, until the hour of 10:00 o'clock A.M., Tuesday, January 6, 1953.

ATTEST

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By 
Deputy

REGULAR MEETING

Chamber of the Council of the City of San Diego,
California, Tuesday, January 6, 1953

Present--All members of the Council. Absent--None. Clerk--Fred W. Sick

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.

On motion of Councilman Swan, seconded by Councilman Schneider, the Minutes of December 30, 1952 and of January 2, 1953 were presented to the Council by the Clerk.

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

At this time Mayor butler presented service awards to the following City employees, honoring their long-time service with the City of San Diego:

Ellen Drebert, Principal Librarian, Public Library, 20-year pin;
Neta L. Shirk, Secretary-Stenographer, Public Library, 25-year pin;
Elmer J. Troyer, Gardener II, Park & Recreation Department, 20-year button;
Eugene Richardson, Construction & Maintenance Man, Div. of Streets of Public Works Dept., 25-year button.

The Mayor announced that the next two persons were unable to be present. W. Allen Perry, Park Superintendent, accepted the pins on their behalf:

Isabella Strombeck, Intermediate Account Clerk, Park & Recreation Dept., 30-year pin;
Ray H. Bills, Groundsman-Gardener, Park & Recreation Dept., 20-year button.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for Small Water Main Replacements, Group No. II, 1952-53 - Specification No. 36 - the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion regularly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Virgil C. Moffitt dba Moffitt & Waddington Irrigation Co., 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. 461430;

The bid of W. A. Robertson, S. E. Robertson, B. W. Robertson, M. L. Robertson and D. V. Upshaw, doing business as W. A. Robertson & Company, accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of ten percent of the amount of the bid, which bid was given Document No. 461431;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company of Baltimore in the sum of 10% of amount of bid, which bid was given Document No. 461432.

Councilman Dail was excused from the meeting at this time.

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 Small Water Main Replacements, Group No. IV, 1952-53, and 24" and 16" Feeder Main in Pueblo Lot 1202 - Specification No. 39 - the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion regularly made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of W. A. Robertson, S. E. Robertson, B. W. Robertson, W. L. Robertson and D. V. Upshaw, doing business as W. A. Robertson & Company, accompanied by bond written by Fidelity and Deposit Company in the sum of ten percent of the amount of the bid, which bid was given Document No. 461433;

The bid of R. A. Wattson & Sons, accompanied by bond written by United States Insurance Company in the sum of ten per cent (10%) of the aggregate sum of bid, which bid was given Document No. 461434;

The bid of Walter H. Barber, an individual, accompanied by bond written by Hartford Accident and Indemnity Company in the sum of ten percent (10%) of the amount of the accompanying bid, which bid was given Document No. 461435;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company of Baltimore in the sum of 10% of amount of Bid, which bid was given Document No. 461436.

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, the time set for the receiving of bids for the furnishing of electric current for the lighting of Adams Avenue Lighting District No. 1, for a period of one year from and including October 13, 1952 to and including October 12, 1953, the Clerk reported that one bid had been received, which 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 Building, which bid was given Document No. 461437.

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 the receiving of bids for the paving and otherwise improving of the Alley in Block 87 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 109059, the Clerk reported that 4 bids had been received, which bids were presented to the Council. Said bids were opened and publicly declared.

Councilman Dail returned to the meeting at this time.

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 six hundred and no/100 dollars, which bid was given Document No. 461439;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of eight hundred and no/100 dollars, which bid was given Document No. 461440;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York, a corporation, in the sum of one thousand and no/100 dollars, which bid was given Document No. 461441;

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, a copartnership, in the sum of Six Hundred Fifty and no/100 dollars, which bid was given Document No. 461442;

Thereupon, on motion of Councilman Swan, 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 the Alley in Block 12 Sunset Cliffs, within the limits and as particularly described in Resolution of Intention No. 109060, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

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 \$800.00, which bid was given Document No. 461443;

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York, a corporation, in the sum of one thousand and no/100 dollars, which bid was given Document No. 461444;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York, a corporation, in the sum of one thousand and no/100 dollars, which bid was given Document No. 461445;

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 fifty and no/100 dollars, which bid was given Document No. 461446.

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, being the latest time set for the receiving of bids for installation of sewer mains in Old San Diego, J. P. Jones Subdivision, Pueblo Lot 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reiner's Subdivision, Addition to Silver Terrace, Amended Map of Silver Terrace and certain Pueblo Lands of San Diego, within the limits and as particularly described in Resolution of Intention No. 109063, the Clerk reported that 4 bids had been received, which bids were presented to the Council. Said bids were opened and publicly declared.

Said bids were as follows:

The bid of Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of sixteen thousand dollars, which bid was given Document No. 461455;

The bid of Drainage Construction Co. and James W. Huntley, a joint venture, accompanied by bond written by United States Fidelity and Guaranty Company in the sum of twenty-five thousand and no/100 dollars, which bid was given Document No. 461456;

The bid of Herbert Ham, George Ham, and Willard Ham, doing business as Ham Brothers, accompanied by bond written by Peerless Casualty Company, a corporation, in the sum of Twenty Thousand and no/100 dollars, which bid was given Document No. 461457;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of twenty-two thousand five hundred dollars, which bid was given Document No. 461458;

Councilman Kerrigan left the meeting during the reading of the first bids, and returned at the beginning of the second bids.

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. 109436 for the paving and otherwise improving of the Alleys in Blocks 246, 243, 244, 242, 241 and 238 Mission Beach, and Mission 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 Wincote, seconded by Councilman Kerrigan, said bids 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. 109437 for the paving and otherwise improving of the Alleys in Block 103 and 104 University Heights, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Charles Clark and others; William A. Northridge by Ethel Northridge Wortman, agent; Louis W. Greve, which protests were presented to the Council.

Asked for a report, the City Engineer said that there was a 3.8% protest, by district.

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

Louis W. Greve appeared, and asked for information.

The Mayor explained the procedure to Mr. Greve. Mr. Greve replied by saying that reference is to a future assessment. He contended that it is not fair, and that his property will not be benefited.

The City Engineer reported that the assessment will be 80% to the frontage, and 20% to the area. He said that Mr. Greve's assessment would be about \$25.00.

When he heard that, Mr. Greve said "forget it."

T. J. McCaffrey spoke in favor of the improvement.

RESOLUTION NO. 109885, recorded on Microfilm Roll No. 58, overruling and denying the protest of Charles A. Clark, II, et al., Louis W. Greve, William A. Northridge by Ethel Northridge Wortman, against the proposed improvement of the Alleys in Blocks 103 and 104 University Heights, within the limits and as particularly described in Resolution of Intention No. 109437; overruling and denying all other protests on said proposed improvement, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

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. 109438, for the paving and otherwise improving of Arista 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 Schneider, said proceedings were referred to the City Attorney for the 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. 109439, for the paving and otherwise improving of Birch 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 Kerrigan, said proceedings were referred to the City Attorney for the 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. 109440, for the paving and otherwise improving of Thor 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 Schneider, seconded by Councilman Wincote, said proceedings were referred to the City Attorney for the 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 City Superintendent of Streets' Assessment No. 2092 made to cover the cost and expenses of the work of paving and otherwise improving of El Carmel Place and Ocean Front Walk, within the limits and as particularly described in Resolution of Intention No. 106323, 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. 109886, recorded on Microfilm Roll No. 58, confirming and approving the Street Superintendent's Assessment No. 2092 made to cover the cost and expenses of the paving and otherwise improving of El Carmel Place and Ocean Front Walk, within the limits and as particularly described in said Resolution; 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 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. 2091 made to cover the cost and expenses of the paving and otherwise improving of Felspar Street, within the limits and as particularly described in Resolution of Intention No. 105901, the Clerk reported that no written appeals had been received.

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

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

RESOLUTION NO. 109887, recorded on Microfilm Roll No. 58, confirming and approving the Street Superintendent's Assessment No. 2091 made to cover the cost of the expenses of paving and otherwise improving of Felspar Street, within the limits and as particularly described in Resolution of Intention No. 105901; 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, 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 Street Superintendent's Assessment No. 2093, made to cover the costs and expenses of the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, 68th Street, 69th Street, Manchester Road, Mandalay Road, et al., within the limits and as particularly described in Resolution of Intention No. 102375, the City Clerk reported that written appeals had been received from J. D. Harritt; M. E. Windham and others; Howard Mol-lison, Kenneth Kresser, Edith Warry, Mrs. Clara Knowski, Samuel J. Branch and Vivien M. Branch, Isabelle Carr, which appeals were presented to the Council.

The Mayor told of the allowable questions relative to the proceedings for the improvement.

The City Engineer said that the appeal constitutes 7% of the assessment. At the request of the Mayor he outlined the types of appeals. The Engineer explained the improvements, and pointed out that the work had been carried out through acceptance of the low bid. He said, too, that the cost is considerably under his total estimate. The City Engineer told of the effect on protestants. He said that he has checked the job, and does not understand why protests are being made against the work.

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

B. B. Porter told the Council that the sidewalks are very poorly engineered, and said that the surface is uneven. He said, also, that the driveways are not good. Mr. Porter contended that the sidewalks had not been put in the proper place, that they adjoin the curb rather than being set back.

The City Engineer then said that he has been over the work, and said that it is good. He pointed out the side hill location, accounting for the location of the sidewalk adjoining the curb.

The Mayor said that the City might check the quality of the work. In doing so, he recognized Mr. Dillon, representative of the Griffith Company which had done the work. He asked if Mr. Dillon wished to be heard.

Mr. Dillon spoke, and said that the upheaval of the sidewalk as referred to is due to condition of adobe and that the work had been done under City plans and specifications. Asked by Councilman Wincote about the delay on the assessment, long after the work had been completed, Mr. Dillon replied that it was due to a reassessment in the district.

Elizabeth Braunschweig said that since the grading had been done, the condition is awful.

The City Engineer spoke at this time, and said that it is a normal street.

The Assistant City Manager (E. W. Blom), referred to the possible grading of 68th Street by City forces, in order to relieve a drainage condition.

Harold Darling spoke about the driveways being indented in the sidewalk, and contended that their existence makes sidewalk use dangerous. He wanted to know about liability in event of accident thereon.

In answer to Mr. Darling's question, the City Attorney said that property owners and the City would be jointly responsible, if there is improper construction. He referred to the plans relative to indentation in the sidewalks. He spoke about indentation being put across entire sidewalk, and said that such is not an unusual condition, that the same type of sidewalk and driveways use is in place in the area where he lives.

The City Engineer said that installation depends upon the condition. Asked about sidewalk pitch, he said that it is graded 1/4" to the foot on the sidewalks. The maximum pitch for driveways question which was asked by Councilman Godfrey could not be answered. That detail, the Engineer said, does not appear on the plans.

Mr. Darling said that the work had not been done according to the blue prints.

The City Engineer said that it is necessary to adapt the development to local conditions, and referred to steep banks and driveways.

There was a conference over plans, by the City Engineer, members of the Council and some property owners. Since it developed into a discussion among the several, it was not reported.

Asked about alleys, Mr. Darling said that there are some.

Mrs. Ralph Tripp wondered about her assessment, and said that she had bought a portion of a lot but that she was apparently being assessed for the full lot.

The City Engineer said that he would check into the need for a split of the lot and assessment on the point raised by Mrs. Tripp.

A broker, who was apparently not assessed for the work, spoke. He told of sale of the property and the property split.

Mrs. Tripp said that the tax bill on the property is being split.

M. J. Broderick spoke about the sewer stopping at a point which made it necessary for him to extend the sewer and pay an extra amount to hook onto it.

There was another conference over the plans and plat, and Mr. Broderick was informed that he is served from the sewer.

Mr. Broderick replied that it had cost him an additional \$108.00 which had been contracted for by him and paid by him to the contractor. He said that "they have done nothing on 67th Street".

Councilman Wincote contended that Mr. Broderick should be given some con-

sideration relative to the sewer cost.

The City Attorney said that the complaint made is relative to engineering. He said that the only thing Mr. Broderick could do would be to file a claim to get back the cost of the sewer, but hastened to say that he thinks such would not be a valid claim.

Councilman Wincote said that it is not the contractor's error, and that the City will try to help.

Mrs. J. D. Harritt spoke in protest against the sewer assessment.

Councilman Kerrigan left the meeting at this time.

Mrs. Harritt continued speaking about her property, that of Mr. Harrington and Mr. Rogers. She said that her property is in the middle of the three, but that it is higher than that on either side of her.

Councilman Kerrigan returned to the meeting.

There was discussion over Mrs. Harritt's lot, during which the City Engineer said that it depends on the size of lots, and said that closings are included on some. It was his contention that Mrs. Harritt owns more than she thinks she does.

Mrs. Harritt said that the property resulting from the alley closing went to Rogers, rather than to her. She said that he has only 75 feet, and that Mrs. Harrington has the other 75 feet.

The City Engineer said that all he can do is check the property, and indicated that he has checked it twice.

Mrs. Harritt spoke next about the sidewalks levels.

Councilman Dail said that he felt the Council ought to look at the job.

Councilman Dail moved to continue the hearing one week, and that during the meantime the City Engineer was to check the various points, which motion was seconded by Councilman Schneider.

Mr. Dillon protested a further delay, and said that the matter is running into dollars and cents. He said that it costs \$600.00 a month.

The Mayor said that there is other business today, and that perhaps the Council could look at the work and act later.

Although the previous motion was not withdrawn, Councilman Godfrey moved to continue the hearing until 2:00 o'clock P.M. today, which motion was seconded by Councilman Kerrigan. That motion carried, and the hearing was continued.

Further reference will be found in these Minutes near the end of the afternoon's minutes.

After the roll was called, Mr. Decker spoke relative to subdivision of the property. No action was taken.

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 in Montemar 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 received.

RESOLUTION NO. 109888, recorded on Microfilm Roll No. 58, confirming the proposed assessment of the total amount of the costs and expenses for the work or improvement of furnishing electric current for the lighting in Montemar Lighting District No. 1, in accordance with the Engineer's Report and Assessment filed in the office of the City Clerk November 28, 1952, and adopting the report as a whole, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 109563 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 31 Ocean Beach, 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. 109889, recorded on Microfilm Roll No. 58, determining that the proposed improvement of the Alley in Block 31 Ocean Beach, within the limits and as particularly described in Resolution of Preliminary Determination No. 109563 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 Swan, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 109564 of Preliminary Determination for the paving and otherwise improving of Francis 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 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. 109890, recorded on Microfilm Roll No. 58, determining that the proposed improvement of Francis Street and Public Rights of Way, within the limits and as particularly described in Resolution No. 109564 of Preliminary Determination is feasible and that the lands to be assessed 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. 109565 of Preliminary Determination, for the paving and otherwise improving of 62nd Street and Fergus 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. 109891, recorded on Microfilm Roll No. 58, determining that the proposed paving and otherwise improving of 62nd Street and Fergus Street, within the limits and as particularly described in Resolution No. 109565 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 and Majority Protest Act of 1951 shall not apply, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from La Jolla Town Council, Inc., 7776 Eads Avenue, La Jolla, signed by Andrew Andeck, Executive Manager, dated December 22, 1952, urging widening of La Jolla Boulevard through the Bird Rock section of La Jolla from Colima Street to Camino de la Costa, to relieve snarled traffic conditions, and the large number of accidents, was presented. The communication states that the Boulevard is the most critical in the La Jolla area and the widening will be simple in attainment because the City has a 35' set back on the Boulevard, and the widening is approved by the merchants in the area.

RESOLUTION NO. 109892, recorded on Microfilm Roll No. 58, referring to ~~Council Conference~~ the communication from the La Jolla Town Council, Inc., requesting that the main artery into La Jolla, La Jolla Boulevard, be widened through the Bird Rock section from Colima Street to Camino de la Costa to the City Manager for report to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

The Assistant City Manager spoke about the Gleason Point matter in connection with lease, and said that it would be before the Council today.

The comment was for Council information, and nothing was presented at this time, and no action taken.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 3000 feet of 30 pair cable for the Fire Department, received on December 11, 1952, from 3 bidders, was presented. The report recommends award to Pacific Wholesale Electric Company, the low bidder.

RESOLUTION NO. 109893, recorded on Microfilm Roll No. 58, accepting bid of Pacific Wholesale Electric Company for furnishing 3000 feet of 30 pair cable, and awarding contract; authorizing and instructing the City Manager to enter into and execute contract therefor, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

At this time the Council referred back to the hearing for the proposed improvement of 62nd Street.

The City Engineer explained the matter to an interested property owner who was present.

No further action was taken.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing the City's requirements of gasoline for a period of one year, was presented. The communication recommended awards to Cabrillo Land Company and to Shell Oil Company.

RESOLUTION NO. 109894, recorded on Microfilm Roll No. 58, accepting bid of Cabrillo Land Company for furnishing City requirements of Gasoline for a period of one year beginning January 1, 1953, including regular and Ethyl, and awarding contract; authorizing and instructing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109895, recorded on Microfilm Roll No. 58, accepting bid of Shell Oil Company for furnishing City requirements of gasoline for a period of one year beginning January 1, 1953, including regular and Ethyl, in truck and trailer deliveries to Hodges Grove, Lockwood Mesa, San Vicente Dam, Morena Dam, and all other Water Department stations located in the County of San Diego, and awarding contract; authorizing and instructing the City Manager to enter into and execute a contract therefor, 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 20 4-door sedans for the Police Department, received on December 19, 1952 from 3 bidders, and making recommendations for award to Bay Shore Motors of San Diego, low bidder, was presented.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the matter was continued one week - to Tuesday, January 13, 1953.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for sale and the sale by sealed bids for a total of 21 houses, to be moved, from various locations, was presented.

The report stated that 33 bids were received, and a total of \$18,009.92 plus sales tax realized from the sale, and that the money received has been deposited in

the proper accounts with the City Treasurer.

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

RESOLUTION NO. 109896, recorded on Microfilm Roll No. 58, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a storm drain in La Jolla Mesa Drive at Linda Rosa Avenue, bearing Document No. 461323; authorizing and directing the Purchasing Agent to publish notice calling for bids therefor, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the final map of J. D. Wier Subdivision, for redividing Blocks 76 and 78 Roseville, subject to final check by the City Engineer and dedication of the corner cutoff at Harbor Drive and Scott Street, was presented.

RESOLUTION NO. 109897, recorded on Microfilm Roll No. 58, adopting Map of J. D. Wier Subdivision, being portions of Blocks 76 and 78 Roseville; accepting on behalf of the public a portion of Harbor Drive and unnamed easements for public purposes, declaring said portion of street and unnamed easements to be portion of public street and unnamed easements and dedicated to the public use; authorizing and directing the City Clerk as and for the act of the Council, to endorse on said map that they 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.

Communication from the Street Superintendent, bearing the City Manager's stamp of approval, and the Assistant City Manager's signature of approval, reporting on petition for closing all of Beech Street lying between the easterly line of 10th Avenue and Balboa, recommending denial thereof, was presented.

The report states that the Street has not been improved with pavement and curbs and contains no sewer or water main, but there are two overhead utility poles in the street, that curb returns have been constructed and drainage installed. It reports that the closing would not adversely affect the Major Street Plan nor circulation of traffic in the neighborhood, but there is a possibility that the portion may be needed for future pedestrian way over and across Cabrillo Freeway or for other public use.

RESOLUTION NO. 109898, recorded on Microfilm Roll No. 58, denying petition for the closing of portion of Beech Street, between Tenth Avenue and Balboa Park, as recommended by the Street Superintendent, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from General Petroleum Corporation, dated December 17, 1952, signed by C. H. Wartman, General Manager, Marketing, was presented.

The Communication states that the Corporation elects to extend its lease at the southwest corner of Pacific Highway and Market Street to March 31, 1958, in accordance with provisions. It states that it is understood that provisions of the lease will be exercised relative to removal of any buildings, improvements or equipment will be complied with.

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

Communication from Petrolane, Ltd., P.O. Drawer 1410, Long Beach 1, California, dated December 29, 1952, signed by J. A. Storch, was presented. The communication requests permission for a representative to attend any meeting to consider a new City Ordinance regarding storage of L.P.G. (Liquid Petroleum Gas) within the City limits.

Councilman Kerrigan moved to refer the communication to the file on the subject. There was no second.

The Acting City Manager requested that the matter be referred to the City Manager, so that the signer may be notified by that office.

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

Communication from Mrs. E. H. Dowell, 1453 Second Avenue, San Diego 1, dated Dec. 31, 1952, was presented.

The communication states that the writer has been informed that, due to consolidation of the City and County Department of Public Health, the Council intends to place operation of the City Pound in the Police Department. It says that due to a provision of the Charter she is inclined to believe that transfer cannot be made, relative to Charter wording. It stated that she has a suggestion relative to disposition of operation of the Pound which is working successfully elsewhere and that it would do so here.

Mrs. Dowell asked for clarification of two sections of the Charter relative to placing the Pound in the Police Department, in connection with a prohibitory section of the Charter. She added that the Charter section may not apply to the Police Department. Mrs. Dowell said that she has learned that such matters are often a matter of interpretation of law.

It was moved to refer the matter to the City Attorney for opinion, which motion was seconded by Councilman Swan.

Before the roll was called, Mrs. Dowell told of the headache relative to supervision. She referred to a Los Angeles Commission which she said operates successfully, and recommended appointment of a Humane Commission here which she declared would be a solution. Mrs. Dowell recommended a 9-member Commission, to serve without compensation.

RESOLUTION NO. 109899, recorded on Microfilm Roll No. 58, referring com-

munication from Mrs. E. H. Dowell on the operation of the City Pound in the Police Department to the City Manager ~~for an opinion for an opinion~~ to Council conference one week from this date, to include the matter of the creation of a Humane Commission (as suggested by Mrs. Dowell), was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Dee Smith, 3554 Sydney Place, San Diego, dated 1/2/53, relative to ordinance regulating the keeping of chickens and rabbits, was presented. It referred to the disease-carrying flea, the rat's closest attendant, which causes costly epidemics. It stated that "we" have full confidence in the Council to adopt a new ordinance, but asked when. It pointed out that there is lusty crowing despite the existing ordinance.

Councilman Kerrigan referred to a letter from Harriett P. Snyder, 3644 Belmont Ave., which had been received by him on the same subject, and which he had sent to the City Manager's office. He asked that it be included with the Smith letter and that they be sent by the Council, together, for report to Conference.

RESOLUTION NO. 109900, recorded on Microfilm Roll No. 58, referring communications from Dee Smith and from Harriett P. Snyder, relative to chicken and rabbit nuisance in the City to the City Manager for report to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Councilman Dail expressed his indignation relative to actions of various departments and individuals in connection with policy measures, and with apparently no legal opinions relative to consolidations of departments, etc.

No other Councilman expressed himself, and no action was taken.

Communication from Great American Indemnity Co., signed by Max H. Seeger, dated December 31, 1952, recommending denial of claim of Ruth Corle, 4677 - 4th St., La Mesa Cal., arising out of personal injuries, was presented.

RESOLUTION NO. 109901, recorded on Microfilm Roll No. 58, denying claim of Ruth Corle, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109902, recorded on Microfilm Roll No. 58, directing notice of filing of the Street Superintendent's Assessment No. 2101 made to cover the costs and expenses of the work done upon installation of sanitary sewer system in 66th Street, Madera Street, Brooklyn Avenue, Wonderlin Avenue, Broadway, et al., within the limits and as particularly described in Resolution of Intention No. 104947, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109903, recorded on Microfilm Roll No. 58, directing notice of filing of the Street Superintendent's Assessment No. 2100 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Thomas Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 104665, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 109904, recorded on Microfilm Roll No. 58, 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 the Alley in Block 3 Ocean View, and Block 6 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 108765, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

A written report from the City Engineer stated that the low bid is 9.1% above the estimate.

RESOLUTION OF AWARD NO. 109905, recorded on Microfilm Roll No. 58, accepting bid of San Diego Gas & Electric Company, 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, 1952 to and including October 14, 1953, in accordance with Engineer's Report and Assessment filed October 17, 1952 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109906, recorded on Microfilm Roll No. 58, approving plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the Alley in Block 7 Ocean Beach, within the limits and as particularly described in said Resolution; approving Plat No. 2400 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 Schneider, seconded by Councilman Wincote, adopted.

Councilman Schneider was excused from the meeting at this time.

RESOLUTION NO. 109907, recorded on Microfilm Roll No. 58, approving plans, drawings, typical cross-sections, profiles and specifications for the grading, paving and otherwise improving of the Alley in Block 17 Ocean Beach, within the limits and as particularly described in said Resolution; approving Plat No. 2401 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 for said improvement to file said plat in the office of the City Engineer, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 109908, recorded on Microfilm Roll No. 58, 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, 1952, to and including November 30, 1953, in accordance with Engineer's Report and Assessment, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109909, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of Steel Street, Gillette Street, 33rd Street, and Imperial Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109910, recorded on Microfilm Roll No. 58, for installation of sewers in the Alley lying northerly of and contiguous to Lots 26 to 36 inclusive Resubdivision of Block H and Lots 26 to 38 inclusive Block G Encanto Heights, and 63rd Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109911, recorded on Microfilm Roll No. 58, for the installation of street light standards, etc., in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive and Wisteria Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 109912, recorded on Microfilm Roll No. 58, for the closing of portions of First Street and unnamed streets in Rosedale and in The Highlands, determining that it is not necessary that any land be taken therefor, setting forth the exterior 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, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 109913, recorded on Microfilm Roll No. 58, for the closing of path between Lots 61 and 62, of Ludington Heights, determining that it is not necessary that any land be taken therefor, setting forth the exterior 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, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109914, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of the Alley in Block 7 Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 109915, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of the Alley in Block 17 Ocean Beach, within the limits and as particularly set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109916, recorded on Microfilm Roll No. 58, ascertaining and declaring the wage scale for the paving and otherwise improving of Date Street, within the limits set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109917, recorded on Microfilm Roll No. 58, ascertaining and declaring the wage scale for the installation of sewers in 48th Street, Duval Street, 49th Street, Mary Lou Street, 50th Street and Public Rights of Way, within the limits set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109918, recorded on Microfilm Roll No. 58, ascertaining and declaring the wage schedule for the paving and otherwise improving of 55th Street, within the limits set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109919, recorded on Microfilm Roll No. 58, ascertaining and declaring the wage scale for the paving and otherwise improving of La Paz Drive and San Bernardo Terrace, within the limits set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109920, recorded on Microfilm Roll No. 58, ascertaining and declaring the wage scale for the paving and otherwise improving of Manzanita Drive, Heather Street and Glenfield Street, within the limits set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109921, recorded on Microfilm Roll No. 58, ascertaining and declaring the wage scale for the paving and otherwise improving of Tulip Street, within the limits set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109922, recorded on Microfilm Roll No. 58, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of A Street, within the limits and as particularly described in Resolution of Intention No. 106116 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 Wincote, adopted.

RESOLUTION NO. 109923, recorded on Microfilm Roll No. 58, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Lamont Street, within the limits and as particularly described in Resolution of Intention No. 109839 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 Wincote, adopted.

RESOLUTION NO. 109924, recorded on Microfilm Roll No. 58, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Cabrillo Avenue, within the limits and as particularly described in Resolution of Intention No. 105802 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 Wincote, adopted.

RESOLUTION NO. 109925, recorded on Microfilm Roll No. 58, 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 3 West Teralta, within the limits and as particularly described in Resolution of Intention No. 108052 and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109926, recorded on Microfilm Roll No. 58, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the installation of sewers in Catocin Drive, La Dorna Street and Montezuma Road, within the limits and as particularly described in Resolution of Intention No. 108054 and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109927, recorded on Microfilm Roll No. 58, rescinding Resolution No. 109546 adopted December 9, 1952, and abandoning all proceedings thereunder, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

(The Resolution mentions the previous resolution only; but it covers the matter of closing of Guatay Street in Narragansett Heights).

RESOLUTION NO. 109928, recorded on Microfilm Roll No. 58, rescinding Resolution No. 86233 adopted June 10, 1947, and abandoning all proceedings thereunder, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

(The Resolution mentions the previous resolution only; but it covers the matter of closing portion of 10th Avenue).

RESOLUTION NO. 109929, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 461204 for the installation of sewers and water mains on Morningside Drive and on Roanoke Street, and installation of Sewers on Rachael Avenue, within the limits and as particularly described in said Resolution; directing the City Engineer to furnish description of the assessment district, and a plat showing exterior boundaries of the district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses and to serve portions of Blocks 33, 34, 35, 39, 40

and 42 Paradise Hills Unit No. 2 and portions of Blocks 44, 52 and 57 Paradise Hills Unit No. 3, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Accompanying said Resolution was communication from the City Engineer, bearing the City Manager's stamp of approval, recommending the same.

RESOLUTION NO. 109930, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 457152 for the paving and otherwise improving of Scott Street and Keats Street, within the limits and as particularly described in said Resolution; directing the City Engineer to furnish 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 said improvement, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Accompanying said Resolution was communication from the City Engineer, bearing the City Manager's stamp of approval, recommending the same.

RESOLUTION NO. 109931, recorded on Microfilm Roll No. 58, directing notice of filing of the Street Superintendent's Assessment No. 2102 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block F Referee's Partition Map of East One-Half of Pueblo Lot 1110, within the limits and as particularly described in Resolution of Intention No. 105354, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

In connection with the next three matters, having to do with tidelands leases, the Mayor asked John Bate, Port Director, if there was anything unusual in connection with the same, and if he wished to make any statement thereon.

Mr. Bate replied that they are the usual extensions, and that they are in accordance with previously-established policy.

Communication from the Harbor Department, signed by John Bate, Port Director, was presented. It submitted for approval form of lease with Star & Crescent Boat Co. covering premises at the foot of Broadway, premises to be used for conduct of a business to be known as "Bay Excursion Trips", for 5 years with no options to renew at \$100.00 per month, subject to review at the end of the first two and one-half years, was presented.

RESOLUTION NO. 109932, recorded on Microfilm Roll No. 58, ratifying, confirming and approving copy of lease on file in the Office of the City Clerk as Document No. 461199, between The City of San Diego acting by and through the Harbor Commission, as Lessor, and Star & Crescent Boat Co., as Lessee, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, was presented. It submitted for approval form of lease with Star & Crescent Boat Co., covering water area at the foot of Market Street, premises being water area used for mooring of repair floats and ships, for 5 years with no options to renew, at a rental of \$75.00 per month, subject to review at the end of the first two and one-half years, was presented.

RESOLUTION NO. 109933, recorded on Microfilm Roll No. 58, ratifying, confirming and approving copy of lease on file in the Office of the City Clerk as Document No. 461193, between The City of San Diego acting by and through the Harbor Commission, as Lessor, and Star & Crescent Boat Co., as Lessee, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, was presented. It submitted for approval form of lease with Union Oil Company - being form for amendment - at the foot of Beardsley Street; amendment modifies description of leased premises in order that the Company will be assured of access to their pipelines which adjoin the area leased to the Public Works Department for garbage hopper site, rental having been modified in proportion to change in area, was presented.

RESOLUTION NO. 109934, recorded on Microfilm Roll No. 58, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, amendment No. 1 between The City of San Diego and Union Oil Company of California; directing the City Clerk to cause certified copies of said Resolution to be attached to the original and duplicate original of said Agreement for Amendment of Tideland Lease, Amendment No. 1, was on Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109935, recorded on Microfilm Roll No. 58, authorizing and empowering the City Manager to do all the work in connection with construction of an extension to the culvert located under Treat Street west of 28th Street, for a distance of 24 feet on the north end, with 30-inch concrete pipe, as shown on City Engineer's Drawing No. 4755-B, by appropriate City forces, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City Engineering Department has recommended construction of extension to the culvert, 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. 109936, recorded on Microfilm Roll No. 58, authorizing and empowering the City Manager to enter into agreement for and on behalf of The City of San Diego with the City of Coronado, whereby in consideration of the monthly payments, The City of San Diego shall service, maintain and keep in repair all fixed and mobile Police and Fire Department radio equipment of the City of Coronado, in accordance with terms and

conditions contained in copy of said agreement on file in the office of the City Clerk, being Document No. 461477, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109937, recorded on Microfilm Roll No. 58, authorizing and empowering the City Manager to execute, for and on behalf of The City of San Diego, an agreement with the San Diego Chamber of Commerce, wherein and whereby said San Diego Chamber of Commerce, commencing July 16, 1953, through its research bureau shall compile and evaluate statistical data indicating the directions and rates of increases of population, health and welfare cases, school enrollment, traffic volume, utility requirements, and other factors of social and economic importance within the County, for which The City of San Diego will pay for the balance of the current fiscal year \$2,500. in equal installments of \$1,250 on March 31, 1953, and June 30, 1953, and for performance of said services for each fiscal year thereafter the City will pay said Chamber of Commerce \$5,000 in equal quarterly installments in arrears; provided that the agreement shall be of no force and effect unless and until and only so long as an agreement similar in nature involving a consideration of no lesser amount is made and in force between the Chamber of Commerce and the County of San Diego, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109938, recorded on Microfilm Roll No. 58, approving Change Order No. 4, dated December 11, 1952, heretofore filed with the City Clerk as Document No. 461338, issued in connection with contract between The City of San Diego and Bent Construction Company and Daley Corporation for construction of Sutherland Dam, which contract is contained in Document No. 452841 on file in the office of the City Clerk, changes amounting to increase in contract price of \$560.91, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109939, recorded on Microfilm Roll No. 58, approving request of Cox Bros. Construction Co., contained in Change Order No. 6, for extension of 30 days to and including January 31, 1953, heretofore filed with the City Clerk as Document No. 461340 in which to complete contract for construction of approaches to the Morena Boulevard Bridge, contract contained in Document No. 450409 on file in the office of the City Clerk, contract completion extended to January 31, 1953, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109940, recorded on Microfilm Roll No. 58, approving request of Charles J. Dorfman, contained in Change Order No. 1, for extension of 25 days to and including January 2, 1953, heretofore filed with the City Clerk as Document No. 461342 in which to complete contract for construction of sewer from Mission Beach Pump Station No. 14 to Ventura Point, which contract is contained in Document No. 456900 on file in the office of the City Clerk, contract completion extended to January 2, 1953, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109941, recorded on Microfilm Roll No. 58, approving request of R. E. Hazard Contracting Co., contained in Change Order No. 1 for extension of 60 days, to and including March 5, 1953, heretofore filed with the City Clerk as Document No. 461344 in which to complete contract for widening of Park Boulevard, adjacent to San Diego High School, contract contained in Document No. 455487 on file in the office of the City Clerk, extending contract completion time to March 5, 1953, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109942, recorded on Microfilm Roll No. 58, approving request of E. C. Losch Company, contained in Change Order No. 2, for extension of 30 days to and including January 14, 1953, heretofore filed with the City Clerk as Document No. 461346 in which to complete contract for installation of small water main replacements, Schedule B Section 2, contract contained in Document No. 452570 on file in the office of the City Clerk, extending contract completion time to January 14, 1953, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109943, recorded on Microfilm Roll No. 58, approving request of H. H. Peterson, contained in Change Order No. 1 for extension of 60 days to and including November 23, 1952, heretofore filed with the City Clerk as Document No. 461348 in which to complete contract for construction of the Wellington Street Sewer, contract contained in Document No. 451824 on file in the office of the City Clerk, extending time of completion to November 23, 1952; waiving provisions of the specifications for said work with respect to liquidated damages until termination of the contract period as extended, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5437 (New Series), recorded on Microfilm Roll No. 58, declaring void certain annexation proceedings of The City of San Diego, and repealing Ordinance No. 5301 (New Series) adopted August 21, 1952, which approves annexation to The City of San Diego of the Kathol-Beall Tract (portion of National Vista, formerly in the City of National City), 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 Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider. Prior to the final reading of such Ordinance, a written or printed copy was furnished to each member of the Council.

Before the Ordinance was adopted, members of the Council asked the City Attorney for an explanation.

The City Attorney said that it had been called to his attention after action had been taken that there were two petitions, which did not agree. He said that it is an old proceeding - not the newer one - on which said Ordinance was adopted August 21, 1952.

ORDINANCE NO. 5438 (New Series) setting aside and dedicating certain portions of La Jolla Shores Unit No. 2, La Jolla Shores Unit No. 4, La Jolla Shores Unit No. 6, Calle Amena, Via Rasa and portion of Calle Frescota, closed to public use by Resolution No. 98437, 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, Kerrigan, Dail, Godfrey, Mayor Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

(In addition to dedicating said land, the Ordinance names the same "Kellogg Park.")

ORDINANCE NO. 5439 (New Series), recorded on Microfilm Roll No. 58, appropriating \$6,000.00 from the Unappropriated Balance Fund, and transferring the same to Account 510, Purchase of Miscellaneous Properties, Property Management Division Fund, 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, Kerrigan, Dail, Godfrey, Mayor Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

ORDINANCE NO. 5440 (New Series), recorded on Microfilm Roll No. 58, appropriating \$520.00 from the Camp Callan Fund (256), for the purpose of providing funds for construction of two small coffee rooms in the Veterans' War Memorial Building, 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, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

* 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--Councilman Schneider.

ORDINANCE NO. 5441 (New Series), recorded on Microfilm Roll No. 58, changing the name of portion of Scott Street to Harbor Drive and changing the name of portion of Harbor Drive to Scott Street, as more particularly set forth in said Ordinance, 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, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

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

Councilman Schneider returned to the meeting at this time.

Councilman Godfrey brought up the matter of Park use. He thought it would be well to use some property for park and recreation use without being actually dedicated for such. He stressed that he was not referring to Kellogg Park, upon which action was this date in connection with previously-determined procedure.

E. W. Blom, Acting City Manager said that it would be cheaper to do as proposed. He referred to recently-acquired areas dedicated as park sites. He said that he will have a report to the Council on park dedications.

RESOLUTION NO. 109944, recorded on Microfilm Roll No. 58, referring to Council Conference for consideration on January 13, 1953, the matter of use of property for park and recreation purposes, without dedicating the same for such use, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

It was originally proposed to just refer the matter to Conference, but Councilman Godfrey said that there is always the possibility that it might not be considered, so the date for consideration was added to the motion resulting in the Resolution.

Mayor Butler requested, and was granted unanimous consent to present the next matter, not listed on the agenda:

RESOLUTION NO. 109945, recorded on Microfilm Roll No. 58, approving the trip of Mayor John D. Butler to Washington, D.C., on December 26 and 27, 1952, for the purpose

of conferring with the U. S. Corps of Engineers pertaining to Mission Bay Development and with the Department of Interior re water programs affecting San Diego, authorizing expenses in the amount of \$. to be paid, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The Acting City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the agenda:

RESOLUTION NO. 109946, recorded on Microfilm Roll No. 58, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of an electric power system in the south basement of the Civic Center Building at 1600 Pacific Highway, bearing official Document No. 461447; authorizing and directing the Purchasing Agent to publish in accordance with law, notice to contractors calling for bids for said work, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

At the hour of 11:58 o'clock A.M., the Council took a recess until the hour 2:00 o'clock P.M., this date, to permit members to inspect the work under hearing at this morning's session for improvements in Saranac Street, Mohawk Street, 67th Street, et al.

Upon reconvening, at the hour of 2:22 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

The matter of the Street Superintendent's Assessment No. 2093 made to cover the expenses of the paving and otherwise improving of Saranac Street, Mowawk Street, 67th Street, et al., was brought up again.

The City Attorney made a verbal report relative to a closing and to a split of property. He recommended that appeals be sustained in connection therewith. He reported that the County Assessor does not show the closing referred to, although the Alley has been closed since 1923.

Councilman Dail, after having reviewed the job, said that the engineering and workmanship are outstanding.

B. B. Porter, who had spoken in the morning, was heard again. He re-iterated that there is a dangerous condition in connection with the sidewalks (referring to the indentations made for the driveways which cross them.

Mr. Dillon, representing the contractor, spoke about 2 driveways which are close together, and the division between them.

Councilman Schneider told of having walked over the sidewalk about which complaint was being made. He said that the dips spoken of are not severe, although they might be for children on bicycles or elderly persons who are unsteady on their feet.

Mr. Porter said that there is plenty of room to put the sidewalks back where they should have gone, instead of up to the curb. He said that they should not have been installed in the manner which they were, and that they might have to be taken out and re-installed.

Motions and seconds were made, resulting in the following three Resolutions, adopted by the Council:

RESOLUTION NO. 109947, recorded on Microfilm Roll No. 58, sustaining the appeals of J. D. Harritt and Mrs. Ralph Tripp, from the Street Superintendent's Assessment No. 2093 made to cover the expenses of 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; authorizing the Street Superintendent to correct and modify said Assessment No. 2093 in accordance with said appeals, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109948, recorded on Microfilm Roll No. 58, overruling and denying the appeals of Edith Warry, Kenneth Kresser, Howard Mollison, M. E. Windham and others, Isabelle Carr and others, from the Street Superintendent's Assessment No. 2093 made to cover the expenses of 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, overruling and denying all other appeals thereon (except J. D. Harritt and Mrs. Ralph Tripp, mentioned in Resolution of Intention No. 109947, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 109949, recorded on Microfilm Roll No. 58, confirming and approving the Street Superintendent's modified and corrected Assessment No. 2093 made to cover the expenses of 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; 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 Dail, adopted.

RESOLUTION NO. 109950, recorded on Microfilm Roll No. 58, referring to the City Manager the matter of the grade at the end of 69th Street, to have minor corrections made therein, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The Mayor requested, and was granted unanimous consent to present the matter of Gleason Point, Mission Beach, lease for development, which had been mentioned to the Council by the Acting City Manager at the morning meeting.

E. W. Blom, the Acting City Manager, passed around papers relative to proposals on said point.

The Mayor pointed out that there is an offer to the City involved, rather than a bid, in the usual sense.

Mr. Blom reported that two proposals had been received prior to 10:00 o'clock A.M. on December 30. He spoke of having received a letter from Stickney and Stickney, attorneys. He told of Larry Imig wanting to reinstate his bid, but that he is willing to withdraw inasmuch as he does not comply. He told the Council that several people are interested, but that they had not entered active proposals. He said that it might be better to let the matter lie dormant until the Channel is open. He referred to the "Ayres" proposal. He said that there is something not comparable with the construction projects under specifications. Mr. Blom said that a good deal of latitude allowed, and assumption called for. He referred to 50% year term, so that rental of motel revenue is important. He referred to the "Evans" bid, also. Mr. Blom told of the Mission Bay Advisory Committee study. He said that Ewart Goodwin had said that he should not attend on account of his interest in the property. Four members of the committee, he said, were present, and that it had wound up with two recommendations. Reference was made to the Mission Bay plan for the old proposed operation, re minimum rentals.

Glenn A. Rick, Planning Director, reported call from Mr. Evans in which he said he wished to reserve the right to amend the revenue on motel rental, for which he might go to a 5% rental.

The Mayor pointed out that proposals, rather than bids, were being considered, and that it is up to the Council to act for the benefit of the City.

Mr. Blom told the Council that both proposals are close together. He said Mr. Evans proposes to put up 58 units immediately; Mr. Ayres 40 units. He recommended that lease be not less than 5% for the motel units, and that a number of factors need to be pinned down and clarified. He told of a portion of sewer main which is in, and that the City would have to put in some for Mr. Evans. He said that now it is not known what would be involved with Ayres. A public road, he said, would run to the end of the Point ultimately.

Mr. Blom said that Mr. Ayres states that he did not receive a copy of the notice relative to 12 acres.

Mr. Rick said that he believed a notice had gone to Mr. Ayres.

Mr. Ayres told the Council that he did get a notice, for the 12 acres.

Mr. Blom referred to the minimum development and revenue.

Donald B. Ayres referred to the proposal, and said that he has no plan at the moment, but that he has been in the business since 1904. He said that he felt that the Point has possibilities, and that San Diego program needs to go along with it. At this time, Mr. Ayres said, he cannot determine the number of units, but that he can start immediately. He said that he would not object to the Council establishing architectural control. He pointed out that there is a minimum guarantee - no maximum limit set. He thought a graduated percentage advisable, which would be an asset to both sides. He admitted that the offer is not as complete as he would like to have it.

Councilman Dail pointed out that the matter had been turned over to the Advisory Committee for study. Although does not want to delay the matter a long time, he said he does not want to hurry through it, and that he wants to make a study thereof.

Mr. Ayres said that he wants to come up with ideas from both sides of the situation. He said that the proposal in the main is as set out, and that it probably would not take 18 months.

Councilman Wincote said that the Council should not hassel with both sides.

Councilman Dail re-iterated that the matter requires careful study by the Council.

Councilman Rick told the Council that the Advisory Committee had considered the matter of Channel dredging. He said that it would make a big difference in connection with the Channel entrance.

Councilman Dail said that decisions should not be made, except by the Council. He objected to others making decisions.

Councilman Godfrey said that it should be taken up in Conference. He told the Council that he would second a motion, if made by Councilman Dail, to submit the question to Conference.

Councilman Wincote said that it had been decided to ask for proposals in order not to exclude people who might want to bid. He said that he prefers to act on the two written papers. He said that he felt that it is not fair to ask those who had submitted proposals to raise the percentages on receipts, which he declared is not the way to do business.

The Mayor pointed out that the City does not have a set of specifications.

Councilman Schneider said that he had read both proposals, and finds that there are two factors influencing his thinking. He referred to the Evans units' completions, and the Ayres request for 18 months completion. He spoke of Evans & Cooper for first consideration.

Councilman Godfrey expressed the belief that the Schneider thinking is not consistent. He said that if one changes the percentage perhaps the other should be permitted to change the number of units. Maybe others, he said, would like to amend, also. He said he felt it should be talked over in Conference.

Councilman Schneider said that William Evans has heavy investments in San Diego.

Councilman Wincote wondered if the City should not have something on which to do business. He said, again, that there should not be a hassel. He expressed the opinion that it is no different than call for bids.

Councilman Godfrey said that when there is a negotiated lease many things will have to be modified.

Mr. Rick referred to report, at the request of Councilman Dail.

Councilman Godfrey objected to public discussion, and said that he wants information; then adjourn.

The Mayor said that equal courtesy should be given to Mr. Evans.

Quentin Whelan, attorney for Wm. D. Evans, spoke regarding anticipated income on the project. He said that was called for in the advertisement for bids. He referred to offers of 9% as actual figure, broken up in various ways. He said that the Council should not act without full information. He said that Mission Bay should be developed in an orderly and expeditious manner. Mr. Evans, he pointed out, would have facilities available for Summer season. The Evans bid, he said, is the only one that is

as called for under the advertisement. He said that his client does not want to take any action to the detriment of the City. He said that he would refuse to enter into open bidding. He said that the bidders are bound by what is put in writing. Mr. Whelan read from "6" on page 3. He pointed out that it is not intended to be ambiguous.

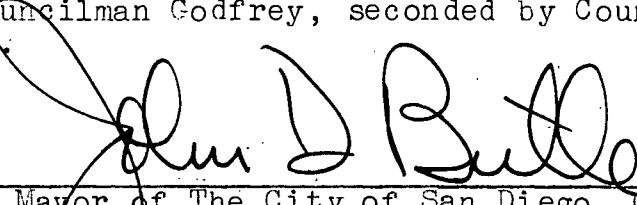
Councilman Schneider said that there are various types of units to be opened and operated.

Councilman Wincote and Godfrey referred to the advertisement.

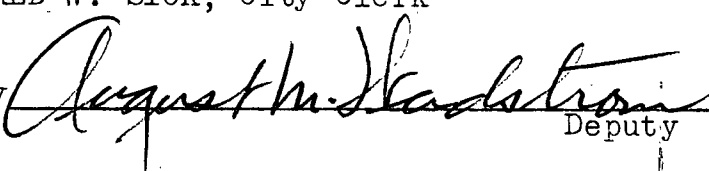
RESOLUTION NO. 109951, recorded on Microfilm Roll No. 58, referring the Mission Bay Recreation Area for Lease to Council conference this date, and allowing 20 minutes for presentation of each side by the 2 interested parties, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted, by the following vote, to-wit: Yeas--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Swan. Absent--Councilmen None.

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 3:45 o'clock P.M.

ATTEST:
FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By


Deputy

REGULAR MEETING

Chamber of the Council of the City of San Diego,
California, Thursday, January
8, 1953

A Regular Meeting of the Council was held this date, and was called to order by Mayor Butler, 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 hour of 10:00 o'clock A.M. having arrived, the time set for appeal of Milo A. Youel, M.D. from the decision of the Zoning Committee granting permission to Scott Cook and Dr. John B. Smith to split the easterly portion of Block 2 Park Addition, at the southwest corner of 29th and Nutmeg Streets into two portions, and to erect a single family residence on each portion - in Zone R-1 - report from Zoning Committee, signed by D. E. South, was presented and read.

Said report stated that the Zoning Committee, after due deliberation and trying to show the protestants that the proposed division was much larger in area than any other property in the area, and that a residence could be built legally on each 25-foot lot, approved the request for variance by a vote of 3 to 0.

Asked for a verbal report, Glenn A. Rick, Planning Director, presented a map which he showed to the Council. He reviewed previous action, with the Council, and explained the situation. He pointed out, as it said in the report, that it is legal and possible to build a residence on each of the 25-foot lots. He said that the portion in question is 155' x 107'. He said that since the petitioners can do even more than is proposed, the Zoning Committee could see no reason for not granting the request. He reviewed the 9 reasons for not granting which were set forth in the appeal.

Requested to do so, the Clerk read the appeal.

The Mayor asked Mr. Rick if the statement relative to the facing of the house, in the appeal, is correct. Mr. Rick said that it is not.

Councilman Schneider asked Mr. Rick about the charge in the appeal on the setback application is correct. Mr. Rick replied that it is not.

Councilman Schneider said he has viewed the property, and asked Mr. Rick about the street width.

Mr. Rick said that there is a dedicated width of at least 40 feet.

Milo A. Youel, M.D., showed a map, and told of the opposition signatures. He contended that the problem goes back beyond this particular request. He said that he and his neighbors do not want small homes, cut up property and streets. He spoke of degenerating the neighborhood.

The Mayor said that it is hard to see how 2 houses can degenerate the area, where 6 houses could be built legally.

Dr. Youel said that he does not see how 6 houses could be built on account of the terrain, and referred to the existing deep gully.

Councilman Schneider wanted members of the Council to look at the area. Councilman Godfrey said that the City is permitted to grant only where there is a hardship case involved. He said that it is his opinion that there is a hardship case relative to the nature of the property. Councilman Godfrey expressed the belief that the proposal is less obnoxious than the legal use of the property permits. He felt that it would be unfair to deny the request.

Mr. Youel pointed out that there are only 2 ^{logical} building sites, and that there is not legal frontage as proposed. He said that fire trucks could not get down on the north end of the road.

Councilman Wincote said that the Council could not deprive the owner the use of his property.

Councilman Godfrey referred to Dr. Youel wanting a substantial setback on Nutmeg Street.

Dr. Youel said that he would not object, if it is reasonable, and that the average setback would be observed. He said that his own house has a 10-foot setback.

Councilman Godfrey spoke about the setback on the Foley property.

Councilman Dail was excused from the meeting.

Scott Cook said that he would be willing to observe the average setback on Nutmeg Street.

Dr. Youel asked if the property owner across the street had to observe the requirements.

Mr. Rick said that reference is to this problem - not to property across the street. He said that a new house would not have to go back more than the 2 adjoining houses. Asked about variances in the area, Mr. Rick said that there are no variances, and that houses might have been built prior to establishment of the setbacks.

Councilman Schneider said that the property had been bought from Dr. Smith, (referring to the Dr. Youel house) but that it had been necessary to have portion of 29th Street closed to make legal the house which was built, actually, in the street.

The Mayor spoke about reference being made to legal cases, and that reference is not to the case involved in this hearing.

Dr. Youel referred to portion of his purchased house being in the street.

Councilman Godfrey wondered if Mr. Cook's set back would be 10 feet on Nutmeg Street. He pointed out that the legal setback might be less than the average setback. He asked if the proposed owner would set back 10 feet on Nutmeg Street.

Dr. Smith said that he would agree to the legal setback

Councilman Dail returned to the meeting.

Councilman Godfrey said that Dr. Smith had made a "statement", but not an "answer".

Dr. Smith told the Council that he will take any setback required.

Mr. Rick spoke again, and said that it might be more than the setback suggested average.

Dr. Youel spoke regarding being illegal to take a 150 foot lot and another 150 foot lot and sell off the frontage to create a tail end. It was his contention that the proposal constitutes a subdivision under a variance. He spoke of division of another piece of property - 60' x 75' - but sold as a smaller portion.

Mr. Rick said that the City has no control over sale of property. He pointed out that a property owner can sell anything he owns. He said, however, that if an owner gets into difficulty with the City, a building permit would be refused. He emphasized that there is no check regarding property sales.

Councilman Schneider said that when a newcomer gets hooked it is a black eye to the City.

Councilman Wincote referred to this as a new thing.

Mr. Rick made the statement that it has come up many times.

Dr. Youel spoke relative to variance for the purpose of selling off another portion of the lot. He said that the City could stop the sale here.

Councilman Wincote said the owner is legally entitled to build on the large enough area.

There was an argument between Councilmen Kerrigan, Wincote, Mr. Rick regarding property division, not recorded.

Council discussion followed regarding property use at various times, not recorded.

C. Paul Sissons, across the street from the Youel property, spoke regarding canyon property which can not be subdivided in the usual manner. He said that a subdivision is needed around the canyon, rather than permitting building by variance. He said that he is trying to get the land subdivided in the best manner. The land, he pointed out, is in large parcels.

The Mayor said that the only solution is to buy the property and subdivide, in the same manner as the Muirlands section in La Jolla in dispute some time ago. Mr. Sissons told of investigations relative to sale and subdivision by variances. He said that he had been told by the Real Estate Deputy Commissioner in San Diego that the proposal is in direct violation to the State law.

Mr. Rick reported a poor subdivision in the area. He talked about the request for subdivisions and required improvements, and told the Council that the Planning Commission and Planning Department are trying to build up, rather than tear down.

Mr. Sissons said that he will issue a complaint if the proposal is found to be illegal. He said that both (the 2 parcels) are in violation. He sent a copy of the State Act up to the City Attorney.

The City Attorney read Sec. 2796 of the Act to the Council. He said that refers to report and fee before offering property for sale. The City Attorney said that it had been reported to him by the Acting City Manager that a subdivision map is required for every split in many cities. He said that would take the heat off the Council, but that property owners as a result might lose their property. The Attorney referred to report required by the Commissioner. He read further from the Act. Mr. DuPaul, the City Attorney, referred to the property as being in an old subdivision which dates back prior to 1929. He said that it is something over which the City has no control. He said that the Council can give a variance.

Mr. Rick said that he has discussed similar situations with the Real Estate Commissioner. He said that there is no attempt to cut the property up into 5 or more parcels, and that it is not a subdivision.

Mr. Sissons said that the property has been cut into more than 5 pieces. He said that there is no protection provided by the Zoning Committee. He said that the proposal does not up-grade the property, answering a question put by Councilman Wincote.

Councilman Wincote wanted to know how the City can be sure that conditions

imposed will be upheld.

Mr. Rick spoke again, and said that there is no control until the Council puts on further regulations.

Mr. Sisson referred to the property in question as being the next area below the existing \$25,000 to \$50,000 houses. He said that there is nothing to stop further variances. He re-iterated that it is a violation of the California Real Estate Act. He contended, too, that the Council could be in violation of the Act for knowingly permitting the infraction.

The Mayor told Mr. Sissons that if such is the case, that he suggested going to the District Attorney or to the Grand Jury.

Mr. Sissons spoke again, and said that the variance constitutes a subdivision.

Dr. John Bunyan Smith read a prepared speech relative to past activities, his real estate purchases and developments. He said that he has paid taxes on some of the property for 26 years. He said that Dr. Youel has 107'x70' for his house, bought from Dr. Smith. He referred to no previous objections. He said that the beautiful view lots have no value if they cannot be sold. He re-iterated that he will comply with the proper setback. He said that he can answer every contention offered.

Ada Clark Thornton asked Dr. Smith if only one property signed against the property split, on Nutmeg Street.

Dr. Smith spoke of individuals who had protested.

Mr. Rick read names of petitioners in protest, from the Clerk's file. He said that they are shown on the map which he exhibited to the Council.

Councilman Godfrey said that Dr. Smith is correct if that is the petition he referred to.

Mr. Rick said that the Planning Department had further protest, not filed with the Clerk, but listed on the map. He filed the protest with the Clerk, for the Clerk's file.

Addison Housh spoke in favor of the Council going out to look at the property.

Councilman Godfrey said that it is too involved, in relation to what is going to happen in the whole area. He pointed out that there is only certain property involved here - not the all-over picture. He said that there is a need to look at the all-over situation, but not in relation to this property.

Councilman moved to close the hearing.

Councilman Wincote said that there is a large overall condition in the area.

Horace Hamilton, on Maple Street, said that the variance is more a matter of Planning Commission decision, and said that he has had variances. He said that the new owners have taken changes in buying. He asked, "how about protecting both sides?" It was his contention that hardships can be imposed on more than one side of a question. He answered Councilman Godfrey by saying that if a variance is allowed, no type of improving regulations is provided. He said that he fears the spread of the situation.

The Mayor said that perhaps an all over picture should be presented.

Mr. Hamilton pointed out that the variance application shows that the decisions have been made by the City. He said that he did not have a parallel case. He said, from the plans shown to him, that the 2 houses shown would not deteriorate the property.

Councilman Wincote wondered if the City can tie up conditions relative to further sale.

The Mayor said that the only way is to adopt an ordinance for the entire city.

Councilman Godfrey said that the case should be considered on its own merits - and that the property owner should not be penalized.

Mr. Rick said that the City can control the situation to the extent that it can require only 1 residence on each of the parcels.

City Attorney J. F. DuPaul declared that future Councils cannot be bound by actions of this body.

The Mayor said that variance and restriction can be recorded. He, also, agreed that future Councils cannot be bound.

Councilman Godfrey moved, and Councilman Swan seconded a motion to deny the appeal of Milo A. Youel, M.D. from the decision of the Zoning Committee in granting permission to Scott Cook and Dr. John B. Smith to split the easterly portion of Block 2 Park Addition at the southwest corner of 29th and Nutmeg Streets into two portions, and to erect a single-family residence on each portion, in Zone R-1; that a 10-foot setback or an average on Nutmeg Street, whichever is greater, be maintained; that there be only 1 residence on each of the portions of ground; that an agreement covering the same be signed and recorded; also that the variance shall not become effective until such an instrument is executed and recorded.

The City Attorney agreed to prepare the proper Resolution in connection with the motion. He said that a future Council can undo the action proposed by the motion but that it will probably remain permanent. He said that recording of the agreement will be a lien on the property.

RESOLUTION NO. 109951, recorded on Microfilm Roll No. 58, taking action, as shown in motion of Councilman Godfrey, seconded by Councilman Swan, was adopted.

Following action in the previous Zone Variance matter, there was brief discussion, leading to

RESOLUTION NO. 109952, recorded on Microfilm Roll No. 58, determining that the Council as a body shall go out to observe the general picture under hearing this date (in the vicinity of 29th and Nutmeg Streets), and that the matter be referred to Council Conference also, 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 the proposed ordinance incorporating portion of the northeast 1/4 of Lot 16 Ex-Mission Lands into "C" Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 35 New Series insofar as the same conflicts, was presented.

The report from the Planning Commission, signed by P. Q. Burton, to the effect that the Commission voted 4-2 to adopt the zoning plan as shown on B-506 sheet, that it does not constitute a recommendation, but recommended that the matter be forwarded to the City Attorney's office for drafting the proper ordinance prior to setting hearing by the Council.

Councilman Schneider left the meeting during the reading of the report. Councilman Schneider returned to the meeting while the report was being read.

Glenn A. Rick, City Planning Director, said that he personally has no objection to the rezoning, but referred to the addition of needed subdivision and street.

The City Attorney said that the Council can hold the hearing and table the matter until a subdivision map is filed.

The Mayor explained the matter.

No one appeared in protest on the proposed ordinance, which covers property west of Euclid Avenue, north of Federal Boulevard and south of Marilou Road.

Councilman Kerrigan moved to "hold" the matter, which motion was seconded by Councilman Godfrey.

Before the roll there was another motion, resulting in

RESOLUTION NO. 109953, recorded on Microfilm Roll No. 58, tabling the proposed Ordinance incorporating portion of the northeast 1/4 of Lot 16 Ex Mission Lands, etc., until a subdivision map on said property is filed and approved, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Proposed Ordinance incorporating portion of Lot 16 Ex Mission Lands into "R-4" Zone as defined by Section 101.0408 of the San Diego Municipal Code, and repealing Ordinance No. 35 (New Series) insofar as it conflicts, the Planning Director made a brief report. He thought it should be held, as in the case of the preceding hearing, to await a subdivision map.

No one appeared to be heard in the matter.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the hearing was closed.

RESOLUTION NO. 109954, recorded on Microfilm Roll No. 58, tabling the proposed Ordinance incorporating portion of Lot 16 Ex Mission Lands into R-4 Zone until a subdivision map on said property is filed and approved, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Said property is an "L" shaped parcel of land extending westerly of Euclid Avenue, and thence northerly to Federal Boulevard.

Proposed Ordinance incorporating portions of Monte Villa Tract and First Addition to Pacific Beach Vista Tract into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code and repealing Ordinance No. 119 (New Series) insofar as it conflicts, was presented.

A report from the Planning Commission, signed by P. Q. Burton, stating in brief that even though there were many more people in favor of the rezoning (from R-1 to R-2) than opposed it, the Planning Commission voted 4-1 to deny the proposed rezoning.

A brief, informal hearing was held by the Council on December 9, 1952, at which time the Council ordered the Ordinance prepared by the City Attorney.

The Mayor asked if the Council should view the property.

Councilman Swan replied that he had viewed it, and expressed the belief that other members of the Council should see the property.

The Mayor said that the Council might look at it, and then continue the hearing until next Tuesday.

The Planning Director spoke about the ordinance now being drawn, relative to the Ordinance on 25-foot lots to be combined into 50-foot lots for building of duplexes without variances. He said that he has made the tentative draft relative to various types of property. Mr. Rick said that he can have the Ordinance before the Council in 2 weeks.

George Fisher appeared, and presented pictures, which he showed. He passed them around to members of the Council.

Mr. Rick pointed out that the zoning could be denied at this time, or could be held for the new ordinance.

The Mayor said that the Council wants to be consistent, and that it would be a couple of weeks before the Ordinance would come before it again.

Councilman Schneider moved to table the ordinance, awaiting the new Ordinance, and that the Clerk notify interested persons of the hearing.

There was no second.

Mrs. Gladys Davis said that she is willing to come back. She asked that the Council look at the property. She emphasized that this is not an old zoning, but a new zoning. Mrs. Davis attempted to give testimony which the Mayor ruled was in the nature of a hearing. He asked her to withhold her comments until the future hearing, which the speaker agreed to do.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said hearing was continued until the hour of 10:00 o'clock A.M., Thursday, January 22, 1953.

Communication from Five Star Fish and Cold Storage, P.O. Box 502, La Jolla, dated Dec. 27, 1952, signed by Chester H. White, President, was presented. The communication referred to operating the cold storage plant in the Camp Callan area on a purely rental basis, and referred to the need for reduction in the rent.

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

Communication from The Independent Progressive Party, 2744 Imperial Avenue, San Diego 2, California, dated December 16, 1953, signed by A. M. Stevens, Secretary Pro-Tem, was presented. The communication opposed the proposed increase in Telephone Rates and urged the Council to take steps to oppose the same as vigorously as possible.

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

RESOLUTION NO. 109955, recorded on Microfilm Roll No. 58, authorizing and empowering the City Manager to expend during 1953 not to exceed \$2,000.00 for raising signal detectors in such street intersections that cross State Highways as are involved in the City street resurfacing program, and in accordance with current supplement to maintenance with State Division of Highways, dated January 2, 1951, on file in the Office of the City Clerk as Document No. 427693, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109956, recorded on Microfilm Roll No. 58, modifying, subject to Park and Recreation Director approval and that of the City Manager; and authorizing and empowering him to execute agreement for use and occupancy of Studio 3A in Spanish Village of Balboa Park in accordance with form filed as Document No. 444139 in the office of the City Clerk and in accordance with Resolution No. 89180 and Resolution No. 97478, relative to "rent", was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109957, recorded on Microfilm Roll No. 58, approving Change Order No. 2 heretofore filed with the City Clerk as Document No. 461481, issued in connection with the contract between The City of San Diego and R. E. Hazard Contracting Co. for the construction of a Roadway from 8th Street to 10th Street Pier, contract contained in Document No. 457106 on file in the office of the City Clerk, changes set forth amounting to an increase in the contract price of approximately \$210, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 109958, recorded on Microfilm Roll No. 58, granting variance to the Plumbing Code, and San Diego Municipal Code, pursuant to recommendation of the Inspection Department and approval of the City Manager, to W. H. Hermes III, Consulting Mechanical Engineer for Langley Corporation, to make installation of a single 4-inch ceramic weld pipeline with mechanical joints which will serve as a combination sanitary sewer and acid waste line, relieving the necessity of running a second 4" line a distance of approximately 500 feet; subject to the conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109959, recorded on Microfilm Roll No. 58, granting variance to the Plumbing Code, and San Diego Municipal Code, pursuant to recommendation of the Inspection Department and approval of the City Manager, to Gilbert H. Lageson Co. to make special plumbing dispensations at Kearney High School, Wellington and Tecolote Road, Linda Vista: Increase diameter of pipe used in house sewers to compensate for lesser grade; install chemical laboratory sinks to waste line in an indirect manner; Use red brass in lieu of cast iron hub and spigot plumbing installations; Connect floor drains in locker and drying rooms indirectly to house plumbing system; subject to conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 109960, recorded on Microfilm Roll No. 58, granting permission to Safeway Stores, Inc., (J. P. Warlick) PO Box 190, 715 J Street, San Diego 12, to widen the three driveways at 2850 Midway Drive approximately 12 feet each, so as to provide three 35-foot driveways as measured at the top of the full-height curbs, on the north side of Midway Drive, between Barnett Avenue and Rosecrans Street, adjacent to a portion of Pueblo Lot 316, to facilitate access to Safeway Store parking lot at Midway Drive between Barnett Avenue and Rosecrans Street, adjacent to portion of Pueblo Lot 316; on condition that the installation shall be in accordance with all rules, regulations and ordinances of The City of San Diego governing same; also, that if at any time the area to be served is not used for parking of motor vehicles, the permit shall be null and void, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 109961, recorded on Microfilm Roll No. 58, granting permission to Standard Oil Company of California, Bank of America Building, San Diego, to widen by approximately 10 feet, one of the two existing driveways on the west side of Fourth Avenue south of Spruce Street, so as to provide a 40-foot driveway as measured at the top of the full-height curb, approximately between points 54 feet and 94 feet south of the south line of Spruce Street, adjacent to Lots K and L Block 358 Horton's Addition, to provide better access to service station; upon condition that the existing driveway area to the north on Fourth Avenue side be removed and curb and sidewalk properly restored; also that installation of the driveway and restoration of curb and sidewalk be in accordance with all rules, regulations and ordinances of The City of San Diego governing the same, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

RESOLUTION NO. 109962, recorded on Microfilm Roll No. 58, vacating easements giving the right to lay water pipe and reserving all artesian water that may be developed on said land and not used thereon, reserved to El Cajon Valley Company, in deed dated July 18, 1893 and recorded in Book 220 Page 478 of Official Records, and conveyed to the City of San Diego by deed dated January 29, 1944, recorded in Book 1630 Page 100 of Official Records, across Lots 2, 3 and 6 Lakeside Heights; stating that from and after the date of said order of vacation, title to the land previously subject to the easements shall revert to the owners of the land free from the rights of the public; directing the City Clerk to cause a certified copy of said Resolution, attested and under seal, to be recorded in the office of the County Recorder of the County of San Diego, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Said Resolution recites that since the acquisition of the easements they

have not been used nor have said easements been used for the purpose for which they were acquired for the five consecutive years next preceding the proposed vacation thereof, and that said easements are unnecessary for present or prospective public use, that pursuant to Section 50443 of the Government Code of the State of California the easements are vacated.

RESOLUTION NO. 109963, recorded on Microfilm Roll No. 58, 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 M. H. Golden Construction Company, an easement and right of way for sewer purposes in portion of Lot 282 of the Pueblo Lands of San Diego, in accordance with description contained in said Resolution; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered to the grantee thereof when he shall have obtained the deed conveying the easement as required by the City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the City desires an easement for sewer purposes across Pueblo Lot 282, that M. H. Golden Construction Company is willing to convey said easement to The City in exchange for a quitclaim deed from the City across said Pueblo Lot; that the value of easement as disclosed by report of an appraiser is \$100.00 on the Golden property, and the same \$100.00 on the City property.

RESOLUTION NO. 109964, recorded on Microfilm Roll No. 58, 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 Margery S. Hutman the southeasterly 10.0 feet measured at right angles from the southeasterly line of Lot 12 Block 3 Drucker's Subdivision; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor, with instructions that the same be delivered to the grantee, when he shall have obtained deed conveying easement required by the City; repealing Resolution No. 109011 adopted October 30, 1952, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution recites that Margery S. Hutman is willing to convey easement to the City, and that the City desires easement for sewer purposes in Lot 10 Block 3 Drucker's Subdivision; that the value of each portion is \$100.00.

RESOLUTION NO. 109965, recorded on Microfilm Roll No. 58, 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 Union Title Insurance and Trust Company, unnamed easement in portion of Lots 1551 and 1552 Clairemont Unit No. 1, described in said Resolution; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same be delivered to the grantee thereof when he shall have obtained deed conveying easement as required by the City, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City desires a sewer easement, and proposes a property exchange; both parcels valued at \$25.00 each.

RESOLUTION NO. 109966, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Republic National Bank of Dallas, beneficiary, and E. E. Wallace, Jr., trustee, bearing date October 31, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 1676 and Lot 1679 Clairemont Unit No. 9, to the right of way and easement for storm drain purposes heretofore conveyed to The City; authorizing and directing the City Clerk to file said subordination agreement for 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 Kerrigan, adopted.

RESOLUTION NO. 109967, recorded on Microfilm Roll No. 58, accepting subordination agreement executed by Republic National Bank of Dallas, beneficiary, and E. E. Wallace, Jr., trustee, bearing date October 31, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 1594 Clairemont Unit No. 9, 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 for 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 Kerrigan, adopted.

RESOLUTION NO. 109968, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by The Mutual Life Insurance Company of New York, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date November 18, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 1 Block 3 Bay Park Vista Unit No. 2, to the right of way and easement for public sewer purposes; authorizing and directing the City Clerk to file said agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109969, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Henry R. Evans and Hattie M. Evans, beneficiaries, and Chula Vista Investment Company, trustee, bearing date November 28, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 83 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for 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 Kerrigan, adopted.

RESOLUTION NO. 109970, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Chula Vista Building and Loan Association, beneficiary, and Chula Vista Investment Company, trustee, bearing date November 28, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 82 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said Subordination Agreement for 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 Kerrigan, adopted.

RESOLUTION NO. 109971, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Chula Vista Savings and Loan Association, beneficiary, and Chula Vista Investment Company, trustee, bearing date November 22, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 75 and 79 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109972, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Chula Vista Savings and Loan Association, beneficiary, and Chula Vista Investment Company, trustee, bearing date November 22, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 75 and 79 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109973, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Chula Vista Building and Loan Association, beneficiary, and Chula Vista Investment Company, trustee, bearing date November 28, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 75 Las Alturas Villa Sites to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109974, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Central Federal Savings and Loan of San Diego, beneficiary, and Southern Title and Trust Company, trustee, bearing date December 4, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 74 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109975, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Central Federal Savings and Loan Company, beneficiary, and Southern Title & Trust Co., trustee, bearing November 28, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 74 Las Alturas Villa Sites, to the right of way and easements for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109976, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Julius C. Brauner and Lois Brauner, beneficiaries, and Land Title Insurance Company, trustee, bearing date December 8, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 74 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109977, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Julius C. Brauner and Lois Brauner, beneficiaries, and Bank of America National Trust and Savings Association, trustee, bearing date November 28, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 74 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City

Clerk to file said subordination for 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 Kerrigan, adopted.

RESOLUTION NO. 109978, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Lois Brauner and Julius C. Brauner, beneficiaries, and Bank of America National Trust and Savings Association, trustee, bearing date November 28, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 74 Las Alturas Villa Sites, 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109979, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date November 17, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 2 and 3 Block 260 University Heights, 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109980, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date December 13, 1952, wherein said parties subordinate all their right, title and interest in and to portion of Lot 74 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for 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 Kerrigan, adopted.

RESOLUTION NO. 109981, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date December 3, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 82 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109982, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date December 8, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 83 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109983, recorded on Microfilm Roll No. 58, accepting deed of Astor Basmajian and Esther M. Basmajian, bearing date December 29, 1952, conveying a portion of Lots 13 and 16 Cave and McHattan Subdivision; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109984, recorded on Microfilm Roll No. 58, accepting deed of Ben Huntington and Julia E. Huntington, bearing date December 9, 1952, conveying Lot 11 and portion of Lot 12 Block 9 Loma Alta No. 1; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109985, recorded on Microfilm Roll No. 58, accepting deed of Ben Huntington and Julia E. Huntington, bearing date December 9, 1952, conveying portion of Lot 12 Block 9 Loma Alta No. 1; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109986, recorded on Microfilm Roll No. 58, accepting quitclaim deed of Investment Securities Corporation, bearing date December 12, 1952, quitclaiming Lots 7 to 26 inclusive Block 33 Marilou Park; authorizing and directing the City Clerk to transmit said quitclaim deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109987, recorded on Microfilm Roll No. 58, accepting deed of Rayford Lewis and Treabie Lee Lewis, bearing date November 11, 1952, conveying portions of Lots 10 and 11 Block "D" El Nido; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109988, recorded on Microfilm Roll No. 58, accepting deed of Valentin Madrid and Frances C. Madrid, bearing date November 8, 1952, conveying portions of Lots 7, 8 and 9 Block "D" El Nido; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109989, recorded on Microfilm Roll No. 58, accepting deed of Booker W. Nash and Charlene Nash, bearing date December 10, 1952, conveying portions of Lots 3 and 4 Block 33 Wetmore and Sanborn's Addition; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109990, recorded on Microfilm Roll No. 58, accepting deed of W. O. Patten and Katherine M. Patten, bearing date December 17, 1952, conveying portion of the Northeast Quarter of Lot 5 Ex-Mission Lands; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109991, recorded on Microfilm Roll No. 58, accepting deed of Charles H. Foote and Trudye L. Foote, bearing date October 14, 1952, conveying portion of Pueblo Lot 1288, setting aside and dedicating to the public use as and for a public street said property, and naming the same Ardath Road; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109992, recorded on Microfilm Roll No. 58, accepting deed of San Diego Unified School District, bearing date November 18, 1952, conveying easement and right of way for public street purposes in portion of Lot 15 La Mesa Colony, setting aside and dedicating the same to the public use as and for a public street, and naming the same Catoctin Drive; authorizing and directing the City Clerk to file said deed for 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 Kerrigan, adopted.

RESOLUTION NO. 109993, recorded on Microfilm Roll No. 58, accepting deed of Bernard S. Kettering, bearing date December 11, 1952, conveying portions of Lots 12 and 13 Block H El Cerrito Heights, setting aside and dedicating the same as and for a public street, and naming the same University Avenue; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109994, recorded on Microfilm Roll No. 58, accepting deed of Bruce E. Porteous, bearing date December 10, 1952, conveying portions of Lots 41, 42, 43, 44, 45 and 46 Block H El Cerrito Heights Unit No. 3, setting aside and dedicating the same to the public use as and for a public street, and naming the same University Avenue; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109995, recorded on Microfilm Roll No. 58, accepting deed of Daniel E. Walters and Alice J. Walters, bearing date December 10, 1952, conveying portions of Lots 16, 17 and 18 Block H El Cerrito Heights Unit No. 3, setting aside and dedicating the same to the public use as and for a public street, and naming the same University Avenue; authorizing and directing the City Clerk to transmit said deed, together with certified

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

RESOLUTION NO. 109996, recorded on Microfilm Roll No. 58, accepting deed of Carl Johnson and Pearl Johnson, bearing date December 3, 1952, conveying Lot 12 Block 85 San Diego Homestead Union, 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 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 Kerrigan, adopted.

RESOLUTION NO. 109997, recorded on Microfilm Roll No. 58, accepting deed of Valrie E. Knox, bearing date December 5, 1952, conveying portion of Lot 1 Block 2 Gaston and Dehm Tract, setting aside and dedicating the same as and for portions of public streets, and naming the same Wabash Boulevard and Florence Street; authorizing and directing the City Clerk to transmit said deed, together with 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 Kerrigan, adopted.

RESOLUTION NO. 109998, recorded on Microfilm Roll No. 58, accepting deed of Ed Fletcher and Mary C. B. Fletcher, bearing date November 12, 1952, quitclaiming easements and rights of way for public road, excavation and embankment slopes and drainage purposes in portions of Lots 24, 25, 28 Block 52 Morena; authorizing and directing the City Clerk to file said quitclaim deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 109999, recorded on Microfilm Roll No. 58, accepting deed of Union Title Insurance and Trust Company, bearing date November 5, 1952, conveying easement and right of way for sewer purposes in portion of Lot 1551 Clairemont Unit No. 9; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110000, recorded on Microfilm Roll No. 58, accepting deed of the United States of America, acting by and through the Housing and Home Finance Agency, Public Housing Administration, bearing date December 5, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 15 Block A Mission Bay Park Tract Resub-division, said portion being part of West End Street, as closed to public use, and portion of the Alley in Block 311 Pacific Beach; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110001, recorded on Microfilm Roll No. 58, accepting deed of Harriet Binford, bearing date November 21, 1952, conveying easement and right of way for storm drain purposes in portion of Lot 7 in the Plat of Lot 32 Ex-Mission Rancho and a portion of Pueblo Lot 1113; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110002, recorded on Microfilm Roll No. 58, accepting deed of Harriet Binford, bearing date November 21, 1952, conveying easement and right of way for storm drain purposes in portion of Lot 17 Windsor Place; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110003, recorded on Microfilm Roll No. 58, accepting deed of Clairemont Village Incorporated bearing date October 29, 1952, conveying easement and right of way for storm drain in portions of Lots 1676 and 1679 Clairemont Unit No. 9; authorizing and directing the City Clerk to file said deed for record in Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110004, recorded on Microfilm Roll No. 58, accepting deed of Essie C. Gardner, Dale LaVon Gardner and Birdie Gardner Jacobson, bearing date November 7, 1952, conveying easement and right of way for storm drain purposes in portion of Lots 2 and 3 Block 260 University Heights; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110005, recorded on Microfilm Roll No. 58, accepting deed of Mission Village Incorporated, a corporation, bearing date October 29, 1952, conveying easement and right of way for storm drain purposes in portion of Lots 1593 and 1594 Clairemont Unit No. 9; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110006, recorded on Microfilm Roll No. 58, accepting deed of Glen H. Munkelt and Beryl C. Munkelt, bearing date November 28, 1952, conveying easement and right of way for storm drain purposes in portion of Hugo Street, as closed to public use by Resolution No. 19488; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110007, recorded on Microfilm Roll No. 58, accepting deed of Anderson Offutt and Helen Carolyn Offutt, bearing date November 6, 1952, conveying easement and right of way for storm drain purposes in portion of Lots 2 and 3 Block 260 University Heights; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110008, recorded on Microfilm Roll No. 58, accepting deed of Lee W. Phelps and Adelee Phelps, bearing date December 8, 1952, conveying easement and right of way for storm drain purposes in Lots 22 and 23 Treat Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110009, recorded on Microfilm Roll No. 58, accepting deed of Carlos Tavares, Marjorie Claire Tavares, Louis C. Burgener and Patricia W. Burgener, executed in favor of The City of San Diego, bearing date December 12, 1952, conveying easement and right of way for storm drain purposes in portion of Lot 9 of Pueblo Lot 1207 of the Pueblo Lands of San Diego; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110010, recorded on Microfilm Roll No. 58, accepting deed of Union Title Insurance and Trust Company, bearing date November 5, 1952, conveying easement and right of way for storm drain purposes in portion of Lot 18 Block 14 C.C.C. Tadam's Bay Hills Mesa; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110011, recorded on Microfilm Roll No. 58, accepting deed of Helen Louise Abel, bearing date November 20, 1952, conveying easement and right of way for water main purposes in portion of Lot A La Playa Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110012, recorded on Microfilm Roll No. 58, accepting deed of Reuben H. Fleet, bearing date October 7, 1952, conveying easement and right of way for water main purposes in portion of Lot 1 La Playa Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110013, recorded on Microfilm Roll No. 58, accepting deed of R. E. Hazard and Muriel B. Hazard, bearing date November 20, 1952, conveying easement and right of way for water main purposes in portion of Lot A La Playa Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110014, recorded on Microfilm Roll No. 58, accepting deed of Union Title Insurance and Trust Company, bearing date December 12, 1952, conveying easement and right of way for water main purposes in portion of Pueblo Lot 1202; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110015, recorded on Microfilm Roll No. 58, accepting subordination Agreement executed by Central Federal Savings & Loan Association and Union Title Insurance and Trust Company on October 3, 1952, wherein said parties subordinate all of their right, title and interest under that certain deed of trust recorded in Book 3230 page 285 of Official Records, to an easement for right of way for public street and incidents in portion of Lot 32 La Mesa Colony; authorizing and City Clerk to file said subordination agreement, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110016, recorded on Microfilm Roll No. 58, accepting subordination agreement executed by The First National Trust and Savings Bank of San Diego, as Trustee, and The First National Trust and Savings Bank of San Diego, as beneficiary, on November 25, 1952, wherein said parties subordinate all of their right, title and interest under deed of trust, recorded in Book 4184 page 137 of Official Records, to easement for public street and incidents thereto, in portion of Lot 32 La Mesa Colony; authorizing the City Clerk to file said subordination agreement, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110017, recorded on Microfilm Roll No. 58, accepting subordination agreement executed by Land Title Insurance Company, Trustee, and William H. Nissen and Leona B. Nissen, husband and wife, beneficiaries, on November 17, 1952, wherein said parties subordinate all their right, title and interest under that certain deed of trust recorded in Book 4649 page 547 Official Records in the Office of the County Recorder of San Diego County, to an easement for the purpose of right of way for a public street and incidents thereto in portion of the westerly 30.0 feet of Alice Street closed by Resolution of the Board of Supervisors of the County of San Diego, filed in Deed Book 751 page 6, adjacent to Lot 32 La Mesa Colony, according to Map No. 346; authorizing the City Clerk to file said subordination agreement, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110018, recorded on Microfilm Roll No. 58, accepting subordination agreement executed by Union Title Insurance and Trust Company, Trustee, and Eleanor A. Olsen, Beneficiary, November 15, 1952, wherein said parties subordinate all of their right, title and interest under that certain deed of trust recorded in Book 2844 page 479 of Official Records in the Office of the County Recorder of San Diego County, to an easement for right of way for public street and incidents thereto, in portion of Lot 32 La Mesa Colony; authorizing the City Clerk to file said subordination agreement, together with a certified copy of said Resolution, for record in the Office of the County Recorder, was on motion of Councilman Kerrigan, adopted.

RESOLUTION NO. 110019, recorded on Microfilm Roll No. 58, accepting deed of Susanna Bowman, executed on the 4th day of September, 1952, granting easement for right of way for public street and incidents thereto, in portion of the westerly 30.0 feet of Alice Street closed by Resolution of the Board of Supervisors of the County of San Diego, filed in Deed Book 751 Page 6 adjacent to Lot 32 La Mesa Colony, setting aside and dedicating the same as and for a public street, and naming the same Alice Street; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110020, recorded on Microfilm Roll No. 58, accepting deed of Frank Camareri and Angelina Camareri, husband and wife, executed on the 14th day of November, 1952, granting easement for right of way for public street and incidents thereto, in portion of the westerly 30.0 feet of Alice Street closed by Resolution of the Board of Supervisors of the County of San Diego, filed in Deed Book 751 page 6, adjacent to Lot 32 La Mesa Colony, setting aside and dedicating the same to the public use as a public street, and naming the same Alice Street; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110021, recorded on Microfilm Roll No. 58, accepting deed of Alfred Leslie Chambers and Trena Chambers, husband and wife, executed on the 4th day of September, 1952, granting easement for right of way for public street and incidents thereto, in all that portion of the westerly 30.0 feet of Alice Street closed by Resolution of the Board of Supervisors of the County of San Diego, filed in Deed Book 751, page 6, adjacent to Lot 32 La Mesa Colony, setting aside and dedicating the same to the public use as and for a public street, and naming the same Alice Street; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110022, recorded on Microfilm Roll No. 58, accepting deed of Lewis F. Frechette and Irene L. Frechette, husband and wife, executed on the 4th day of September, 1952, granting to The City of San Diego an easement for right of way for public street and incidents thereto in all that portion of the westerly 30.0 feet of Alice Street

closed by Resolution of the Board of Supervisors of the County of San Diego, filed in Deed Book 751 page 6, adjacent to Lot 32 La Mesa Colony, setting aside and dedicating the same to the public use as and for a public street, and naming the same Alice Street; authorizing and directing the City Clerk to file said deed, together with certain copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110023, recorded on Microfilm Roll No. 58, accepting deed of Johanna M. Keating executed on the 4th day of September, 1952, granting easement for right of way for public street and incidents in all that portion of the westerly 30.0 feet of Alice Street closed by Resolution of the Board of Supervisors of the County of San Diego, filed in Deed Book 751 page 6, adjacent to Lot 32 La Mesa Colony, setting aside and dedicating the same as and for a public street, and naming the same Alice Street; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110024, recorded on Microfilm Roll No. 58, accepting deed of John G. Krutzler and Betty G. Krutzler, husband and wife, executed on September 4, 1952, granting an easement for right of way for public street and incidents thereto, in all that portion of the westerly 30.0 feet of Alice Street closed by Resolution of the Board of Supervisors of the County of San Diego, filed in Deed Book 751 page 6, adjacent to Lot 32 La Mesa Colony, and portion of said Lot 32, setting aside and dedicating the same as and for a public street, and naming the same Alice Street; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110025, recorded on Microfilm Roll No. 58, accepting deed of Roy T. Ritchie and Eula L. Ritchie, husband and wife, executed September 4, 1952, granting easement for right of way for public street and incidents thereto in all that portion of the westerly 30.0 feet of Alice Street closed by Resolution of the Board of Supervisors of the County of San Diego, filed in Deed Book 751, page 6, adjacent to Lot 32 La Mesa Colony, setting aside and dedicating the same to the public use as and for a public street, and naming the same Alice Street; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110026, recorded on Microfilm Roll No. 58, accepting deed of Walker Walters and Genevieve Walters, husband and wife, executed September 4, 1952, granting to The City of San Diego easement for right of way for public street and incidents thereto, in all that portion of the westerly 30.0 feet of Alice Street closed by Resolution of the Board of Supervisors of the County of San Diego, filed in Deed Book 751 page 6, adjacent to Lot 32 La Mesa Colony, setting aside and dedicating the same as and for a public street, which street is named Alice Street; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110027, recorded on Microfilm Roll No. 58, accepting deed of Philip R. Hade and Joy C. Hade, husband and wife, executed September 4, 1952, granting to The City of San Diego easement for right of way for public street and incidents, over all that portion of Lot 32 La Mesa Colony, ^{according to Map 8} filed March 8, 1887 in the office of the Recorder of San Diego County, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bowman Lane; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110028, recorded on Microfilm Roll No. 58, accepting deed of Mary A. Holzer, executed October 15, 1952, granting easement for right of way for public street and incidents thereto, in all that portion of Lot 32 La Mesa Colony according to Map No. 346 filed March 8, 1887, setting aside and dedicating the same as and for a public street, and naming the same Bowman Lane; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110029, recorded on Microfilm Roll No. 58, accepting deed of Carl E. Huff and Maude Huff, husband and wife, and John R. Withem and Helen Withem, husband and wife, executed September 15, 1952, granting an easement for right of way for public street and incidents thereto across all that portion of Lot 32 La Mesa Colony, setting aside and dedicating the same as and for a public street, which street is named Bowman Lane; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110030, recorded on Microfilm Roll No. 58, accepting deed of Harry C. Nance and Ollie J. Nance, husband and wife, executed October 18, 1952, granting easement for right of way for public street and incidents thereto, in all that portion of Lot 32 La Mesa Colony according to Map No. 346 filed March 8, 1887, setting aside and dedicating the same to the public use as and for a public street, which street is named Bowman Lane; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110031, recorded on Microfilm Roll No. 58, accepting deed of Amelia Skowron, executed September 8, 1952, granting easement for right of way for public street and incidents thereto, in portion of Lot 32 La Mesa Colony, setting aside and dedicating the same to the public use as and for a public street, and naming the same Bowman Lane; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Proposed Ordinance incorporating portion of Lot 31 Ex-Mission Lands in The City of San Diego, California, into R-2 Zone and R-4 Zone as defined by Section 101.0406 and Section 101.0408 of the San Diego Municipal Code, and repealing Ordinance No. 13558 insofar as the same conflicts, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., Thursday, January 22, 1953.

Proposed Ordinance incorporating portion of Pueblo Lots 1235, 1236, 1237 and portion of C. C. C. Tatum's Bay Hills Mesa, into "R-2" Zone, as defined by Section 101.0406 of The San Diego Municipal Code, and repealing Ordinance No. 13456 approved February 15, 1932 insofar as the same conflicts, was presented.

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., Thursday, January 22, 1953.

A motion was made and seconded to adjourn the meeting, whereupon members of the Council and those in the audience were about to leave.

Councilman Schneider called back a gentleman and informed him that there would be no meeting, and suggested bringing up his matter at this time. He told the Council that it had to do with granting of an easement and proposed work by the City.

Thereupon, it was moved and seconded to refer the matter to Council Conference.

The Clerk had no background on the subject, and went to the rail to make inquiries, as the meeting adjourned, and learned from Mr. Cendali (who did not give his first name or his address) that he had given a right of way for the improvement of 54th Street and Redwood Street, upon condition that he had received a promise that the City would dump material on his property, which promise has not been carried out.

RESOLUTION NO. 110032, recorded on Microfilm Roll No. 58, referring to the City Manager the matter of an easement having been given to the City by a Mr. Cendali for 54th Street and Redwood Street, on condition that the City had made a promise to dump material on his property, which promise has not been carried out according to Mr. Cendali, as brought up verbally at this meeting by Councilman Schneider, 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, at the hour of 12:06 o'clock Noon, on motion of Councilman Schneider, seconded by Councilman Wincote.

ATTEST: 1

FRED W. SICK, City Clerk

By

August H. Hadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Tuesday, January 13, 1953, Chamber of the
Council of The City of San Diego,
California

A Meeting was held this date, and was called to order by Mayor Butler at the hour of 10:04 o'clock A.M.

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

The Minutes of January 6, 1953 and of January 8, 1953, 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 Mayor Butler.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for Kearny Mesa Improvement District, within the limits and as particularly set forth in Resolution of Intention No. 109064, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion and second regularly made, said bids were opened and publicly declared.

Said bids were as follows:

The bid of N. A. Artukovich Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of \$120,000.00, which bid was given Document No. 461929;

The bid of Matt J. Zaich, accompanied by bond written by Great American Indemnity Company in the sum of \$130,000.00, which bid was given Document No. 461930;

The bid of P. & J. Artukovich, Inc., and M. Miller Company, a joint venture, accompanied by bond written by Great American Indemnity Company in the sum of \$110,000.00, which bid was given Document No. 461931.

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 Beta Street, within the limits and as particularly described in Resolution of Intention No. 109061, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion and second regularly made, 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 \$3500.00, which bid was given Document No. 461932;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of twenty seven hundred dollars, which bid was given Document No. 461933;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of twenty six hundred dollars, which bid was given Document No. 461934;

The bid of Cox Bros. Construction Co., accompanied by bond written by Great American Indemnity Company in the sum of ten percent of the aggregate of "this" proposal, which bid was given Document No. 461935;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Co. of New York in the sum of four thousand and no/100 dollars, which bid was given Document No. 461936;

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 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 Diamond Street, within the limits and as particularly described in Resolution of Intention No. 109062, the Clerk reported that 2 bids had been received, which bids were presented to the Council.

On motion and second regularly made, said bids were opened and publicly declared.

Said bids were as follows:

The bid of Al E. Riley, Inc., accompanied by bond written by The Fidelity and Casualty Company of New York, a corporation, in the sum of \$5,000.00, which bid was given Document No. 461937;

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 \$4,500.00, which bid was given Document No. 461938.

On motion of Councilman Wincote, 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 Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1952, to and including November 15, 1953, 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 \$33.90 written by San Diego Trust and Savings Bank, which bid was given Document No. 461927.

On motion of Councilman Swan, 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 Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1952, to and including November 5, 1953, 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 \$276.58 written by San Diego Trust and Savings Bank, which bid was given Document No. 461928.

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, the time set for hearing on the Street Superintendent's Assessment No. 2096 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 13 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 104766, 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. 110033, recorded on Microfilm Roll No. 58, confirming and approving the Street Superintendent's Assessment No. 2096 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 13 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 104766; 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 Swan, 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. 2094 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 19 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 106115, the Clerk reported that a written appeal had been received from L. D. Estep, Buyer, and Charles Clark, Seller, which appeal was presented.

Thereupon, the Mayor asked for a report on the appeal, which referred to sewer line installed when one is already there, and on which objection was made for being charged for an additional one.

The City Engineer made a verbal report. He pointed out that the protest was against the sewer lateral, which was already installed. He recommended that the assessment roll be approved, and that L. D. Estep be reimbursed for the cost.

The City Attorney said that he thought that the suggestion of the City Engineer could not be carried out. He asked that the matter be referred to him.

The Mayor asked if anyone was present who desired to be heard.

Mrs. Estep spoke. She pointed out that there was an existing sewer, and did not see why the additional one was installed.

The Mayor told Mrs. Estep that the City Attorney is familiar with the condition and that he will attempt to work it out.

The matter was held temporarily.

In the meantime, Mrs. Estep had left the meeting, and was therefore not familiar with events which followed.

Although the matter was held until a short while later, it is shown here in order to keep the entire matter together.

Councilman Godfrey referred back to the payment of the assessment for the sewer on the project.

The City Attorney said that property owners should have protested earlier. It was brought up, however, that the Esteps are new purchasers, and did not know of the installation.

The City Engineer reported that the system has been worked out. He said that there may be a legal way to accomplish the new owner's not being assessed.

The Attorney told the Council that the sewer was in, but did not show on the records. He said that it was an error on the parts of both the City and the property owner. He told the Council that he thought that it can be corrected, and pointed out that the property knew there was a sewer.

Councilman Schneider said, also, that it was a new purchase, and that the new owner did not know of the existing sewer and of the assessment to come for a new one.

The City Attorney recommended that the appeal be overruled and the assessment be confirmed. He also recommended that there be a claim made against the City by the property owner.

There was general discussion by members of the Council.

RESOLUTION NO. 110034, recorded on Microfilm Roll No. 58, overruling and denying the appeal of L. Estep and Charles Clark from the Street Superintendent's Assessment No. 2094 made to cover the costs and expenses of the paving and otherwise improving

of the Alley in Block 19 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 106115, overruling and denying all other appeals; confirming and approving the Street Superintendent's Assessment No. 2094; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; authorizing him to record said warrant, diagram and assessment in his office, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

(See another action on this subject, on this page).

up again

The matter was brought/relative to the situation which had developed in connection with the existing sewer, apparently not of record, and the installation of the new one for which property owner was charged.

Councilman Godfrey wanted that matter referred to Conference for consideration.

RESOLUTION NO. 110035, recorded on Microfilm Roll No. 58, referring to Council Conference the matter of the furnishing of improvements, particularly where services are already in and which are ordered installed and property owners assessed therefor, 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 Street Superintendent's Assessment No. 2095 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 79 Pacific Beach, the Clerk reported that no written appeals had been received.

Thereupon, the Mayor asked 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. 110036, recorded on Microfilm Roll No. 58, confirming and approving the Street Superintendent's Assessment No. 2095 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block 79 Pacific Beach, within the limits and as particularly described in Resolution of Intention No. 105801; confirming and approving the Street Superintendent's Assessment No. 2095; authorizing and directing the Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; authorizing him to record said warrant, diagram and assessment in his office, 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 Resolution No. 109668 of Preliminary Determination for the paving and otherwise improving of Addison 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. 110037, recorded on Microfilm Roll No. 58, determining that the proposed improvement of Addison Street, within the limits and as particularly described in Resolution No. 109668 of Preliminary Determination is feasible and that the lands to be assessed 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 Godfrey, adopted.

Members of the Council went back to the hearing on the Assessment for improvement of the Alley in Block 19 Ocean Beach again - Street Superintendent's Assessment No. 2094. The question was brought up about Mrs. Estep's knowing of the Council action and her need to file claim.

The City Manager suggested that the question be referred to him, and said that he would explain it to Mrs. Estep.

RESOLUTION NO. 110038, recorded on Microfilm Roll No. 58, requesting the City Manager to explain to Mrs. L. D. Estep that the Council has confirmed the Street Superintendent's Assessment No. 2094 for the improvement of the Alley in Block 19 Ocean Beach, and that it will be necessary to file claim against the City of San Diego in connection with sewer installation where a sewer had already existed, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

(See last item on Page 292 and continuance of that matter on the beginning of this page of the Minutes).

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 109669 of Preliminary Determination for the improvement of Vista Del Mar 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. 110039, recorded on Microfilm Roll No. 58, determining that the proposed improvement of Vista Del Mar Avenue, within the limits and as particularly described in Resolution No. 109669 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 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. 109670 of Preliminary Determination for the installation of sewers in the Alley in Block 136 City Heights, Quince Street, Lexington Avenue, Public Rights of Way within the limits and as particularly set forth 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. 110040, recorded on Microfilm Roll No. 58, determining that the proposed improvement by installation of sewers in the Alley in Block 136 City Heights, Quince Street, Lexington Avenue, and Public Rights of Way, within the limits and as particularly described in Resolution No. 109670 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 Acts of 1931 shall not apply, 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 appeal of La Jolla Casa de Manna Corporation, owner, and Pacific Home, purchaser, signed by John M. Cranston, Attorney (of the firm of Gray, Cary, Ames & Frye), Bank of America Building, San Diego 1, dated December 26, 1952, said appeal was presented.

The appeal referred to the hearing held December 24, 1952, and stated that only 2 witnesses had appeared before the Zoning Committee in opposition to the granting reside in Los Angeles County and had no legitimate interest in the petition and that their testimony should not have been considered and gave the Committee and all concerned the impression that they spoke not only on behalf of themselves but also for a large group of persons interested, which impression was not correct; it stated that one member of the Zoning Committee should have disqualified himself prior to the hearing because of his own personal interest in the matter; also that the only property owners who appeared at the hearing and whose property is affected by the proposed petition requested that the petition be granted.

At the request of the Mayor the report from the City Planning Commission, signed by Glenn A. Rick, City Planning Director, was read to the Council by the Clerk. It made detailed report of the proposed zone variance "to convert and maintain a portion of the existing hotel as an infirmary, as an integral part of a proposed home for retired people." It also sent to the Council copy of the minutes of the Committee's meeting held on the application. The report stated that it was pointed out that approximately 125 persons would live at the hotel, that the average would be above 75 years; the attorney for the applicants stated that the two rooms in the southeast corner of the patio were to be used for a temporary infirmary, and the plan was to use rooms directly to the east of the swimming pool, which would be extensively remodeled or removed, and a fire-proof building of approximately the same size would be installed; that they had no intention of increasing the original dimensions of the building. It stated that Walter See, architect for the applicant stated that if the building contained over 6 beds it would constitute a hospital. The report stated that it was pointed out to the Committee that in other homes for elderly people the infirmary or hospital cases sometimes ran as high as 25% to 30% of the total number occupants. It stated that it was the decision of the Zoning Committee by 3 to 0 to deny. The report said that members of the Planning Commission who acted as the Zoning Committee on that date were Milton W. Lancaster, Dr. Robert M. Griffin, and Capt. Ray S. Jones.

After the report was read, the Mayor requested Glenn A. Rick, City Planning Director, to speak.

Mr. Rick said that the question has been raised as to whether or not a variance is needed. He said that he had been advised by the City Attorney that a variance would be needed for the infirmary. He pointed out that the use of the home as proposed is legal, but that is not the case for the hospital unless a variance is granted. He read a statement from petitioners. He said that there had been damaging testimony at the hearing. He referred to statement made by Mr. Walter See, the architect, to the effect that the proposed infirmary would constitute a hospital. He referred to the existing cocktail lounge and to requirement for the removal of certain signs. Mr. Rick read from the Zoning Ordinance relative to the use of property in Zone R-4. He said that there may have been some violation.

Councilman Dail asked about the 25% to 30% bedridden patients referred to.

Mr. Rick replied that there would probably be about 25 persons. At the request of Councilman Godfrey, he told of the permitted uses. He agreed that "old folks' homes" are not specifically provided in R-4 Zone, but it was his opinion that they would be permitted. He reviewed the original request relative to use of the property, and pointed out that it had been modified. He said that the State law would not prohibit the proposed use.

Councilman Swan asked about other old folks' homes, relative to variance therefore.

Mr. Rick said that there are zone variances for the purpose, even in Zones R-2 and R-1. He pointed out the distinction, however, that the present request deals with the question not of the home, but of the infirmary therein.

Councilman Godfrey asked about the objectionable features relative to the variances, and who would be legitimate protestants.

Mr. Rick replied by saying that the objection is to commercial use in R-4 zone by variance. He pointed out that a hospital is a commercial use, and said that would be wrong in the opinion of the Commission. He said that there was a fear of expanding commercial use. He told of protest entered by Mrs. Sweeny, who is across the street from the Casa. Mr. Rick showed a map of those in agreement. He said that there were 2 representatives of the Methodist Church who had spoken, but referred to no appeal relative to their statements.

Councilman Schneider referred to the humanitarian aspect involved, and felt that the Council needed to approach the situation from that viewpoint.

At the invitation of the Mayor, Roland Maxwell, member of the Board of Directors of the Pacific Home, spoke. He referred to his affiliations in other degrees with related organizations. Mr. Maxwell told about the large representation in the Annual Conference of the Board of Directors of the California-Arizona District, which protects

the elderly people. He dwelt on the full life care of the elderly persons and on their payment for food, care, shelter for the rest of their lives. He said that the organization has arrived at the point where it can purchase the Casa, except for the hurdle regarding the proposed infirmary. He said that he believed that the Zoning Committee may have had a misunderstanding in the question. Mr. Maxwell said that he spoke from experience in saying that there is about 10% of occupants who are bedridden. He told the Council that there would be 12 or 15 beds probably used, and gave assurance that there is no danger of a hospital growing up in the residential area, and that it would not be obvious that the property is used for an infirmary. He pointed out that there is already a full quota, all awaiting the Council action relative to the variance request. He said that the application has merit. He asked for the variance, based on the various representative groups involved.

Councilman Schneider suggested that the Council might hear the protests.

At this time the Mayor invited the protestants to be heard.

Andrew Andeck, 7933 Roseland Drive, secretary of the La Jolla Town Council, was heard. Mr. Andeck pointed out that the Council does not oppose the Home on the property, but that the Board of Trustees has passed a Resolution which he read relative to the upholding of the Zoning Commission decision relative to the infirmary. The Resolution which he read, referred to the need for hotels and apartments on the La Jolla beach area, and commented on the reduction of the needed property use. It said that if this goes in others will ask for "down grading" of other nearby property.

Mr. Ireland, whose first name was not given, spoke. He was connected with the enterprise in other area. Mr. Ireland referred to dispensaries built for 50 beds, but there were usually 40 in Los Angeles, and about 20 at the Clairemont institution.

Councilman Dail asked Mr. Andeck if the La Jolla Town Council had protested earlier.

Mr. Andeck said "no", and that the La Jolla Town Council had not met at that time. He said that some in the area are protesting as property owners, and that there protests had been made to the La Jolla Town Council. He re-read the first paragraph of the Council's resolution, at the request of Councilman Swan. Mr. Andeck pointed out that the ocean front property is in an R-4 area, and that the commercial property is up on the boulevard at a distance. He said that one variance sometimes leads to other variance requests. He pointed out that there was a vote of about 2 to 1; that there was a quorum present at the meeting; that as he recalled it the vote was about 12 to 6. He said that Reverend Hayden Sears and Reverend Roberts, both of the Methodist Church were present; 1 was for the Resolution, 1 against.

Mrs. Alice Rice, who owns property within 300 feet of the property under hearing, spoke. She said that she does not want the institution, and said that all such devalue the surrounding property, and opposed the infirmary. She said that the Casa de Manana is world famous, and said it was the desire to keep the Casa as a garden spot. She pointed out that if the infirmary is not allowed, it may be a factor in stopping the sale of the Casa for use as an old folks' home. Asked about the Scripps hospital, in La Jolla, she said that it is not on La Jolla's scenic point as the Casa is.

Mr. Frizell spoke next. He did not give his first name, and on request from the Clerk, the Mayor said that it is "Fuzzy". He referred to a unanimous vote on the site.

Reverend Hayden Sears spoke at this time, and said that such a home is vital to the area, and told of his membership on various church home boards. He said that Bishop Kennedy, who was unable to be present due to an engagement in the South, hoped that there would be no small technicality which would hold up the home. He said that the Church has a moral obligation to help the old people, especially so when they take care of themselves as would be the case in the proposed home. He handed in a letter from the Council of Church, which was made a part of the record. That letter urged granting of the appeal. He said that about 15% of the total for beds might be needed. He said he spoke from experience in saying that about 18 beds would be sufficient.

The Mayor asked if the petitioner would agree to 18 beds in the infirmary.

Reverend Sears said he could not answer that, inasmuch as he is only a member.

Dr. Leo Ireland, ex-president of the National organization of the Methodist Homes, was heard next. He said that the membership is cosmopolitan, and pointed out that there are all denominations represented in the Homes. Dr. Ireland said that the Clairemont home is anything but a detriment, and said that beautiful homes have built up around the institution. He submitted that it is the obligation to each member, and stressed the point that the infirmary under discussion is a minor part of the institution.

The Mayor said, in answer to Dr. Ireland, that the home is legal, and the only question is if the infirmary.

Dr. Ireland spoke again, and said that the variance is necessary. He stressed the need for taking care of patients on the premises, instead of moving them to some distant "sanitarium". He said that there would be less reason for complaint relative to caring for the patients on the premises than the moving by ambulance and the transporting of nurses and food. Dr. Ireland said that would impose a prohibitive cost. He pointed out that the founding members are the real owners. He said that existence of the infirmary will in no wise injure the health of residents on nearby properties. He quoted from a Pacific Home statement relative to medical expenses, and agreed with another earlier statement that it would in no sense be making the Casa into a hospital. He said that, according to the statement read, less than 15% of the budget is for medical care. Dr. Ireland said that care of the elderly folks through the method proposed, is receiving national attention. He said that it is an unselfish lot to help the elderly citizens who need the He stressed the point that there was a unanimous vote to purchase the property being discussed.

RESOLUTION NO. 110041, recorded on Microfilm Roll No. 58, granting the appeal of La Jolla Casa de Manana, Corp., owner, and Pacific Home, purchaser, from the decision of the Zoning Committee in denying by its Resolution No. 7043 permission to convert and maintain a portion of the existing hotel as an infirmary as an integral part of a proposed home for retired people - being all of Seaside Subdivision - at 849 Coast Boulevard, in Zone R-4; overruling and denying the Zoning Committee's decision in denying variance to the provisions of Ordinance No. 13294 insofar as they relate to the property described for said purpose, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Councilman Godfrey referred to the preceding item, and said that word had been circulated that a fair hearing before the Zoning Committee had not been held. He said that the unnamed individual should, if he feels he did not get a fair hearing, should

put the charges in writing in order that they may be substantiated.

The Mayor said that if such is the case, the matter should be brought up and discussed.

During the foregoing discussion, Councilman Kerrigan was excused from the meeting.

Councilman Wincote moved to refer to Council Conference the matter of the Zone Variance hearings, which motion was seconded by Councilman Schneider.

Councilman Kerrigan returned to the meeting.

The vote was not taken at this time. Instead, Councilman Godfrey said that it is being stated that the Council "winks" at such charges, instead of taking actions thereon. He pointed out that the Council "does not wink" at charges, but certainly does consider them.

Councilman Dail countered that the Council is not an inquisitorial body, and is not in a position to swear witnesses and conduct hearings along the line brought up by Councilman Godfrey.

Councilman Godfrey said that the matter is a Council responsibility.

Without withdrawing the previous motion, or amending it, a new motion was made, resulting

RESOLUTION NO. 110042, recorded on Microfilm Roll No. 58, referring to Council Conference the matter of statement that a fair hearing had not been held by the Zoning Committee in connection with the Pacific Home variance, including request that those who make charges in such matters furnish evidence thereof, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey, Mayor Butler. Nays--Councilman Dail. Absent--Councilmen None.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing which had been before the Council several times before and continued at each of the previous hearings, being a proposed Ordinance incorporating portion of Lot 16 C. C. Seaman's Subdivision and Lots 1-4 inclusive Furlow Heights Unit No. 3 into "R-2 Zone as defined by Section 101.0408 of the San Diego Municipal Code and repealing Ordinance No. 184 (New Series) insofar as the same conflicts, was brought up again.

It was recommended by the City Manager that there be a further continuance, inasmuch as the City is not ready to act.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said hearing was continued until the hour of 10:00 o'clock A.M., Tuesday, January 27, 1953.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portions of Pueblo Lot 1195 Fos Addition and Lots 141 to 145 inclusive Morena into "CP" and "C" Zones, as defined by the Municipal Code, and repealing conflicting ordinances, E. L. Freeland, engineer for the subdividers (in connection with the proposed business and shopping center to serve Clairemont) spoke.

Glenn A. Rick, City Planning Director, reported in relation to the proposed ordinance and the nearby property.

Mr. Freeland spoke about the Planning Commission's action relative to the Center and the streets. He told about a plan for about 1/2 of the south portion of the shopping center. He told, also, of the location of the County road.

Councilman Dail was excused from the meeting.

Mr. Freeland said that engineering study will be needed relative to location of the road, and said that he understood reference had been made to the easterly boundary only.

Mr. Rick referred to the matter as being identifying only, and spoke of having discussed it with Mr. Freeland. He said that he saw no objection to passing the Ordinance. He read to the Council the last section of the Ordinance relative to its effective date relative to adoption of the Subdivision Map of the area tentatively identified as Clairemont South Business District and that the ordinance in any event would not take effect or be in force prior to the thirty-first day from and after its passage.

Mr. Freeland pointed out to the Council that there would be an unnecessary expense involved.

Mr. Rick said that nevertheless the Ordinance provides a protection.

Mr. Freeland wanted to look over the Ordinance in detail.

At the request of the Mayor, the matter was continued until 2:00 o'clock P.M., and Mr. Freeland was given a copy of the ordinance to study. (See P. 297 these Minutes for continued consideration of this matter.)

Councilman Kerrigan requested, and was granted unanimous consent to present the next matter not listed on the Council's agenda:

Communication from Ernest J. Boud (former member of the City Council) 4313 Ridgeway Road, San Diego 16, dated January 10, offering suggestion in the interest of accelerating traffic and reducing traffic congestion at peak hours, was presented. Mr. Boud proposed that it be made illegal to cross an intersection unless and until there is sufficient space on the far side to accommodate the car, and said that the proposal is non-conflicting with the California Vehicle Code and conforms as it refers to stopping, standing or parking.

RESOLUTION NO. 110043, recorded on Microfilm Roll No. 58, referring communication from Ernest J. Boud, filed in the office of the City Clerk on January 12, 1953, under Document No. 461857 suggesting amendment to the Traffic Ordinance re crossing intersections, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted to Council Conference

Councilman Schneider requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

Petition for establishment of one hour parking meters on portions of 30th Street and Upas Street, as set out in said communication, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan said petition was referred to the Traffic Engineer, through the City Manager. (The motion was to the Traffic Engineer, but the Manager requested the Clerk to send it to him, inasmuch as the Traffic Department is under his direction).

At the hour of 12:00 o'clock Noon, the Council took a recess until the hour of 2:00 o'clock P.M., this date.

The Council reconvened at the hour of 2:22 o'clock P.M.
Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.
Clerk----Fred W. Sick

In connection with the matter shown on page 296 of these Minutes, affecting the commercial zoning in the Clairemont area, Morrey Ramble appeared (in lieu of E. L. Freeland who had spoken at the morning session), and stated that he is in agreement with the proposed Ordinance.

ORDINANCE NO. 5442 (New Series), recorded on Microfilm Roll No. 58, incorporating portions of Pueblo Lot 1195 Fos Addition and Lots 141 to 145 inclusive Morena into "CP" and "C" Zones as defined by Section 101.0410 and Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 13457 and Ordinance No. 100 (New Series) insofar as the same 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--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.

Said Ordinance specified that it shall take effect and be in force on the date of the adoption of the Subdivision Map of district tentatively identified as Clairemont South Business District, provided however, that the ordinance shall not take effect or be in force prior to the thirty-first day from and after its passage.

The next matter, which had been considered at the meeting of January 6, 1953, and continued until this time, was considered again.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 20 4-door sedans for the Police Department, received by the Purchasing Agent December 19, 1952, from 3 bidders, was presented. The report recommended awarding 6 6-cylinder sedans and 14 8-cylinder sedans to said company.

RESOLUTION NO. 110044, recorded on Microfilm Roll No. 58, accepting bids of Bay Shore Motors for furnishing 6 1953 Ford 6-cylinder sedans and 14 Ford 8-cylinder sedans, equipped as set forth in said Resolution; awarding contract and authorizing 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, reporting on bids for furnishing five hundred tons of Liquid Sodium Silicate during the period from January 1, 1953, through June 30, 1953, received from 5 bidders, and recommending award to Braun Corporation, the low bidder, was presented.

RESOLUTION NO. 110045, recorded on Microfilm Roll No. 58, accepting bid of Braun Corporation for furnishing approximately five hundred tons of Liquid Sodium Silicate during the period from January 1, 1953 through June 30, 1953; awarding contract and authorizing 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, reporting on bids for reconstruction of Storm Drain Facilities in Arizona Street south of Wightman Street, received by the Purchasing Agent on December 10, 1952, from two bidders, was presented. It states that the City Engineer reports that the low bid is 79.4% above his estimate, and recommended that bids be rejected and work accomplished by City forces. The report states that the Public Works Department has the money available for such purpose.

RESOLUTION NO. 110046, recorded on Microfilm Roll No. 58, rejecting all bids received by the Purchasing Agent on December 10, 1952, for reconstruction of Storm Drainage Facilities in Arizona Street and westerly therefrom, at a point 244 feet south of the south line of Wightman Street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent reporting on bids for installation of 2260 feet of 8" water main extension, Shelter Island, Foot of Byron Street, for the Harbor Department, received by the Purchasing Agent January 8, 1953, from 6 bidders, was presented.

Said communication recommended award to Royal Pipeline Construction Company, the low bidder, and states that the Harbor Commission concurs in the recommendation.

RESOLUTION NO. 110047, recorded on Microfilm Roll No. 58, accepting bid of Royal Pipeline Construction Company for installation of 2260 feet of 8" water main

extension - Shelter Island, Foot of Byron Street - awarding contract and authorizing and instructing a majority of the members of the Harbor Commission to enter into and execute a contract therefor, 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 sale of obsolete and discarded materials - cast iron scrap and steel scrap - sold to Reliable Pipe & Supply Company, the high bidder of five bidders, for the amount of \$1,181.07, was presented. The report states that the money received has been deposited in proper accounts with the City Treasurer.

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

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for furnishing 20,000 feet of Class 150 8" asbestos cement pipe for the Storeroom, in accordance with specifications on file in the office of the City Clerk, was presented.

RESOLUTION NO. 110048, recorded on Microfilm Roll No. 58, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 20,000 feet of Class 150 - 8" asbestos cement pipe, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for one Grapple Rock Bucket, for the Public Works Department, in accordance with specifications on file in the office of the City Clerk, was presented.

RESOLUTION NO. 110049, recorded on Microfilm Roll No. 58, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing one Grapple Rock Bucket, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110050, recorded on Microfilm Roll No. 58, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of bituminous surface treatment for 10th Street Industrial Pier, filed in the office of the City Clerk as Official Document No. 461823; authorizing and directing the Purchasing Agent to publish notice to Contractors calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110051, recorded on Microfilm Roll No. 58, approving plans, and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of manholes and conduits for power and telephone utilities on Shelter Island, filed in the office of the City Clerk as Document No. 461824; authorizing and directing the City Purchasing Agent to publish notice to contractors calling for bids for the work, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110052, recorded on Microfilm Roll No. 58, approving plans and specifications for furnishing all labor, material, tools, equipment, transportation and other expense necessary or incidental for construction of Drucker's Subdivision Sewage Pump Station Pressure Line and appurtenances, on file in the office of the City Clerk as Document No. 461853; 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 Wincote, adopted.

RESOLUTION NO. 110053, recorded on Microfilm Roll No. 58, rejecting all bids received for construction of drainage facilities at Mission Boulevard and Pacific Beach Drive, including alterations and additions to existing pump station except the bid submitted by W. V. Hutchison, at the unit prices set forth in his bid amounting to a total estimated sum of \$68,391.75; authorizing and empowering the City Manager to execute for and on behalf of the City of San Diego a contract with W. V. Hutchison upon execution, delivery, filing and approval of bonds required, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that 5 sealed bids were filed with the City Clerk prior to 10:00 o'clock A.M., December 23, 1952, for said work and were opened and publicly read, that the City Manager and City Engineer have reported that the Hutchison bid is the lowest bid received and recommended its acceptance. It also states that the Hutchison bid is declared to be the lowest bid received and that said W. V. Hutchison is the lowest, responsible and reliable bidder.

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting Final Map of Clairemont Gardens, for subdivision of property into large lots and blocks for development of approximately 1,000 units of programmed housing, recommending that the Map be approved subject to posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 110054, recorded on Microfilm Roll No. 58, authorizing and

directing the City Manager to execute, for and on behalf of The City of San Diego a contract with 6565 Corporation, a corporation, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Garden; 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 Kerrigan, adopted.

Said Resolution recites that the San Diego Municipal Code provisions require a subdivider to enter into a contract with The City of San Diego to install and complete all improvements not already installed and completed and to set the required monuments in the positions specified on said map before the final map of a subdivision is accepted by the City; that certain improvements are yet to be installed and completed and requirements yet to be set in positions specified on said map, and have executed a contract accompanied by the necessary bond for faithful performance.

RESOLUTION NO. 110055, recorded on Microfilm Roll No. 58, adopting Map of Clairemont Garden, a subdivision of portion of Pueblo Lots 1194, 1206, 1207 and unnumbered Lot bounded by Pueblo Lots 1194, 1195, 1206 and 1207 known as "The Morrow Tract, unnumbered Lot known as "The Morrow Tract" also being known as "Fos" Addition, portion of Pueblo Lot 1207 being portions of Lots 1, 2, 6, 7, 8, 9, 10, 11, 15 and 16 of the Subdivision of Pueblo Lot, together with portions of Baker Street, Colonial Street and Pilgrim Street (formerly unnamed Streets) and portion of Stough Avenue, as said Streets and Avenue are shown on Maps 809 and 842, said Streets and Avenue having been vacated and closed to public use; accepting on behalf of the public Cowley Way, Calle Neil, portion of Clairemont Drive, Iroquois Avenue, Waco Street, Knapp Street, alleys and unnamed easements for public purposes shown on said map; dedicating the same and declaring them to be public streets, portion of public street, alleys and unnamed 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 street, alleys 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 Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, approved by Glenn A. Rick, City Planning Director, recommending rezoning of the Ely 530 ft. of the Nly 419.13 ft. of por. Lot 16 Ex Mission Lands (Segel), was presented. It stated that the Planning Department is of the opinion that a change of zoning from Zone R-1 to C or CP should first be preceded by the filing of a subdivision map. It said, also, that such had not been done in this instance but had it been done the City would undoubtedly have called for the widening of Euclid Avenue as well as Federal Boulevard. It suggested that the matter be forwarded to the City Attorney's office for drafting of a proper ordinance prior to setting for a public hearing before the Council.

Glenn A. Rick, Planning Director, stated that the recommendation does not include the clause which provides for the zoning ordinance not going into effect until after a subdivision had been filed on the property, but that it should be included.

RESOLUTION NO. 110056, recorded on Microfilm Roll No. 58, adopting recommendation of the City Planning Commission for rezoning of the easterly 530 feet of the northerly 419.13 feet of portion of Lot 16 Ex-Mission Lands, at the southwest corner of Federal Boulevard and Euclid Avenue, from the present R-1 and C Zones to CP and C Zones; directing the City Attorney to prepare and present to the Council the necessary ordinance making change in zones, said ordinance to include a clause stating that said zoning shall not be in effect until such time as a subdivision map thereon is filed, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by D. E. South, attaching copy of resolution granting permission to Robert Haniman, owner, and Ann Ghio, lessee, to serve liquor in the R-C portion of an existing restaurant at 5462 La Jolla Blvd., for table service in connection with meals only, was presented. It stated that permission granted was for one year, subject to ratification by the Council, and it suggested that if the Council concurs that a similar resolution be adopted.

Glenn A. Rick, Planning Director, explained the matter to the Council, at the request of the Mayor. He said that he had recommended to the Zoning Committee that permission for liquor be permitted with meals only. He stressed that the arrangement would be workable as recommended. He said that the applicant would live up to what is being asked for. It was pointed out by Mr. Rick that a restaurant is operated, with permission, to serve drinks. He said that he agrees with the recommendation as made.

Councilman Wincote questioned the type of service, and the location of a bar, if used. He said that if drinks are good and reasonable, it might be assumed that customers might continue use of the drinks after the meals.

The Mayor said that he is familiar with the restaurant and the operators, and insisted that he could see nothing wrong with the proposal.

The City Attorney said that a following operator could continue to serve liquor, after permission granted to the current operator.

The Mayor said that the restaurant closes at 9:00 o'clock P.M.

Councilman Dail pointed out that the City has denied 2 liquor license uses in an R-C Zones. He said that one of the zones - in Imig Park - had been changed to a C zone, which has now provided a proper use for liquor sale.

Mr. Rick said that he recommended the granting, as set out in the communication.

Councilman Dail moved to overrule the Zoning Committee and deny the request which motion was seconded by Councilman Swan.

The roll was not called at this time, but there was further discussion by the Council and another action.

Mr. Rick said that the action of the Zoning Committee is not effective without Council action to accomplish the same purpose. He said he favors the recommendation as made. He pointed out that the Council could consider a change to C Zone at a later date.

The Mayor said that the property seems to be a C Zone.

Although the first motion was not withdrawn, or an amendment made, the following Resolution was offered:

RESOLUTION NO. 110057, recorded on Microfilm Roll No. 58, filing the

communication from the Zoning Committee recommending ratification of the Zoning Committee's Resolution No. 7092 which would grant to Robert Hamman, owner, and Ann Ghio, lessee, permission to operate a restaurant with permission to serve liquor with meals only, in the R-C portion of the building, on the south 1/2 of Lot C and the north 4 feet of Lot D Block A Bird Rock Villas, 5462 La Jolla Boulevard, subject to conditions set forth therein, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

(Although the request was not denied, neither did it grant the permission).

Communication from the Street Superintendent, transmitting petition to close the Alley in Block 264 Pacific Beach, filed by San Diego Unified School District, was presented. It recommended granting of the petition for the various reasons set forth.

RESOLUTION NO. 110058, recorded on Microfilm Roll No. 58, granting petition for the closing of the Alley in Block 264 Pacific Beach 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 Wincote, seconded by Councilman Schneider, adopted.

Communication from the Street Superintendent, transmitting petition to close Gage Drive in P.L. 180 (said Gage Drive formerly named Bow Street), was presented. It says that in the Tentative Map for Loma Valley it is provided for full improvement of Gage Drive including a 24" diameter drainage culvert in relocated portion of the Pueblo Lot and the closing of the existing portion of the street is required. It states that attorneys for the subdivider have filed a complaint in Superior Court to Quiet Title and abandon Gage Drive in P.L. 180 and said complaint provides that judgment shall not be effective until the filing and recording of a final subdivision map dedicating the relocated Gage Drive. It recommended that the City Attorney be authorized to enter and file a Disclaimer in and to said portions of Gage Drive as described in said Complaint.

RESOLUTION NO. 110059, recorded on Microfilm Roll No. 58, authorizing the City Attorney in that certain action entitled "Loma Valley, Inc., a California Corporation, Plaintiff, vs. City of San Diego, a Municipal Corporation, First Doe to Fifth Doe, Inclusive, and First Corporation to Fifth Corporation, inclusive, Defendants" No. 177874, now pending in the Superior Court of the State of California, in and for the County of San Diego, to file a stipulation that upon the recordation of the final map of Loma Valley Subdivision a decree may be entered quieting title against The City of San Diego to said real property as described in said complaint, excepting that portion dedicated as Gage Drive on the Map of Loma Valley Subdivision, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

Communication from Delano Chamber of Commerce, Delano, California, being a printed form over the signature of such Chamber, but unsigned by an individual, was presented. The communication was relative to reduction of tax burdens, etc., and favors establishment of a Division of Architecture in the State Department of Education to furnish all plans and specifications for school construction projects, etc., was presented.

Members of the Council said that the matter is outside the jurisdiction of the Council of the City of San Diego.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, said communication with Resolution attached, was ordered filed.

Communication from Pan Pacific Fisheries, Inc., dated January 7, 1953, signed by Gerald Cigliano, President, and Wm. C. Morehead, secretary, was presented. The communication is on the corporation's stationery, address 350 Sardine Street, Terminal Island, California.

It referred to lease made and entered into on the 19th day of April, 1948 by and between the City of San Diego and Pan-Pacific Fisheries, Inc. covering premises at the Foot of G Street Mole as set forth and described in the lease. The communication is to notify the City of the exercise of the option contained in the lease to extend for a period of 5 years from April 19, 1953 and terminate April 18, 1958. It requested acknowledgement of receipt of the notice.

RESOLUTION NO. 110060, recorded on Microfilm Roll No. 58, directing notice of the filing of the Street Superintendent's Assessment No. 2104 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 12 La Jolla Strand, within the limits and as particularly described in Resolution of Intention No. 106322, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110061, recorded on Microfilm Roll No. 58, directing notice of filing of the Street Superintendent's Assessment No. 2103 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 6 Mountain View, within the limits and as particularly described in Resolution of Intention No. 105353, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 110062, recorded on Microfilm Roll No. 58, accepting bid of V. R. Dennis, an individual doing business under the firm name and style 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 the Alley in Block 87 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 109059, was on motion of Councilman Kerrigan, seconded by Councilman

Wincote, adopted.

A written report from the City Engineer stated that the low bid is 7.1% below the estimate.

RESOLUTION OF AWARD NO. 110063, recorded on Microfilm Roll No. 58, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for the paving and otherwise improving of the Alley in Block 12 Sunset Cliffs, within the limits and as particularly described in Resolution of Intention No. 106060, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

A written report from the City Engineer stated that the low bid is 3.8% below the estimate.

RESOLUTION OF AWARD NO. 110064, recorded on Microfilm Roll No. 58, accepting bid of Charles J. Dorfman, and awarding contract for the installation of sewer mains in Old San Diego, J. P. Jones Subdivision, Pueblo Lot 1101, Bay View Quarter Acres, Bay View Addition, Joseph Reiner's Subdivision, Addition to Silver Terrace, Amended Map of Silver Terrace and Certain Pueblo Lands of San Diego, within the limits and as particularly set forth in Resolution of Intention No. 109063, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

A written report from the City Engineer stated that the low bid is 4.3% below the estimate.

RESOLUTION OF AWARD NO. 110065, recorded on Microfilm Roll No. 58, 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, 1952, to and including October 12, 1953, in strict accordance with plans and specifications contained in the report of the City Engineer being document entitled "Engineer's Report and Assessment for Adams Avenue Lighting District No. 1" filed October 10, 1952 in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 110066, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of the Alleys in Blocks 246, 243, 244, 242, 241 and 238 Mission Beach, and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 109436, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 110067, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of Arista Street, within the limits and as particularly described in Resolution of Intention No. 109438, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION ORDERING WORK NO. 110068, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of Birch Street, within the limits and as particularly described in Resolution of Intention No. 109439, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110069, recorded on Microfilm Roll No. 58, 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, 1952, to and including November 30, 1953, in accordance with Engineer's Report and Assessment filed November 21, 1952 in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 110070, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of portions of Date Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 110071, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of 55th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 110072, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of La Paz Drive and San Bernardo Terrace, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 110073, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of Manzanita Drive, Heather Street and Glenfield Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 110074, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of Tulip Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 110075, recorded on Microfilm Roll No. 58, for the installation of sewers in 48th Street, Duval Street, 49th Street, Mary Lou Street, 50th Street and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 110076, recorded on Microfilm Roll No. 58, for the closing of Webb Place, Lolly Circle, and the Alley in Block B Balboa Vista, within the limits and as particularly described in said Resolution; deemining that it is not necessary that any land be taken therefor; setting out the exterior boundaries of the district of lands to be affected by said work and improvement and to be assessed therefor; electing to proceed under the provisions of the "Street Opening Act of 1889", was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110077, recorded on Microfilm Roll No. 58, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 31 Ocean Beach, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110078, recorded on Microfilm Roll No. 58, ascertaining and declaring the wage scale for the paving and otherwise improving of Francis 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 Schneider, adopted.

RESOLUTION NO. 110079, recorded on Microfilm Roll No. 58, ascertaining and declaring the wage scale for the paving and otherwise improving of 62nd Street and Fergus Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110080, recorded on Microfilm Roll No. 58, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement for the paving and otherwise improving of Central Avenue, within the limits and as particularly described in Resolution of Intention No. 108135, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110081, recorded on Microfilm Roll No. 58, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Commercial Street, within the limits and as particularly described in Resolution of Intention No. 108136, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110082, recorded on Microfilm Roll No. 58, authorizing the City Manager to amend proceedings for the improvement of portions of Broadway and 41st Street, in accordance with his recommendations on file in the office of the City Clerk as Document No. 461450, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110083, recorded on Microfilm Roll No. 58, granting petitions contained in Document No. 450291 for the paving and otherwise improving of Noyes Street, and in Document No. 460093 for the paving and otherwise improving of Olney 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 work mentioned, all in accordance with recommendation of the City Engineer filed in the office of the City Clerk under Document No. 461451, including consolidation of assessment district with district heretofore ordered by Resolution No. 106130 for the improvement of Noyes Street, Felspar Street, Olney Street, Garnet Street and Pendleton Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

In connection with the next three matters, the Mayor asked Carl Reupsch of the Harbor Department for a report. Mr. Reupsch replied that the lease agreements are just routine.

RESOLUTION NO. 110084, recorded on Microfilm Roll No. 58, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 5 between The City of San Diego, as Lessor, and Fisherman's Marine Company, as Lessee; directing the City Clerk to cause certified copies of said Resolution to be attached to the original and duplicate original of said Agreement for Amendment of Tideland Lease, Amendment No. 5, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110085, recorded on Microfilm Roll No. 58, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 4 between The City of San Diego, Lessor, and Wategate-California Tuna Packing Company, as Lessee; directing the City Clerk to cause certified copies of said Resolution to be attached to the original and duplicate original of said Agreement for Amendment of Tideland Lease, Amendment No. 4, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110086, recorded on Microfilm Roll No. 58, ratifying, confirming and approving Agreement for Amendment of Tideland Lease, Amendment No. 1, between the City of San Diego, as Lessor, and Dale E. Watts and Stanley L. Peterson, as Lessees; directing the City Clerk to cause certified copies of said Resolution to be attached to the original and duplicate original of said Agreement for Amendment of Tideland Lease, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

(Said Lease is to cover the "Point Loma Anchorage").

RESOLUTION NO. 110087, recorded on Microfilm Roll No. 58, authorizing the City Manager to sign on behalf of The City of San Diego, contract dated November 24, 1952, between the President of San Diego State College, on behalf of the State of California, and the City of San Diego relative to paving of 55th Street, north of Montezuma Road, for the sum of \$8,555.00, in accordance with terms and conditions contained in Document No. 462047 filed in the office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110088, recorded on Microfilm Roll No. 58, authorizing and empowering the City Manager to do all the work in connection with the realignment of the Arizona and Wightman Streets Drain, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has recommended said realignment, that he 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 Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110089, recorded on Microfilm Roll No. 58, authorizing and empowering the City Manager to do all the work in connection with the alteration of the drains at the intersection of Frankfort and Morena Streets by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has recommended such alteration of drains, that he 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. 110090, recorded on Microfilm Roll No. 58, authorizing and empowering the City Manager to do all the work in connection with construction of a drainage ditch in the Frontier area, from Rosecrans Street to Midway Drive, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has recommended such construction, that he 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. 110091, recorded on Microfilm Roll No. 58, granting permission to the Pacific Telephone and Telegraph Company to install and maintain 3 public paying station telephone booths, together with the necessary equipment to enable the company to furnish telephone service to anyone desiring the same, booths to be located on the westerly 12 feet of the easterly 112 feet of the southerly 4 feet of Block 233 Bay Park Village, according to Map No. 2209 on file in the office of the County Recorder, on the conditions and for the revenue to the City set forth therein, and with agreement to remove said booths by said Company, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110092, recorded on Microfilm Roll No. 58, authorizing the City Attorney to accept \$115.00 in full settlement of the claims of The City of San Diego against Raymond J. McArdle for damage to a City light standard and directional sign post resulting from an accident on September 17, 1950, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110093, recorded on Microfilm Roll No. 58, approving claim of Pacific Indemnity Co. and Sam Adams, on file in the office of the City Clerk under Document No. 460370 in the sum of \$93.50; directing the City Auditor to draw his warrant in favor of Pacific Indemnity Co. and Sam Adams in said sum in full payment of said claim,

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

RESOLUTION NO. 110094, recorded on Microfilm Roll No. 58, authorizing the City Attorney to compromise claim of Milburn David Watts for \$207.11, Document No. 459916, in the amount of \$95.11; directing the City Auditor to draw his warrant in favor of Milburn David Watts in the sum of \$95.11 in full payment of said claim, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110095, recorded on Microfilm Roll No. 58, denying claim of W. L. Alston, filed in the office of the City Clerk under Document No. 461010, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110096, recorded on Microfilm Roll No. 58, denying claim of Mrs. Charles Crawford, filed in the office of the City Clerk under Document No. 461023, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

In connection with the next Resolution relative to claim, Robert A. Harris, asked the reason for the denial of the claim of Robert A. Harris and Inez Harris.

J. F. DuPaul, City Attorney, said that the claim had been referred to Mr. Reese of his office, and that Mr. Reese after investigation had advised the claim's denial.

Mr. Harris, answering questions from the Council as to the amount involved, said that it is between \$14,000.00 and \$15,000.00 due to damage to residence from sewer which had backed up and run through the house while he and his wife were in Washington, D.C.

Councilman Dail pointed out that denial of the claim by the City does not constitute a prejudice.

Councilman Kerrigan said that the City can pay only a legal claim, not a moral claim.

Mr. Harris, speaking further on the claim, said that the debris is and was both in and under the house.

The City Manager said that if the City has an obligation it takes care of it.

Councilman Schneider stated that the Council has to have legal advice to permit payment of claims.

Mr. Harris said that he has a reasonable claim.

Councilman Godfrey said that he feels the matter has to be settled in Court, and that there is no alternative.

The City Manager said that it is a question of who is liable and how much.

Mr. Harris spoke again, and said that the situation certainly was no fault of his, and that he was out of town at the time of the damage.

The City Attorney referred to report of complaint which had been made by neighbors relative to the sewer having backed up into the house. He said that everything above \$5,000.00 would be the responsibility of the insurance company. He pointed out that the City is bound by law, not by sympathy. He said, further, that the City cannot pay the claim unless the Court says so.

The Mayor (who is also an attorney), said that it is the City Attorney's advice that claim can be paid only if suit is filed and judgment given.

Councilman Schneider said that it is regretted that help cannot be given by the Council, but that is not possible.

RESOLUTION NO. 110097, recorded on Microfilm Roll No. 58, denying claim of Robert A. Harris and Inez Harris, on file in the office of the City Clerk under Document No. 459899, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110098, recorded on Microfilm Roll No. 58, denying claim of Mrs. Earl Johnson for Larry Wayne Johnson, on file in the office of the City Clerk under Document No. 452797, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110099, recorded on Microfilm Roll No. 58, denying claim of Arthur Kenyon, on file in the office of the City Clerk under Document No. 460985, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110100, recorded on Microfilm Roll No. 58, denying claim of George A. Morales, on file in the office of the City Clerk under Document No. 461013, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110101, recorded on Microfilm Roll No. 58, denying claim of G. A. Ouellette, on file in the office of the City Clerk under Document No. 459648, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110102, recorded on Microfilm Roll No. 58, authorizing Hoyt E. Ray, Deputy City Attorney, to attend the Traffic Conference to be held at the School of Law of the University of Southern California in Los Angeles from January 26, 1953 to January 30, 1953, inclusive, for study of Juvenile Traffic Offenders and Traffic Court Violation Bureaus in Traffic Courts and his necessary travel expenses in attending said

Law School Conference, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

In connection with the next matter, the City Manager made a verbal explanation. He told the Council that there had been an omission from the San Diego Municipal Code relative to Taxicabs, and that correction would be made by addition to the code by adoption of the proposed Ordinance.

Councilman Schneider spoke about taxicabs using meter spaces, depriving other drivers of use of such spaces while they waited to get into taxicab spaces which other cabs were to vacate.

ORDINANCE NO. 5443 (New Series), recorded on Microfilm Roll No. 58, amending Section 72.05 of The San Diego Municipal Code relating to regulation of Taxicabs, 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, Kerrigan, Schneider, Godfrey, Dail, Mayor Butler.

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, Godfrey, Dail, Mayor Butler.

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

ORDINANCE NO. 5444 (New Series), recorded on Microfilm Roll No. 58, appropriating the sum of \$6,600.00 from the Unappropriated Balance Fund, for the purpose of providing funds for construction of a drainage ditch in the Frontier Area, from Rosecrans Street to Midway 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, 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.

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

ORDINANCE NO. 5455 (New Series), appropriating \$3,200.00 from the Unappropriated Balance, for the purpose of providing funds for construction of drainage alterations at the intersections of Frankfort and Morena Streets, 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, 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.

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

A proposed Ordinance incorporating portion of Lot 16 Partition of Rancho Mission into "CP" Zone and "C" Zone as defined by Sections 101.0410 and 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 116 (New Series) adopted January 3, 1933, insofar as the same conflicts, 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., Thursday, January 29, 1953.

Councilman Schneider requested, and was granted unanimous consent to present the next matter, not listed on the Council's agenda.

Councilman Schneider spoke about complaints he had received relative to a bridge on Elm Street, east of 30th Street. He referred to bridge having been closed relative to its dangerous condition. Councilman Schneider emphasized that there is a danger to children, the Fire and Police Departments. He had a report signed by the Assistant Director of Public Works, addressed to the Assistant City Manager, which he handed to the Manager.

The City Manager told the Council about investigations which had been made and of finding the bridge unsafe. As a result, he said, the bridge was closed. The Manager said repairs could be made, but that would be an ultimate waste. He said he felt it would be advantageous to do certain work to correct the situation.

RESOLUTION NO. 110103, recorded on Microfilm Roll No. 53, requesting the City Manager to prepare the necessary plans for replacement of the bridge on Elm Street east of 30th Street (at 31st Street), and perform work in connection therewith at the earliest possible date, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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

As it was presented, the Manager made a verbal explanation of the matter to the Council.

RESOLUTION NO. 110104, recorded on Microfilm Roll No. 58, approving Change Order No. 1, heretofore filed with the City Clerk as City Document No. 462048, issued to

Charles J. Dorfman in connection with the contract for construction of Lemon Grove Trunk Sewer No. 2 in the City of San Diego and in the Unincorporated Area of the County of San Diego, Eng. W.O. No. 624-24, changes amounting to increase in the contract price of \$1,725.45, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

At this time the Mayor announced that there would be no meeting on Thursday, the regular meeting day - January 15, 1953 - due to an important traffic meeting to be held in Balboa Park. It was announced, further, that the Vice Mayor had agreed to come to the Council Chamber and adjourn until Tuesday, January 20, 1953.

The City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda, which he explained to the Council.

Communication from the Street Superintendent, bearing the Acting City Manager's stamp of approval, recommending granting extension of time to the Griffith Company for a period of 30 days time on the contract for improvement of Saranac Street, Mohawk Street, 67th Street, et al, necessary to cover collection period on the assessment roll, was presented.

RESOLUTION NO. 110105, recorded on Microfilm Roll No. 58, declaring that the time fixed by the Street Superintendent for completion of the paving and otherwise improving of Saranac Street, Mohawk Street, 67th Street, et al, as more particularly described in Resolution of Intention No. 102375, by Griffith Company, be extended for 30 days, in accordance with request of the contractor and recommendation of the Street Superintendent, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

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

He made a verbal explanation thereon to the Council.

RESOLUTION NO. 110106, recorded on Microfilm Roll No. 58, granting permission to William L. Canning, 7551 Eads Avenue, La Jolla, to install a 20-foot retaining wall, and to install a 50-foot driveway to serve the area between the retaining wall and the main sales building of Chrysler-Plymouth Agency, located at 5535 La Jolla Boulevard, on the easterly side of La Jolla Boulevard between Midway Drive and Forward Street, adjacent to Lots 4 to 8 inclusive Block 15 Bird Rock Addition, subject to the various conditions contained therein, and subject to all rules, regulations and ordinances of the City governing installation of driveways, breaking curb and restoration of sidewalks, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

The agenda listed a meeting of the San Diego County Division, League of California Cities to be held Friday January 16, 1953, at 6:30 P.M., at the Arcade Hall, 218 E. Grand Avenue, Escondido.

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 Swan, at the hour of 3:07 o'clock P.M.

It was announced by the Mayor that upon adjournment, the Council would go into Conference immediately.

ATTEST:
FRED W. SICK, City Clerk

By August M. Hadstrom 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, Thursday, January 15,
1953.

Present---Councilman Swan

Absent---Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor Butler.

Clerk----Fred W. Sick

Vice Mayor Franklin Swan appeared in the Council at the hour of 10:00 o'clock A.M. and announced that, due to the absence of members of the Council, the meeting would be adjourned until the hour of 10:00 o'clock A.M., Tuesday, January 20, 1953.

FRED W. SICK, City Clerk

By August M. Hadstrom 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, January
20, 1953

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

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

The Minutes of the 13th and 15th of January, 1953, were presented to the Council by the Clerk.

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

As the meeting opened, Mayor Butler called the attention of all those in the Council Chambers to the portrait of President Dwight Eisenhower which is now hanging in the Council Chamber. He commented upon the inauguration which had just taken place, and upon members of the Council having watched ceremonies on the television.

At this time the Mayor welcomed students from Kearney High School, representing the Student Government Class. He explained to the visitors the working of the Council, the speed for various routine actions, and the matter of previous consideration having been given to various questions before it.

Councilman Swan 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 Lots 17 to 22 Block 15 and Lots 18 to 20 Block 16 Loma Alta Unit No. 1 into "R-C" Zone, the Clerk reported that no written protests had been received.

Thereupon, the Mayor reported that no written protests had been received. No one appeared to be heard verbally, and no written protests were presented.

ORDINANCE NO. 5446 (New Series), recorded on Microfilm Roll No. 58, incorporating Lots 17 to 22 Block 15 and Lots 18 to 20 Block 16 Loma Alta Unit No. 1 into "R-C" Zone, as defined by Section 101.0409 of The San Diego Municipal Code, and repealing Ordinance No. 12793 approved April 14, 1930 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, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

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

The Hearing was set for January 15, but no meeting was held that date.

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 Cottonwood Street, within the limits and as particularly described in Resolution of Intention No. 109268, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion and second, said bids were opened and publicly declared.

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of one thousand one hundred dollars, which bid was given Document No. 462326;

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. 462327;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of one thousand dollars, which bid was given Document No. 462328;

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 twelve hundred dollars, which bid was given Document No. 462329.

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, being the latest time set for the receiving of bids for the paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 109269, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion and second, 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 American Surety Company of New York, which bond was given Document No. 461391; - in the sum of two thousand dollars;

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. 462390;

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. 462389;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of sixteen hundred dollars, which bid was given Document No. 462388;

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. 462387.

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, the time set for hearing on Resolution of Intention No. 109663 for installation of sewer in 44th Street and C 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 Kerrigan, said proceedings were referred to the City Attorney for preparation and presentation of the next resolution.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2099 made to cover the costs and expenses of installing sewers in Sherman Street, the Alley in Block 2 Subdivision of Pueblo Lot 277, Houston Street, Kurtz Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 106118, the Clerk reported that one written appeal had been received - from Cora Martin, which appeal was presented to the Council.

The City Engineer reported verbally a 4.8% appeal based upon the appellant having a cesspool.

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. 110107, recorded on Microfilm Roll No. 58, overruling and denying the appeal of Cora Martin from the Street Superintendent's Assessment No. 2099 made to cover the costs and expenses of the work of installing sewers in Sherman Street, Alley in Block 2 Subdivision of Pueblo Lot 277, Houston Street, Kurtz Street, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 106118, 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 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. 2098 made to cover the costs and expenses of the paving and otherwise improving of the Alleys in Blocks 96, 97, 98, 100, 103, 104, 107 Mission Beach, Santa Barbara Place, Mission Boulevard, Ventura Boulevard and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 104662, the Clerk reported that written appeals had been received from Jerry Schwartz and Clarence T. Bach, Jr., Robert F. Rood, Mildred Paul, which appeals were presented to the Council.

The City Engineer reported a 3% appeal, based upon the grade of the Alley. He said that there is practically no grade to provide a fall, and the area is very flat.

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

Mr. Dismukes, who did not give his first name or initials, asked about the difference in the assessment amounts. He referred to his lot and to another.

Looking at the assessment map, the City Engineer replied that there is a storm drain on one of the lots; not on the other.

Laura Shell spoke about the assessment which she declared was too high. He said that she thought she had been over-assessed; and told of a retaining wall which she had been required to have fixed inasmuch as it was undermined and fell down.

The City Engineer explained the assessment, relative to both the paving and storm drain.

Mrs. Shell said that she had not complained about the wall, which is at the back.

Councilman Wincote said that if the wall encroached on the Alley it would have to be overruled, but that the City would look at the matter if the wall is on the appellant's own property. He pointed out that the work was done under bid, and let to the lowest bidder.

The Mayor contended that the assessment was on the same basis to all the owners, and that there was a reasonable bid for the improvement.

RESOLUTION NO. 110108, recorded on Microfilm Roll No. 58, overruling the appeals of Laura Shell, Jerry Schwartz and Clarence T. Bach, Jr., Robert F. Rood, from the Street Superintendent's Assessment No. 2098 made to cover the costs and expenses of the paving and otherwise improving of the Alleys in Blocks 96, 97, 99, 100, 103, 104, 107

Mission Beach, Santa Barbara Place, Mission Boulevard, Ventura Boulevard and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 104662; overruling and denying all other appeals thereon; confirming and approving the Street Superintendent's 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 Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on the Street Superintendent's Assessment No. 2097 made to cover the costs and expenses of the paving and otherwise improving of Wawona Drive, within the limits and as particularly described in Resolution of Intention No. 106459, the Clerk reported that verbal appeal had been received from Frank H. Thomas, which appeal was presented to the Council.

The City Engineer reported a 3.8% appeal. He said that it referred to the sewer. He said that it was not put in due to its being included in a 1911 Act. The Engineer said that there will be a refund. The protestant was told to go to the Permit Department for a refund.

RESOLUTION NO. 110109, recorded on Microfilm Roll No. 58, overruling and denying the appeal of Frank H. Thomas from the Street Superintendent's Assessment No. 2097 made to cover the costs and expenses of the work of paving and otherwise improving of Wawona Drive, within the limits and as particularly described in Resolution of Intention No. 106459; confirming and approving the Street Superintendent's Assessment No. 2097; authorizing and directing said 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 appeals of Ben L. Hansen from the decisions of the Zoning Committee in denying by Resolutions Nos. 7061 and 7062 applications Nos. 11307 and 11308 for permission to Robert M. Makoske, owner, and Ben L. Hansen, lessee, to erect and operate neon advertising and directional sign for "Driftwood Diningroom", with 14 foot setback on Lot I Block 171 Mission Beach, at the southeast corner of Mission Boulevard and Santa Clara Place, in Zone R-4, the Zoning Committee's report signed by D. E. South was presented and read.

Glenn A. Rick, City Planning Director, was requested by the Mayor to give a verbal report. Mr. Rick mentioned report which had been made to the Council several weeks ago, relative to questions raised in connection with other signs which had been mentioned.

Councilman Swan asked Mr. Rick about a sign at Cass and Turquoise.

The reply by Mr. Rick was that the sign is in Zone "C".

Ben Hansen read a prepared communication to the Council. It stressed that the appellant is leasing from the City; that if his revenues increase, revenues to the City increase also. He spoke, as he had previously, to various signs which were referred to in the report Mr. Rick mentioned earlier.

Mr. Rick replied relative to each of the signs, and said that some are illegal, and some were erected by virtue of zone variance. He pointed out that the request for the zone variance is on another piece of property, other than the premises involved. He told the Council that the Commission did not approve the wording which calls attention to "Driftwood" instead of "Santa Clara Point."

Councilman Wincote said that the sign ordinance is in existence to protect property.

Mr. Rick said that the Planning office would not approve a sign on the basis of aesthetics alone, since that had been ruled out.

Councilman Dail spoke relative to illegal signs, and said that there existence makes it embarrassing to act upon this one. He said that he thought the City does not have a leg to stand on.

The Mayor told the Council that the Zoning Committee has insufficient personnel to do policing in such matters.

Councilman Godfrey referred to the Z-4 Zone, where the sign is wanted, rather than a proper zone for the purpose.

Mr. Rick said that the nearest C Zone is one half block away, and told of the development on the Boulevard (Mission Boulevard).

Councilman Godfrey told about the C Zone and the C Zone use 1/2 block away. He spoke of development under variance, and said that eventually the area will be a C Zone.

Mr. Rick said that he did not know if the City would want a C Zone next to a Branch library.

Councilman Swan asked where the sign would go, and indicated that it would be in a peculiar location.

Mr. Rick spoke about other proposed signs if this one is granted. He pointed out that if it is permitted, others will have to have signs on the highway directing traffic to various properties.

Mr. Hansen said if the variance is not granted, it would not help his cafe. He showed a picture of the existing directional sign, and stressed the point that it cannot be seen.

Councilman Godfrey said that the City has a bushel of money in Mission Bay, which it should not hide. He said that the investment justifies a fair return. Mr. Godfrey said that all have to face the fact that the value of the area is enhanced through the City's development of Mission Bay.

Councilman Wincote asked Mr. Rick regarding the proposed Purdy sign (which would be in connection with the trailer lease on a Mission Bay point).

Mr. Rick explained the matter to the Council. He said that some objections had been made, and told about some who do not want unfair competition. He said that he felt that the City should not give its tenants any favoritism. He said that he does not want to encourage competition.

Councilman Swan asked if the sign in question would be O.K. in a C Zone.

Mr. Rick's reply was "yes".

The Mayor asked if there were any protests.

No protests were entered.

Councilman Dail moved to overrule the Zoning Commission, and grant the appeal, which motion was seconded by Councilman Godfrey.

Mr. Hansen showed a picture of the proposed sign, and declared that there would be a 4-foot overhang over private property - not over the sidewalk. He said that he would be willing to add the words "Santa Clara Point", if granted a sufficient size which would permit addition of those words.

Councilman Dail was excused from the meeting at this time.

Councilman Wincote said that "Santa Clara Point" wording is needed, and declared that it is difficult for people to find the point.

Mr. Hansen said that he wants the wording, but that the sign size had been cut down on account of size. He would need greater area if the words are added, he said.

Councilman Dail returned to the meeting.

A. W. Harper, the sign man who would make the sign, arose at the back of the room. He said that the sign would need an additional 6" for the 4" lettering.

Councilman Kerrigan wondered if activities on Santa Clara Point had been considered. He said that perhaps all activities should be pointed out on a sign. This is not, he said, the final answer.

Councilman Dail spoke for maximum development of the Point. He said that the City is not now giving some of the needed activities.

Councilman Swan made reference to applying to the 3 points.

Councilman Godfrey said that the matter should be referred to Conference.

The motion was amended on motion of Councilman Dail, seconded by Councilman Godfrey to provide a 3'9" x 7' size sign, to include "Santa Clara Point" wording.

Mr. Hansen pointed out that he would be leasing private property for erection of the sign.

The City Attorney said that a termination should be provided, and suggested that it be for as long as Mr. Hansen rents the Point property from the City.

The Mayor asked that the motion be re-stated.

RESOLUTION NO. 110110, recorded on Microfilm Roll No. 58, overruling and denying Zoning Committee Resolutions Nos. 7061 and 7062, and granting the appeal of Ben L. Hansen, Lessor, and Robert M. Makosky, for variances to the provisions of the Municipal Code 101.0408 and 101.0602 to permit erection and operation of a neon advertising and directional sign for "Driftwood Diningroom", on Lot 1 Block 171 Mission Beach, southeast corner of Mission Boulevard and Santa Clara Point in Zone R-4, which sign shall also include the addition of "Santa Clara Point" direction, and that the sign permit which is to be 3'9" x 7' is to go with the applicant (Ben L. Hansen's) occupancy of the Point property only, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Petition of Greene-Haldeman, dba "Call-A-Car" of San Diego, 101 W. E Street, San Diego, for permission to operate 8 trucks for hire, was presented.

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

Communication from Kesling Modern Structures, Inc. and Loma Valley, Inc., by William F. Reed, Their Attorney in Fact, 524 San Diego Trust & Savings Bldg., San Diego 1, requesting amendment to Ordinance No. 5179 New Series, in connection with subdivision designated as "Loma Valley" so that property will be in an R-1 Zone instead of R-1C Zone to which property had been rezoned, was presented.

Communication from Alonzo De Jessop opposing the request to exclude the Loma Valley subdivision, was presented. It states that the writer owns property next to that of Mr. Kesling, and that Mr. Kesling did not, to Mr. Jessop's recollection, protest the voluntary up-zoning of the entire area.

Communication from Robert J. Sullivan, Sullivan Hardwood Lumber Company, owner and resident of a Presidio Lot on Point Loma just south of the Loma Valley Subdivision, protesting the lessening of the requirements for a minimum area of 10,000 square feet per lot in Zone R-1-C which is also applicable to Loma Valley Subdivision, was presented. Also filed in connection with the Tentative Map of Loma Valley Subdivision relative to lot zones covering lot sizes and stating that no one protested the change to provide for 10,000 square foot area, was communication signed by the City Attorney.

George Lazar, attorney, spoke in objection to the smaller sized zones, and was told that the matter would be considered further.

William Reed, attorney, who had signed for Kesling Modern Structures, Inc. and Loma Valley, Inc., told the Council that he wanted to know when the matter would be considered again.

RESOLUTION NO. 110111, recorded on Microfilm Roll No. 58, referring communications from Kesling Modern Structures, Inc., and Loma Valley, Inc.; Alonzo De Jessop, Robert J. Sullivan, City Attorney relative to Loma Valley Subdivision, all having to do with R-1C Zoning which requires 10,000 square feet of property for each parcel, to Conference consideration January 22, 1953, and directing the City Clerk to place the matter on the agenda for the Council meeting of January 27, 1953, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Petition of Residents for dedication of a portion of Old San Diego for park purposes, making it a part of Presidio Park, was presented. The petition refers to the City-owned property occupied by the pitch and putt golf course, the baseball diamond and the community center, to preserve the same for all time for park and recreation purposes.

RESOLUTION NO. 110112, recorded on Microfilm Roll No. 58, referring petition for dedication of area known as portion of Presidio Park, to make the same a part of Presidio Park, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Petition of property owners requesting that new water pipes be installed in the Alley in Block 15 Normal Heights - the 4800-Block between 33rd Street and Felton Street - without delay, by the City of San Diego, was presented.

On motion of Councilman Swan, seconded by Councilman Godfrey, said

petition was referred to the City Manager.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for improvement of Maple Street between Balsa Street and Nutmeg Street, received January 7, 1953 from 4 bidders; recommending award to Daley Corporation, the low bidder, was presented.

The report stated that the low bid is 3.7% below the estimate.

RESOLUTION NO. 110113, recorded on Microfilm Roll No. 58, accepting bid of Daley Corporation for improvement of Maple Street (consisting of grading, paving, construction of curb, gutter and cutoff wall); awarding contract and authorizing and instructing the City Manager to enter into and execute contract with Daley Corporation, 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 improvement of Trojan Avenue between Sharon Place and 54th Street, received January 7, 1953 from 4 bidders; recommending award to Daley Corporation, the low bidder, was presented.

The report stated that the low bid is 6.0% below the estimate.

RESOLUTION NO. 110114, recorded on Microfilm Roll No. 58, accepting bid of Daley Corporation for improvement of Trojan Avenue (consisting of grading, paving and construction of curbs); awarding contract and authorizing and instructing the City Manager to enter into and execute contract with Daley Corporation, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received for furnishing 6,000 cu. yds of Decomposed Granite for the Public Works Street Division, for 6 months beginning January 1, 1953 - bids received December 29, 1952 - from 4 bidders; recommending award to El Cajon Granite Company, was presented.

The report stated that bids of B. H. Patterson and El Cajon Granite Company were identical at 45¢ per cubic yard, but that the quarry of El Cajon Granite Company is 3.3 miles closer to the Public Works Service Yard than the other and would make the hauling costs lower.

RESOLUTION NO. 110115, recorded on Microfilm Roll No. 58, accepting bid of El Cajon Granite Company for the furnishing of approximately 6,000 cubic yards of decomposed granite for a period of 6 months beginning January 1, 1953; awarding contract and authorizing and instructing the City Manager to enter into and execute contract with El Cajon Granite 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 38 Electrical Fixtures for the Electrical Division, received on January 7, 1953 from 4 bidders; recommending award to Pacific Wholesale Electric Company of San Diego, low bidder, was presented.

RESOLUTION NO. 110116, recorded on Microfilm Roll No. 58, accepting bid of Pacific Wholesale Electric Company for the furnishing of 38 Electrical Fixtures; awarding contract and authorizing and instructing the City Manager to enter into and execute contract therefor with Pacific Wholesale Electric Company, 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 furnishing fire hose as set out in detail therein, received from 3 bidders on January 9, 1953; recommending award to Gould Hardware & Machinery Company of San Diego, the low bidder, was presented.

RESOLUTION NO. 110117, recorded on Microfilm Roll No. 58, accepting bid of Gould Hardware & Machinery Company for furnishing 1,000 ft. 1-1/2"; 2,500 ft. 2-1/2", 4,000 ft. 3" Fire Hose; awarding contract and authorizing and instructing the City Manager to enter into and execute contract therefor with Gould Hardware & Machinery 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 furnishing Incandescent and Fluorescent Lamps to The City of San Diego, the County of San Diego and the San Diego Unified School District for a period of one year beginning January 1, 1953, received from 5 bidders on December 30, 1952; recommending award to Distributors, Incorporated of San Diego, the low bidder, was presented.

Said communication states that San Diego Unified School District and the County of San Diego have concurred in the recommendation.

RESOLUTION NO. 110118, recorded on Microfilm Roll No. 58, accepting bid of Distributors, Incorporated, for the furnishing to The City of San Diego, the County of San Diego and San Diego Unified School District, with Incandescent and Fluorescent Lamps for a period of one year beginning January 1, 1953; awarding contract and authorizing and instructing the City Manager to enter into and execute contract therefor with Distributors, Incorporated, 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 received January 6, 1953, from 6 bidders, for furnishing 3 items of Copper Pipe and 38 items of Copper Stops, Fittings and Valves; recommending awards to Mission Pipe & Supply Company and to Western Metal Supply Company, the low bidders

bidders on certain items shown in said report, was presented.

RESOLUTION NO. 110119, recorded on Microfilm Roll No. 58, accepting bid of Mission Pipe & Supply for furnishing 35,000 ft. 3/4" Copper pipe; 3,000 ft. 1" Copper Pipe; 1,000 ft. 2" Copper Pipe; awarding contract, authorizing and instructing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110120, recorded on Microfilm Roll No. 58, accepting bid of Western Metal Supply Company for furnishing various items of Copper Stops, Fittings and Valves, as set forth in said Resolution; awarding contract, authorizing and instructing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

The next matter was brought up later in the meeting, but numbered out of order for the benefit of the Purchasing Department, at this point. The City Manager requested, and was granted, unanimous consent to present the matter, which was not listed on the Council's agenda:

Communication from the Purchasing Agent reporting on bids received January 16, 1953, from 4 bidders for installation of an electrical power system in the south basement of the Civic Center Building, recommending award to A. W. Myers, the low bidder, was presented. The report states that the bid is 24% below the estimate. The City Manager made a verbal report to the Council.

RESOLUTION NO. 110121, recorded on Microfilm Roll No. 58, accepting bid of A. W. Myers for installation of an electrical power system in the south basement of the Civic Center Building for the City of San Diego - \$4,100.00 - awarding contract, authorizing and instructing the City Manager to execute the same, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110122, recorded on Microfilm Roll No. 58, rejecting all bids submitted January 6, 1953, for installation of Small Water Main Replacements, Group No. II, 1952-1953; authorizing and directing the Purchasing Agent to readvertise for bids for said work, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Said Resolution states that the City Manager and Director of the Water Department have recommended that all bids be rejected, and that the Purchasing Agent be authorized to readvertise for bids.

RESOLUTION NO. 110123, recorded on Microfilm Roll No. 58, rejecting all bids submitted January 6, 1953, for installation of Small Water Main Replacements, Group No. IV, 1952-53, and 24-inch and 16-inch Feeder Main in Pueblo Lot 1202; authorizing and directing the Purchasing Agent to readvertise for bids for said work, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution states that the City Manager and Director of the Water Department have recommended that all bids be rejected, and that the Purchasing Agent be authorized to readvertise for bids.

Communication from the Purchasing Agent, submitting Resolution authorizing bids for one 20-25 ton truck crane for the Harbor Department, as per specifications on file in the office of the City Clerk bearing Document No. 462154, was presented.

RESOLUTION NO. 110124, recorded on Microfilm Roll No. 58, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing one 20-25 ton truck crane, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110125, recorded on Microfilm Roll No. 58, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a culvert in the Alley in Block 240 Mission Beach, Lot A Braemar and Mission Bay Park, bearing official Document No. 462155; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110126, recorded on Microfilm Roll No. 58, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the resurfacing of Promenade Deck on Broadway Pier, bearing official Document No. 462156; authorizing and directing the Purchasing Agent to proceed to publish notice to contractors calling for bids for said work, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110127, recorded on Microfilm Roll No. 58, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for remodeling of the lighting system in the Bail Clerk's Office in Police Headquarters and Courts Building, bearing official Document No. 462157; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for said work, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110128, recorded on Microfilm Roll No. 58, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of the Police Station

Parking Lot at Market Street and Pacific Highway, bearing official Document No. 462158; 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.

RESOLUTION NO. 110129, recorded on Microfilm Roll No. 58, authorizing and directing the Purchasing Agent to purchase from the Automobile Club of Southern California 34 "Stop" signs, at a cost of not to exceed the sum of \$300.00, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Said Resolution states that the City Manager has advised the Council that recently-created intersection stops and through highways necessitates the installation of said signs, that they may be obtained from said Club at cost and that under a prevailing agreement said Club will install and maintain the same, that the Manager has recommended purchase of said signs in the open market without advertising for bids.

Councilman Dail questioned the matter, and wondered about the purchase as recommended.

The City Manager reported briefly on the arrangement, and said that in his opinion it was the best method available now.

RESOLUTION NO. 110130, recorded on Microfilm Roll No. 58, authorizing and directing the Purchasing Agent to advertise for sale and sell various items of automotive equipment belonging to the City - as listed in detail in said Resolution - was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Said Resolution recites that the Director of Public Works has given notice in writing to the Purchasing Agent that said equipment is no longer desirable for use or retention by the City; that the Purchasing Agent is authorized to advertise.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 5 sections of the San Diego Municipal Code in connection with the Tentative Map of Campanile Manor Unit No. 2, was presented.

RESOLUTION NO. 110131, recorded on Microfilm Roll No. 58, suspending Sections 102.11-2, 102.12-8, 102.16-8, 102.18, 102.17-c of the Municipal Code in connection with the tentative Map of Campanile Manor Unit No. 2, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Campanile Manor Unit No. 2, for a 14-lot subdivision of portions of Lots 10 and 11 Marcellena Tract, located on the southerly side of Montezuma Road and easterly of 55 Street, subject to 11 conditions, was presented.

RESOLUTION NO. 110132, recorded on Microfilm Roll No. 58, approving the Tentative Map of Campanile Manor Unit No. 2, subject to the conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 4 sections of the San Diego Municipal Code in connection with the Tentative Map for the resubdivision of Lots 1540 and 1541 in Clairemont Unit No. 8, was presented.

RESOLUTION NO. 110133, recorded on Microfilm Roll No. 58, suspending Sections 102.18, 102.11-2, 102.12-6, 102.17-c of the Municipal Code insofar as they affect the Tentative and Final Maps of Clairemont Unit No. 8 resubdivision of Lots 1540 and 1541, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map for resubdivision of Lots 1540 and 1541 of Clairemont Unit No. 8, being 2 large parcels of land originally intended for an apartment house development of some 850 units directly across from the northerly business center of the Clairemont development; the tentative map now being for resubdivision of the property into parcels for construction of duplex dwellings, was presented.

RESOLUTION NO. 110134, recorded on Microfilm Roll No. 58, approving the Tentative Map of resubdivision of Lots 1540 and 1541 of Clairemont Unit No. 8, subject to the conditions (11 in number), was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, bearing the signature of Harry C. Haelsig, recommending suspension of 4 sections of the Municipal Code in connection with the Tentative Map of Lomita Village Unit No. 6, was presented.

RESOLUTION NO. 110135, recorded on Microfilm Roll No. 58, suspending Sections 102.11-2, 102.12-8, 102.18, 102.17-c of the Municipal Code relative to the Tentative and Final Maps of Lomita Village Unit No. 6, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Lomita Village Unit No. 6, for a 94-lot subdivision in Blocks C and K Narragansett Heights, located a block east of the existing Cardiff Street, southerly of Jamacha Road, was presented. The report says that it is proposed to close portion of Potrero Street easterly of Friden Street, that portion of said street easterly of the proposed street should not be closed as it is the only access available for Lots 17 through 24 Block K Narragansett Heights. The report says, also, that approval of the Tentative Map is subject to the successful closing of a portion of Potrero Street, and makes the Map subject to 10 conditions.

RESOLUTION NO. 110136, recorded on Microfilm Roll No. 58, approving the Tentative Map of Lomita Village Unit No. 6, subject to the conditions set forth in said

Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 2 sections of the Municipal Code in connection with the tentative map of Minute Manor, was presented.

RESOLUTION NO. 110137, recorded on Microfilm Roll No. 58, suspending Sections 102.18, 102.17-c of the Municipal Code, in connection with the tentative map of Minute Manor, a 4-lot subdivision of a portion of Lot 9 La Mesa Colony, insofar as they relate to the Tentative and Final Maps thereof, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Minute Manor, for subdivision of a portion of Lot 9 La Mesa Colony into 4 lots fronting on the proposed Acorn Street, subject to 10 conditions, was presented.

RESOLUTION NO. 110138, recorded on Microfilm Roll No. 58, approving the Tentative Map of Minute Manor, subject to conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, reporting on communication from Freeland, Peterson & Evenson, engineers, for subdivision of Vista Bahia, requesting reapproval of the Tentative Map approved by Resolutions 104866 and 104867 on December 26, 1951, was presented. It stated that there is no contemplated change to the subdivision, the Planning Commission having recommended reapproval of said Resolutions, with additional requirement that a small portion of the property in the northeasterly corner be dedicated for Crete Street to complete the street system in the adjoining subdivision of Bay Park Vista Unit No. 4.

RESOLUTION NO. 110139, recorded on Microfilm Roll No. 58, reapproving the Tentative Map of Vista Bahia, being subdivision of Lots 3 to 6 inclusive, and Block C and portion of Block 7 Morena into 44 lots, subject to conditions set forth in Resolution No. 104867, except that it is required that a small dedication be made for extension of Crete Street in the northeasterly corner to complete the street system; reapproving Resolution No. 104866 suspending certain sections of the Municipal Code in connection therewith, insofar as the suspensions listed relate to said Tentative Map, was on motion of Councilman Godfrey, seconded by Councilman Kennedy, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending that the name of Arroyo Avenue between Euclid Avenue and the easterly boundary of the City be changed to Cervantes Avenue - said street being in recently annexed Las Alturas Villa Sites No. 1 & No. 2 which conflicts with an existing street name in Reynard Hills. It states that the Commission held a public hearing after notifying all affected property owners by postal card notice, and that no one appeared at the hearing.

RESOLUTION NO. 110140, recorded on Microfilm Roll No. 58, adopting recommendation of the Planning Commission for changing the name of Arroyo Avenue, in Las Alturas Villa Sites No. 1 & No. 2 to Cervantes Avenue; directing the City Attorney to prepare and present to the Council the necessary Ordinance changing the name of said street, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by Glenn A. Rick, City Planning Director, reporting on Council direction of November 19 to bring in a draft of a proposed amendment to the zoning section of the Municipal Code covering the construction of duplex dwellings on pairs of 25-foot lots in Zone R-1 and construction of 4-unit apartments on pairs of 25-foot lots in Zone R-2, and making various statements and recommendations in connection therewith, was presented.

RESOLUTION NO. 110141, recorded on Microfilm Roll No. 58, referring to Council Conference communication from the City Planning Director relative to zone amendment for building on 25-foot lots, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Director, signed by Glenn A. Rick, City Planning Director, reporting on Resolution No. 108609 requesting him to contact C. A. Muehling and instruct him to proceed with due diligence to carry out provisions of a zone variance heretofore granted for parking lot in connection with Muehling's Department Store, at Hornblend and Fanuel Streets, was presented. Accompanying the communication were photographs of the lot, which were returned by the Clerk to the Planning Director. The report states that a field inspection agrees that construction work meets conditions set forth in the variance, but attention was called to the fact that a sign advertising the parking lot has been constructed and is not in accordance with the sign ordinance. It said, also, that the sign matter will be taken care of through suggestion that a legal sign be constructed or that a zone variance be applied for to permit the present sign to remain.

Said report was read to the Council.

Councilman Wincote said that the sign provision was not a part of the variance.

Mr. Rick reported that the sign had been seen, and reported verbally that it will be taken care of in the manner set forth in the report.

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

Communication from the City Attorney, signed by J. F. DuPaul, giving a legal opinion as asked for in Council Conference on December 18, 1952, as to whether off-

street parking control may or may not be applied to only one or some communities of the City was presented. Said opinion gave a long detailed opinion in the matter, stating that "It may be that by creating a new zone which would provide that anyone erecting a new building or making improvements to an existing building must provide parking, and applying that zone as localities want such zoning or the City Council determines that any such zoning should be applied to different areas, leaving existing "C" zones as they are until the Council makes that determination, we might be sustained in the Courts in such a process. In view of the liberality with which the Courts view zoning matters, I am willing to recommend that we employ such a method."

RESOLUTION NO. 110142, recorded on Microfilm Roll No. 58, referring communication from the City Attorney on the matter of off-street parking control to Council Conference, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the City Attorney, submitting opinion, signed by Shelley J. Higgins, Assistant City Attorney, requested by Council Resolution No. 109899, relative to authority of the Council through the Manager to place the operation of the City Pound in the Police Department, and the matter of creating a Humane Commission to be created and selected by the Council - all as brought up by Mrs. E. H. Dowell who challenged the validity of the transfer and made suggestion for such Commission - was presented.

RESOLUTION NO. 110143, recorded on Microfilm Roll No. 58, referring communication from the City Attorney relative to transfer of operation of the City Pound to the Police Department, and the creation of a Humane Commission, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Engineer, bearing stamp of approval of the City Manager by E. W. Blom, Assistant City Manager, reporting on petition for improvement of Modesto Street, Sumac Drive, Juniper Street, Laurel Street and Olive Street, although it contains the signatures of 53.2% of the property frontage (instead of 60% as is the Council's policy), was presented. It made detailed recommendation for the improvements to be made.

Councilman Kerrigan made a verbal report in which he brought up the necessity for the improvement, and stated that petition had not been signed by more property owners inasmuch as some of them are absent from the City.

RESOLUTION NO. 110144, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of portions of Modesto Street, Juniper Street, Laurel Street, Sumac Street, Olive Street, Maple Street, Columbine Street, contained in Document No. 450152; 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 Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Boyle Engineering relative to bids received for improvements in Kearny Mesa Improvement District, recommending rejection as being too high, and readvertising for new bids, was presented.

By common consent, the matter was held over until this afternoon's session.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, and the City Manager's stamp of approval, reporting on petition to close portion of Baltic Street in Pueblo Lot 1203, recommending closing as requested by the City Manager, and authorizing the City Engineer to pay the costs thereof, was presented.

RESOLUTION NO. 110145, recorded on Microfilm Roll No. 58, granting petition for closing Baltic Street in Pueblo Lot 1203, contained in Document No. 459600, as recommended by the Street Superintendent; directing the City Engineer to furnish description of the lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses thereof; authorizing the City Engineer to pay said costs, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, and the City Manager's stamp of approval, recommending denial of petition to close Fern Glen between Monte Vista Avenue and Olivetas Avenue; stating a 36 inch storm drain, 2 sewer lines and a utility pole line are located in the portion of Fern Glen, that it is also necessary for future water line and that it is desirable to keep the street open between Monte Vista Avenue and La Jolla Boulevard to provide access to the streets, was presented.

RESOLUTION NO. 110146, recorded on Microfilm Roll No. 58, denying petition for closing of Fern Glen between Monte Vista Avenue and Olivetas Avenue, as recommended by the Street Superintendent, 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, and the City Manager's stamp of approval, reporting on petition for closing the southerly 35 feet of Olive Street, between the easterly line of Union Street and the westerly line of Reynard Way measured parallel with the northerly line of Lot 1 Block 96 Middletown, was presented.

It states that Olive Street westerly from Reynard Way is unimproved and contains no sewer or water mains. The communication points out that Olive Street westerly from Union ~~State~~ Street to State Street has been closed except for a fifteen foot wide strip in the center; the northerly side opposite the proposed closing was also closed by Resolution No. 15924 December 15, 1913. It says that Olive Street westerly from Reynard Way is too steep to be improved with a roadway but a portion of the right of way may be

needed for future stairways, drainage easements or utility lines which may require a width wider than that which would remain if petition is granted. The Major Street Plan would not be affected by the closing, according to the report. It was recommended that the southerly 30 feet of Olive Street between the easterly line of Union Street and the westerly line of Reynard Way be closed except for corner cut-offs with radii of 20 feet, at Union Street and Reynard Way, was presented.

RESOLUTION NO. 110147, recorded on Microfilm Roll No. 58, granting petition for closing portion of Olive Street, in accordance with recommendation of the Street Superintendent under Document No. 462272 rather than as petitioned for in Document No. 457715; 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 Wincote, seconded by Councilman Godfrey, adopted.

Communication from Marguerite B. Clark, 3421 Curtis St., dated Jan. 12, 1953, protesting horrible noises day and night originating from Consolidated (Aircraft Corp.) was presented.

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

Communication from Mrs. Louise Cooper, whose address was not shown, expressing views relative to bus fares, was presented.

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

Communication from Charles Elwyn Karpinski, attorney, 1035 Bank of America Bldg., dated January 15, 1953, requesting continuance of the application of Margaret Gregory for a license under the psychology commission ordinance - presently set for January 29 - for continuance until sometime in April, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, a hearing in the matter was set for the hour of 10:00 o'clock, Tuesday, February 17, 1953, on said appeal of Margaret Gregory.

(Mr. Karpinsky's office was notified of the hearing date on 1/21/53) A.M.W.

Communication from Downtown Optimist Club of San Diego, dated January 12, 1953, signed by W. E. Starke, president, stating that January 26, 1953 is designated by the Club as "City Fathers' Day, and inviting the Mayor and members of the Council to be its guests, was presented.

Mayor Buler polled the Council to ascertain who would be able to attend. Those who said that they would go were Councilmen Kerrigan, Swan, Godfrey, Wincote, Dail, and the Mayor. The Mayor said that Councilman Schneider, who was unable to attend the meeting, would be asked if he can attend.

RESOLUTION NO. 110148, recorded on Microfilm Roll No. 58, accepting the invitation of the Downtown Optimist Club of San Diego, issued by W. E. Starke, President, to "City Fathers' Day" on January 26, 1953 at 12 o'clock Noon at the San Diego Club, and requesting Mayor Butler to advise Mr. Starke that six members of the Council have accepted, and that another will be asked if he can attend, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from San Diego Municipal Employees' Association, dated January 13, 1953, signed by Ellen M. Murray, President, relative to reported recommendation from the Charter Committee which would give authority to the City to provide compensation for overtime work at the regular rate but not at a time-and-a-half rate, was presented.

The communication amplified the Association's thinking in the matter, and noted that the Committee has made provision which would permit the City to incorporate health and hospitalization plans as factors in employees' pay, and stated that an opportunity to study that recommendation and discuss it with the Council before action is taken, would be appreciated.

Another communication from the same Association, announcing the Fifth Annual Institute on Government, sponsored by all the public employees groups in the San Diego Area, to be held on February 18, 1953, in the Conference Building, Balboa Park, and requesting Council endorsement and recognition of the Institute, was presented.

In connection with both communications, the following Resolution was presented:

RESOLUTION NO. 110149, recorded on Microfilm Roll No. 58, referring both communications referred to above from the San Diego Municipal Employees' Association, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Before said Resolution was adopted, Mary Harvey, Executive Secretary of said San Diego Municipal Employees' Association, was recognized. Miss Harvey requested permission for the Association to be represented at the Council Conference. She said that if it is desired, she would be glad to put the request in writing. He pointed out that the Association does not know where the Charter Committee stands on the Civil Service matter. No action was taken, formally, on Miss Harvey's request.

Communication from San Diego Transit System, 235 Broadway, San Diego 1, dated January 7, 1953, signed by J. L. Haugh, president, transmitting copy of application before the Public Utilities Commission of The State of California for authority to increase rates, and making a detailed statement in support of the request, was presented.

RESOLUTION NO. 110150, recorded on Microfilm Roll No. 58, referring communication from San Diego Transit System relative to application for authority to increase

rates, before the Public Utilities Commission of the State of California, to Council Conference, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from San Diego Public Safety Committee, dated January 7, 1953, signed by Ronald T. Strong, Chairman, and Hal H. Hobson, Secretary, requesting that the Police Department be augmented to enforce traffic rules and regulations, and expressing the Committee's opinions in connection with accidents, etc., was presented.

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

RESOLUTION NO. 110151, recorded on Microfilm Roll No. 58, directing notice of filing of the Street Superintendent's Assessment No. 2106 and of the time and place of hearing thereof, for the paving and otherwise improving of the Alley in Block 20 Fairmount Addition to City Heights, within the limits and as particularly described in Resolution of Intention No. 105362, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110152, recorded on Microfilm Roll No. 58, directing notice of filing of the Street Superintendent's Assessment No. 2105 and of the time and place of hearing thereof, for the paving and otherwise improving of the East and West and the North and South Alleys in Block 32 Normal Heights, within the limits and as particularly described in Resolution of Intention No. 106665, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 110153, accepting bid of Griffith Company, a corporation, and awarding contract for the paving and otherwise improving of Beta Street, within the limits and as particularly described in Resolution of Intention No. 109061, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

A report from the City Engineer stated that the low bid is 9.2% below the estimate.

RESOLUTION OF AWARD NO. 110154, recorded on Microfilm Roll No. 58, accepting bid of Al E. Riley, Inc., a corporation, and awarding contract for the paving and otherwise improving of Diamond Street, within the limits and as particularly described in Resolution of Intention No. 109062, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

A report from the City Engineer stated that the low bid is 18.8% below the estimate.

RESOLUTION OF AWARD NO. 110155, recorded on Microfilm Roll No. 58, 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 Logan Avenue Lighting District No. 1, for a period of one year from and including November 16, 1952, to and including November 15, 1953, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF AWARD NO. 110156, recorded on Microfilm Roll No. 58, 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 Pacific Highway Lighting District No. 1, for a period of one year from and including November 5, 1952 to and including November 4, 1953, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110157, recorded on Microfilm Roll No. 58, approving plans, drawings, typical cross-sections, profiles and specifications, for the paving and otherwise improving of 41st Street, within the limits and as particularly set forth in said Resolution, approving Plat No. 2403 showing the exterior boundaries of the district to be included in the assessment therefor and directing the City Clerk to file said plat upon passage of the Resolution of Intention in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110158, recorded on Microfilm Roll No. 58, approving plans, drawings, typical cross-sections, profiles and specifications, for the paving and otherwise improving of Moana Drive, within the limits and as particularly set forth in said Resolution, approving Plat No. 2398 showing the exterior boundaries of the district to be included in the assessment therefor and directing the Clerk to file said plat upon passage of the Resolution of Intention in the office of the City Engineer, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 110159, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of the Alleys in Block 103 and 104 University Heights, within the limits and as particularly described in Resolution of Intention No. 109437, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 110160, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of Thor Street, within the limits and as particularly described in Resolution of Intention No. 109440, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION ORDERING WORK NO. 110161, recorded on Microfilm Roll No. 58, 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, 1952, to and including December 15, 1953, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION CHANGING GRADE NO. 110162, on Monmouth Drive, in accordance with Map bearing Document No. 457166 signed by A. K. Fogg, City Engineer, filed in the office of the City Clerk, and in Resolution of Intention No. 109067, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF INTENTION NO. 110163, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of the Alley in Block 31 Ocean Beach, 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. 110164, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of Francis Street and Public Rights of Way, 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. 110165, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of 62nd Street and Fergus Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110166, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of 41st Street and Broadway, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110167, recorded on Microfilm Roll No. 58, for the paving and otherwise improving of Moana Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110168, recorded on Microfilm Roll No. 58, ascertaining and declaring wage scale for the paving and otherwise improving of Addison Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110169, recorded on Microfilm Roll No. 58, ascertaining and declaring wage scale for the paving and otherwise improving of Vista Del Mar Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110170, recorded on Microfilm Roll No. 58, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 136 City Heights, Quince Street, Lexington Avenue, and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110171, recorded on Microfilm Roll No. 58, 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 7 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 108279 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110172, recorded on Microfilm Roll No. 58, 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 Bancroft Street, within the limits and as particularly described in Resolution of Intention No. 108053 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110173, recorded on Microfilm Roll No. 58, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Landis Street, within the limits and as particularly described in Resolution of Intention No. 108351, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110174, recorded on Microfilm Roll No. 58, 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 Missouri Street, Jewell Street and Public Right of Way, within the limits and as particularly described in Resolution of Intention No. 108137, and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110175, recorded on Microfilm Roll No. 58, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Newell Street, Locust Street, Oliphant Street and Macaulay Street, within the limits and as particularly described in Resolution of Intention No. 107939 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110176, recorded on Microfilm Roll No. 58, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the sewer in Torrey Pines Road, Blue Bird Lane, Virginia Way, Soledad Avenue, Amalfi Street, Charlotte Street, et al., within the limits and as particularly described in Resolution of Intention No. 107025 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110177, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 458471 for the paving and otherwise improving of the Alleys in Blocks 2 and 7 Alhambra Park; 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 laterals and drainage structures, if required, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110178, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 458905 for the paving and otherwise improving of the Alley in Block 3 City 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 affected and benefited by and to be assessed to pay the costs, damages and expenses, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110179, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 458996 for the paving and otherwise improving of the Alley in Block 54 Ocean 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 affected and benefited by and to be assessed to pay the costs, damages and expenses, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110180, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 458873 for the paving and otherwise improving of the Alley in Block 63 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 affected and benefited by and to be assessed to pay the costs, damages and expenses, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110181, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 460084 for the paving and otherwise improving of the Alley in Block 4 Washington 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 affected and benefited by and to be assessed to pay the costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110182, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 457149 for the paving and otherwise improving of Long Branch Avenue; 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, and on portion of Spray Street, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110183, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 460092 for the paving and otherwise improving of Mason Street; directing the City Engineer to furnish 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, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110184, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 460097 for the paving and otherwise improving of Mentone 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 and to be assessed to pay the costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110185, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Ogden Street and Wightman Street; directing the City Engineer to furnish description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected and benefited by said improvement and to be assessed to pay the costs, damages and expenses thereof, and the doing of additional work if required, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110186, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Polk Avenue, 52nd Street, and 51st Street; directing the City Engineer to furnish 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, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110187, recorded on Microfilm Roll No. 58, granting petition contained in Document No. 460094 for the paving and otherwise improving of Roslyn Lane; 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, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110188, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Soto Street, Castelar Street and Soto Street; directing the City Engineer to furnish description of the assessment district, and a plat showing the exterior boundaries of the district or land to be affected and benefited by and to be assessed to pay the costs, damages and expenses, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110189, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of 33rd 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, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110190, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Wells Street; directing the City Engineer to furnish description of the assessment district, and a plat showing the exterior boundaries of the district or land to be affected and benefited by and to be assessed to pay the costs, damages and expenses, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110191, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of the Alley in Block 9 City Heights Annex No. 1 Subdivision of Blocks 3, 6, 9 and 12; 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, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110192, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of the Alley in Block 77 City Heights; directing the City Engineer to furnish description of the assessment district, and a plat showing the exterior boundaries of the district or lands to be affected by and to be assessed to pay the costs, damages and expenses, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110193, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Landis Street, and the Alley in Block 82 City 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 affected and benefited by and to be assessed, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110194, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of the Alleys in Blocks 4 and 5 Frary 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 affected and benefited by and to be assessed to pay the expenses thereof, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110195, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of the Alley in Block 43 Charles Hensley's Addition; 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110196, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of the Alley in Block 9 La Jolla Park; 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 expenses thereof, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110197, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of the Alley in Block 15 Ocean 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 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 Godfrey, adopted.

RESOLUTION NO. 110198, recorded on Microfilm Roll No. 58, granting petitions for the paving and otherwise improving of the Alleys in Blocks 24 and 5 Ocean 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 affected and benefited by and to be assessed to pay the expenses thereof, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110199, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of the Alleys in Blocks 194, 195, 196, 197, 223, 224, 225 and 226 Pacific Beach; directing the City Engineer to furnish description 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 Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110200, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of the Alley in Block 52 Park Villas; 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 expenses thereof, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110201, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of the Alley in Block 58 Park Villas; directing the City Engineer to furnish description 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 Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110202, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Beaumont Street; authorizing and 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 expenses thereof, was on motion of Councilman Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110203, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Cass Street; directing the City Engineer to furnish description 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 Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110204, recorded on Microfilm Roll No. 58, granting petitions for the paving and otherwise improving of Chamoune Avenue; 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 benefited by and to be assessed to pay the expenses

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

RESOLUTION NO. 110205, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Congress Street and Hortensia Street; directing the City Engineer to furnish 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 Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110206, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of 51st 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 Swan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110207, recorded on Microfilm Roll No. 58, granting petitions for the paving and otherwise improving of Frankfort Street and Gardena Avenue; directing the City Engineer to furnish 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110208, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Haines 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110209, recorded on Microfilm Roll No. 58, granting petitions for the paving and otherwise improving of Mohawk Street and 71st Street; directing the City Engineer to furnish 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110210, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Oliver Avenue; 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110211, recorded on Microfilm Roll No. 58, granting petition for the installation of curbs, sidewalks and water main on Rhode Island Street; directing the City Engineer to furnish 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110212, recorded on Microfilm Roll No. 58, granting petitions for the paving and otherwise improving of Thorn 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110213, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Webster Avenue, Pardee Street, 35th Street and 36th Street; directing the City Engineer to furnish 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110214, recorded on Microfilm Roll No. 58, granting petition for the paving and otherwise improving of Wilson 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 Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110215, recorded on Microfilm Roll No. 58, directing notice of the filing of the Street Superintendent's Assessment No. 2107, and of the time and place of hearing thereof, within the limits and as particularly described in Resolution of Intention No. 106558, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted. (Covers the paving and otherwise improving of the Alley in Block 44 W. P. Herbert's Subdivision.)

RESOLUTION NO. 110216, recorded on Microfilm Roll No. 58, approving diagram of the property affected or benefited by the work of improvement to be done on installation of ornamental lighting system in Montezuma Road, Mary Lane Drive, Dorothy Drive, Rockford Drive and 63rd Street, within the limits and as particularly described in Resolution of Intention No. 105804, 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. 110217, recorded on Microfilm Roll No. 58, approving diagram of the property affected or benefited by the work of improvement to be done on installation of sewer system in Sunset Street, Juan Street, Gaines Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 108057, 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. 110218, recorded on Microfilm Roll No. 58, authorizing and empowering the City Manager to do all the work in connection with the installation of connections to the 24-inch and 16-inch feeder main for Vista Park Unit #1 and Magnolia Downs Subdivision, and the disinfecting of the new mains, under Proposal No. 2814, by appropriate City forces, 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, that the Director of the Water Department has recommended such connections and disinfecting of new mains.

RESOLUTION NO. 110219, recorded on Microfilm Roll No. 58, authorizing the City Manager to employ Cox Bros Construction Co. to construct sidewalk and pavement, reconstruct curb, sidewalk and paving at various sections along Gresham Street and Oliver Avenue, and grade approaches at the intersection of Grand Avenue, as shown on Engineer's Drawings 9329-L, 9331-L, 9332-L and 9410-L on file in the office of the City Engineer, at and for the sum of \$969.00, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City has heretofore entered into contract with Cox Bros. Construction Co. for portions of Gresham Street and Oliver Avenue under a 1911 Street Improvement proceedings, accepting offer to do the additional work in connection with the improvement.

RESOLUTION NO. 110220, recorded on Microfilm Roll No. 58, authorizing Griffith Company to replace sidewalks on Lamont Street, just southerly of Pacific Beach, not to exceed \$41.28, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City has heretofore entered into contract with Griffith Company, a corporation, for improvement of Lamont Street under a 1911 Street Improvement Act proceeding, that sidewalks do not match and that said company has offered to do said replacement for said sum and that the City Manager has recommended that said offer be accepted.

RESOLUTION NO. 110221, recorded on Microfilm Roll No. 58, authorizing the City Manager to employ Cox Bros. Construction Co. to construct curb and pavement on Roosevelt Avenue and Haines Street, as shown on Drawing 9338-L on file in the office of the City Engineer at and for the price of \$1.75 per lineal foot for curb, and 22-1/2¢ per square foot for the paving, was presented.

Said Resolution recites that the City has heretofore entered into contract with said company for improvement of Roosevelt Avenue and Haines Street under a 1911 Street Improvement Act proceedings, that drawings show said work to be constructed by the City, that said company has offered to do the said for \$1.75 per lineal foot for the curb and 22-1/2¢ per square foot for paving, that the City Manager has recommended that said offer be accepted and work done by the contractor.

RESOLUTION NO. 110222, recorded on Microfilm Roll No. 56, authorizing and directing the City Manager to enter into contract with W. N. Wilbert, property owner, wherein said owner will agree to contribute \$250.00 toward cost of storm drain, that the City will contribute out of moneys contributed, together with amount to be contributed by the City, \$1750.00, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Said Resolution recites that the City Engineer's office has investigated storm damage at 6662 Amherst Street, and finds that the existing drainage facilities in Amherst Street are inadequate, that the City Manager has recommended reconstruction work and extension and enlargement by the City, that the City Engineer recommends that a cooperative drainage agreement be entered into between the owner and the City, that the City Manager advises that the work can be constructed at a cost not to exceed \$2000.00 and

that the property owners' proportionate share would amount to \$250.00 and the remaining sum of \$1750 should be paid by the City.

RESOLUTION NO. 110223, recorded on Microfilm Roll No. 58, authorizing the City Manager on behalf of The City of San Diego to enter into agreement with Stuart Parry Walsh, doing business as Industrial Surety Associates, San Francisco, California, to make a survey of local transportation needs and industrial sites, all in accordance with form of agreement heretofore filed in the office of the City Clerk as Document No. 462510, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Prior to adoption of said Resolution, the City Manager made a verbal recommendation of the matter at the Council's request.

RESOLUTION NO. 110224, recorded on Microfilm Roll No. 58, directing the City Attorney to file a petition with the Board of Supervisors of the County, State of California, requesting that all taxes of record against property (deeds and quiet-title decrees), in Bayside, Electric Line Addition, Sellors' Addition, as more particularly set forth in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; authorizing and directing him to take whatever steps he may deem necessary otherwise to secure cancellation of said taxes; repealing Resolution No. 109087 adopted November 6, 1952, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110225, recorded on Microfilm Roll No. 58, authorizing and directing the Property Supervisor to advertise for a period of at least 5 days in the official newspaper of the City the sale at public auction of all of Block 155 Middletown excepting the south 7.50 feet of Lot 2, all of Lot 3, and the north 15 feet of Lot 4, now occupied by Fire Station No. 2, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution states that The City is the owner of said Block; that Fred M. Mitchell Company has requested that all of the property listed heretofore, be put up for sale and has accompanied such request by a deposit of \$100.00 to cover all costs pertaining to the sale of such property, including cost of title report and as a guarantee that the depositor will at the sale bid not less than the minimum amount fixed by the Council; that the reason for selling such property that the same is no longer needed for City purposes; that the City has caused an appraisal to be made by a qualified real estate appraiser, and the value as determined by the appraiser is \$50,000.00; that the minimum amount which the Council will consider for sale is \$50,000.00; that the Council reserves the right to reject any and all bids at said public auction; that all expenses in connection with the sale shall be deducted from proceeds received therefrom.

RESOLUTION NO. 110226, recorded on Microfilm Roll No. 58, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations: Boundary Street at "F" Street; Romo Street, at dead end, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110227, recorded on Microfilm Roll No. 58, granting permission to Associated Construction Corporation, 1277 Rosecrans Street, San Diego 6, to install two 35-foot driveways as measured at the top of the full-height curb, on the southerly side of Carleton Street, between points 105 feet and 140 feet and points 160 feet and 195 feet east of the easterly line of Scott Street, adjacent to Lots 17 to 20 inclusive, Block 26 Roseville, to provide access to two 4-car garages on Carleton Street between Scott and Shafter Streets, upon the various conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110228, recorded on Microfilm Roll No. 58, granting permission to Original French Laundry Company, 1042 University Avenue, San Diego 3, to install two 30-foot driveways as measured at the top of the full-height curb, on the northerly side of Cleveland Avenue between Tenth Avenue and Vermont Street, adjacent to Lots 26 to 29 Block 187 University Heights, to provide access to Laundry Company's parking lot for customers, on conditions set forth in said Resolution, was on motion of Councilman Godfrey seconded by Councilman Swan, adopted.

RESOLUTION NO. 110229, recorded on Microfilm Roll No. 58, granting revocable permit to San Diego Unified School District, Park Boulevard at El Cajon Avenue, San Diego 3, to install and maintain an electrical service conduit and telephone conduit under Wellington Street, at locations 250 feet and 500 feet south of East Tecolote Road, for service to Kearny High School, on the various terms and conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110230, recorded on Microfilm Roll No. 58, allowing bill of San Diego Junior Chamber of Commerce, bearing date January 14, 1953, in the sum of \$3,000.00 for expenses incurred; authorizing requisition to be drawn on the Advertising and Publicity Fund for the fiscal year 1952-53, was on motion of Councilman Swan, adopted. (For the Tournament of Roses - Pasadena, 1953 float).

RESOLUTION NO. 110231, recorded on Microfilm Roll No. 53, expressing appreciation for the work of William F. Bishop, and expressing regret at his passing; directing the City Clerk to send certified copy of said Resolution to the widow and family of Mr. Bishop, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that Mr. Bishop entered the employ of the Park Department in 1932, and from that time until his death on December 26, 1952, was Supervisor of the Street Tree Division, that Mr. Bishop had just completed an extensive report on street tree operations and a recommended program for development of street tree planting and maintenance, for beautifying the streets of the City; that each Christmas Mr. Bishop devoted a great deal of time and effort in decorating the Civic Center Building, affording great pleasure to visitors during the holiday season; and that the Council is aware of the fact that during the years of service with the City Mr. Bishop was unusually gifted with ability, and as a result of his loyal services the City received benefits of considerable value, most of which are permanent in character.

RESOLUTION NO. 110232, recorded on Microfilm Roll No. 53, authorizing G. E. Courser, Chief of the Fire Department to attend the meeting of the Southern California Fire Chiefs' meeting, to be held at Oxnard, California, January 23, 1953, and following said meeting to attend a meeting of the Board of Directors of the California Fire Chiefs; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110233, recorded on Microfilm Roll No. 58, authorizing R. A. Hall and A. McKee, of the City Engineer's Office, to attend the Fifth Annual California Conference on Street and Highway Problems, to be held in Berkeley, California, February 4 to 6, inc., 1953; 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. 110234, recorded on Microfilm Roll No. 58, authorizing J. M. Shaw, Purchasing Agent, to attend the Annual Conference of State, County and Municipal Purchasing Agents' Association, to be held in Santa Cruz, California, on January 28, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110235, recorded on Microfilm Roll No. 58, authorizing and empowering the Mayor and the 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 the San Diego Unified School District, property lying in the Northwest Quarter of Lot 39 of Horton's Purchase, reserving to the grantor its successors and assigns, easements for construction maintenance and operation of anode or anodes, which property to be deeded is more particularly set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110236, recorded on Microfilm Roll No. 58, 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 Margery S. Hutman portions of Lot 12 and all of 13 in Block 3 Drucker's Subdivision of Pueblo Lots 128 and 244 of Pueblo Lands; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that the same shall be delivered to the grantee thereof when he shall have received the consideration therefor, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110237, recorded on Microfilm Roll No. 58, accepting deed of Nels T. Christensen and Muriel L. Christensen, husband and wife, executed August 22, 1952, being an easement for right of way for public street and incidents in the easterly 45.0 feet of portion of Lot 63 conveyed to Nels T. Christensen, et ux. by deed recorded in Book 2385 Page 386 Official Records, in the Ex-Mission Lands, in Horton's Purchase of San Diego, setting aside and dedicating the same as and for a public street, and naming the same Euclid Avenue; authorizing and directing the City Clerk to file said deed, together with 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.

RESOLUTION NO. 110238, recorded on Microfilm Roll No. 58, accepting deed of Solon S. Kipp and Delia A. Kipp, husband and wife, and Elsie W. Sullivan, executed August 21, 1952, granting easement for right of way for public street and incidents in the easterly 45.0 feet of all of portion of Lot 63 in the decree quieting title in Solon S. Kipp, et ux. recorded in Book 4340 page 173 Official Records, in the Ex-Mission Lands in Horton's Purchase of San Diego, setting aside and dedicating the same as and for a public street, which street is named Euclid Avenue; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of Said County Recorder, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110239, recorded on Microfilm Roll No. 58, accepting deed of Virgil S. Kipp and Louise L. Kipp, husband and wife, executed September 16, 1952, granting easement for right of way for public street and incidents thereto, in the easterly 45.0 feet of all of portion of Lot 63 in decree quieting title in Virgil S. Kipp, recorded in Book 4281 Page 93 Official Records in the Office of the County Recorder of San Diego County,

and in Book 3564 page 130 of said Official Records, in the Ex-Mission Lands in Horton's Purchase of San Diego County, setting aside and dedicating the same as and for a public street, which street is named Euclid Avenue; authorizing and directing the City Clerk to file said deed, together with 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.

RESOLUTION NO. 110240, recorded on Microfilm Roll No. 53, accepting deed of Harley E. Knox and Bessie K. Knox, husband and wife, executed September 4, 1952, granting an easement for a right of way for a public street and incidents thereto, in the easterly 45.0 feet of portion of Lot 64 in Ex-Mission Lands, in Horton's Purchase of San Diego, setting aside and dedicating the same as and for a public street, which street is named Euclid 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 said County Recorder, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110241, recorded on Microfilm Roll No. 58, accepting deed of Gideon P. Taylor, executed August 21, 1952, granting easement for right of way for a public street and incidents thereto, in the easterly 45.0 feet of portion of Lot 63 conveyed to Gideon P. Taylor by deed recorded in Book 3917 page 74 Official Records in the office of the County Recorder, in the Ex-Mission Lands, in Horton's Purchase, setting aside and dedicating the same as and for a public street, which street is named Euclid Avenue; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, record in the office of said County Recorder, was on motion of Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110242, recorded on Microfilm Roll No. 58, accepting deed of Muriel L. Christensen and Nels T. Christensen, wife and husband, executed August 21, 1952, granting easement for right of way for public street and incidents thereto in portion of Lot 63 Ex Mission Lands, in Horton's Purchase of San Diego, setting aside and dedicating the same as and for a public street, and naming the same Logan Avenue; authorizing and directing the City Clerk to file said deed, together with 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.

RESOLUTION NO. 110243, recorded on Microfilm Roll No. 58, accepting deed of Dosha M. Sneed, executed September 29, 1952, granting easement for right of way for a public street and incidents thereto, in the northerly 45.0 feet of portion of Lot 63, Ex Mission Lands, setting aside and dedicating the same as and for a public street, which street is named Logan Avenue; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of said County Recorder, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110244, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by The Massachusetts Protective Association, beneficiary, and Southern Title and Trust Company, trustee, bearing date November 21, 1952, wherein said parties subordinate all right, title and interest in and to a portion of Lot 50 Imig Park No. 2, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110245, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by San Diego Federal Savings and Loan Association, beneficiary, and Southern Title and Trust Company, trustee, bearing date October 1, 1952, wherein said parties subordinate all their right, title and interest in and to portion of Lot 27 Imig Park No. 2, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110246, recorded on Microfilm Roll No. 58, accepting subordination agreement, executed by Shell Oil Company, beneficiary, and Security First National Bank of Los Angeles, trustee, bearing date November 5, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 2 Imig Park No. 2, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110247, recorded on Microfilm Roll No. 58, accepting quitclaim deed from John Belchez and Christine Belchez, bearing date January 5, 1953, quitclaiming Lots 15 and 16 Block 7-McLaren's "H" Street Addition; authorizing and directing the City Clerk to transmit said deed, together with 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. 110248, recorded on Microfilm Roll No. 58, accepting deed of McKinley Cummings and Lucy Ann Cummings, bearing date January 5, 1953, conveying portion of Lot 3 Block C El Nido; authorizing and directing the City Clerk to transmit said deed, together with 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. 110249, recorded on Microfilm Roll No. 58, accepting deed of Harrison Dungey, bearing date November 18, 1952, conveying portion of Lot H Block 7 Central Homestead; authorizing and directing the City Clerk to transmit said deed, together with 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. 110250, recorded on Microfilm Roll No. 58, accepting deed of Fred Moller and Margarete Moller, bearing date December 29, 1952, conveying portions of Lots 3, 4, 5 and 6 Block 2 McLaren's "H" Street, 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 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. 110251, recorded on Microfilm Roll No. 58, accepting deed of William W. Woolfolk and Marjorie C. Woolfolk, bearing date December 3, 1952, conveying portion of Lot 9 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 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. 110252, recorded on Microfilm Roll No. 58, accepting deed of C. D. Bell and Amy H. Bell, bearing date September 26, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 40 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110253, recorded on Microfilm Roll No. 58, accepting deed of George E. Fish and Mary J. Fish, bearing date September 18, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 16 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110254, recorded on Microfilm Roll No. 58, accepting deed of Harlan K. Greathouse and Anna R. Greathouse, bearing date September 24, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 50 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110255, recorded on Microfilm Roll No. 58, accepting deed of Bert R. Haile and Thura C. Haile, executed September 15, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 49 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110256, recorded on Microfilm Roll No. 58, accepting deed of Thurman B. Jackson and Betty Ray Jackson, bearing date September 15, 1952, conveying easement and right of way for sewer purposes in portion of Lot 39 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110257, recorded on Microfilm Roll No. 58, accepting deed of Anthony P. Manino and Lila G. Manino, bearing date September 15, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 17 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110258, recorded on Microfilm Roll No. 58, accepting deed of Florence S. Medler and J. H. Medler, bearing date October 20, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 51 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110259, recorded on Microfilm Roll No. 58, accepting deed of C. H. Messner, bearing date September 16, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 7 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110260, recorded on Microfilm Roll No. 58, accepting deed of James Puccio and Angeline A. Puccio, bearing date September 15, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 27 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110261, recorded on Microfilm Roll No. 58, accepting deed of Margaret Starr Robinson, Dudley B. Burch and Peggy M. Burch, bearing date September 23, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 18 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110262, recorded on Microfilm Roll No. 58, accepting deed of Security Trust & Savings Bank of San Diego, bearing date September 16, 1952, conveying easement and right of way for public sewer purposes in portion of Lots 3, 4, 5 and 6 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110263, recorded on Microfilm Roll No. 58, accepting deed of Maryan Shaw and Carleton W. Shaw, bearing date September 23, 1953, conveying easement and right of way for public sewer purposes in portion of Lot 29 Imig Park No. 2; authorizing and directing the City Clerk to file said deed of record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110264, recorded on Microfilm Roll No. 58, accepting deed of Julia Toothaker, bearing date September 15, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 28 of Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110265, recorded on Microfilm Roll No. 58, accepting deed of Melvin C. Vale, bearing date October 22, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 60 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110266, recorded on Microfilm Roll No. 58, accepting deed of Robert Van Keuren and Mary E. Van Keuren, bearing date October 20, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 38 Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110267, recorded on Microfilm Roll No. 58, accepting deed of Betty L. Wurzell and Joseph Wurzell, bearing date September 26, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 2, Imig Park No. 2; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

In connection with the next matter - being Ordinance submitting Charter Amendments for the March 10, 1953, election, Councilman Godfrey said that he wanted to read the propositions.

On motion of Councilman Wincote, seconded by Councilman Swan, said proposed

Ordinance was continued until the afternoon's session of the Council, this date.
(Reference will be found on this subject, again, near the end of today's Minutes).

ORDINANCE NO. 5447 (New Series), recorded on Microfilm Roll No. 58, appropriating the sum of \$75,000.00 from the Capital Outlay Fund, for the purpose of providing funds for the construction of drainage facilities at Mission Beach and Pacific Beach Drive, together with construction of alterations and additions to the existing pumping station, 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, Mayor Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider. Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5448 (New Series), recorded on Microfilm Roll No. 58, appropriating the sum of \$35,000.00 from the Capital Outlay Fund, for the purpose of providing funds for acquisition of a right of way for a flood channel in connection with Wabash Boulevard, south of Ocean View, 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 Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider. Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5449 (New Series), recorded on Microfilm Roll No. 58, appropriating the sum of \$6,500.00 from the Capital Outlay Fund, for the purpose of providing funds for improvement of Maple Street, between Balsa Street and Nutmeg 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, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider. Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5450 (New Series), recorded on Microfilm Roll No. 58, appropriating the sum of \$5,500.00 from the Capital Outlay Fund, for the purpose of providing funds for improvement of Trojan Avenue, between Sharron Place and 54th 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, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider. Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5451 (New Series), recorded on Microfilm Roll No. 58, appropriating the sum of \$1,375.00 from the Unappropriated Balance Fund, and transferring the same to Memberships Account, General Appropriations Fund, 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, Mayor Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider. Prior to the final reading of such Ordinance, a written or printed copy thereof was furnished to each member of the Council.

ORDINANCE NO. 5452 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of the Alley in Block 109 Central Park, between the easterly line of 31st Street and the westerly line of 32nd Street, 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 Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

ORDINANCE NO. 5453 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of the Alley in Block 42 Ocean Beach, was on motion of Councilman Dail, 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, Mayor Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider.

ORDINANCE NO. 5454 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of the Alley in Block 69 Park Villas, between the north line of Dwight Street and the South line of Landis 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, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

ORDINANCE NO. 5455 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of Electric Avenue, between the southerly line of Colima Street and a line drawn southwesterly at right angles to the northeasterly line of Electric Avenue from a point on said northeasterly line of Electric Avenue, distant 413.50 feet southeasterly from the intersection of the northeasterly line of Electric Avenue with the southerly line of Colima Street, 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, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

ORDINANCE NO. 5456 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of 50th Street, between the northerly line of Orange Avenue and a line parallel to and distant 305.00 feet southerly from the southerly line of Orange Avenue, 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 Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider.

ORDINANCE NO. 5457 (New Series), recorded on Microfilm Roll No. 58, establishing the grade of 54th Street between the easterly prolongation of the southerly line of Lot 6 Lemon Villa, and the southeasterly line of El Cajon Boulevard, 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 Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

Councilmen Dail and Godfrey spoke in commendation of Councilman Kerrigan for having represented his district so ably, through the introduction of petition to provide for an area storm drain in Streamview, being the first petition to be introduced following the bond election to provide for storm drainage.

Communication from the Director, Water Department, addressed to the City Manager, and transmitted to the Council with the Assistant City Manager's stamp of approval, was presented. It states that due to the death of Mr. Bent, one of the contractors for Sutherland Dam, review is being made of the contractors' position and the City's position with respect to the construction work. It states that the City has questioned to some extent the overbreak which has occurred and may continue to occur, and it may raise problems to pay quantities at a later date. It reports that K. J. Harrison of Santa Ana has had considerable experience relative to drilling and shooting and problems pertaining thereto, having been Resident Engineer on several dams and being familiar with the special problems of excavation which are involved, that Mr. Harrison has indicated that he will be available at \$100 per day plus expenses and it appears advisable that his services be secured as needed.

In connection with said recommendation, the City Manager made a recommendation with the matter, which was introduced under unanimous consent granted by the Council. He told about the need for the shooting engineer, needed for protection to the City of San Diego.

RESOLUTION NO. 110268, recorded on Microfilm Roll No. 58, authorizing the City Manager to employ K. J. Harrison, of Santa Ana, California, as Engineering Consultant in connection with construction of Sutherland Dam, at and for the sum of \$100.00 per day, plus expenses, at such times as may be needed by the City; total cost not to exceed \$1,000.00, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The next matter was presented by the City Manager, under unanimous consent granted by the Council. He made a verbal explanation of the matter, and of the advisability of the system in connection therewith.

ORDINANCE NO. 5458 (New Series), recorded on Microfilm Roll No. 58, appropriating the sum of \$300.00 from the Traffic Safety Fund, for the purpose of providing funds for the purchase of 34 "Stop" Signs from the Automobile Club of Southern California, 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

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

The City Council granted unanimous consent to the City Manager to present the next two items, both of which he explained.

RESOLUTION NO. 110269, recorded on Microfilm Roll No. 59, authorizing and empowering the purchase by the City Manager of the northeasterly quarter of Lot 5 of the Ex-Mission Lands, at and for a price of not to exceed the sum of \$7,605.00, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5459 (New Series), recorded on Microfilm Roll No. 59, appropriating the sum of \$7,605.00 from the Capital Outlay Fund, for the purpose of providing funds for the purchase of the northeasterly Quarter of Lot 5 Ex-Mission Lands of San Diego, 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, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

Resolution No. 110269 and Ordinance No. 5459 (New Series) providing for purchase of land is for South 43rd Street.

At this time Mayor Butler invited the visiting students from Kearney High School to his office, following adjournment of this morning's session of the meeting.

At the hour of 11:57 o'clock A.M. the Council took a recess, on motion of Councilman Dail, seconded by Councilman Kerrigan, until the hour of 2:00 o'clock P.M., this date.

Upon reconvening, at the hour of 4:28 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Kerrigan, Dail, Mayor Butler.
Absent---Councilmen Schneider, Godfrey

The next matter, considered originally in the morning session, this date, was brought up again at this time:

RESOLUTION NO. 110270, recorded on Microfilm Roll No. 58, rejecting bids and directing re-advertising for new bids for construction of improvements in the matter of Kearny Mesa Improvement District, as contemplated by Resolution of Intention No. 109064, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

The next matter was considered at the morning session, and held over until this time:

ORDINANCE NO. 5460 (New Series), recorded on Microfilm Roll No. 59, proposing and submitting to the Electors of The City of San Diego at the Regular Municipal Primary Election to be held in the City of San Diego on Tuesday, the 10th day of March, 1953, the following propositions to amend the Charter of The City of San Diego:

Amend Section 4 of Article II of the Charter, changing the existing charter so as to describe Councilmanic districts by reference to an existing map on file in the City Clerk's office, and permit the Council in redistricting the City to describe the new districts by reference to a map instead of metes and bounds description;

Amend Section 16 of Article III, changing the Charter so as to provide that except for the annual appropriating ordinance, election ordinances, routine budget transfers, trade fixing ordinances and emergency ordinances, no ordinance shall be passed on the day of its introduction and not for six days thereafter; provides that no ordinance shall be passed until it has been read in full before the Council unless such reading is dispensed with by a vote of at least 4 members of the Council, and not then unless there has been available for use of the Councilmen copies of the ordinance;

Amend Section 20 of Article III, changing the existing chapter so as to permit the codifications of ordinances into a Municipal Code, which is admissible in evidence as prima facie evidence of passage of the ordinances therein contained, and eliminates require-

ment that ordinances be published in book form every two years;

Repeals Section 21 of Article III, requiring the Council to supply offices, quarters and equipment for police, city and municipal courts - now taken care of by state law;

Amending Section 35 of Article V relative to changes in the existing law with respect to purchase of materials and supplies for City use without competitive bids, within certain amounts and for certain types of materials;

Amending the Charter by adding a new section to Article V, to be numbered 40.1, giving jurisdiction to the City Attorney concurrent with the District Attorney to prosecute violation of state laws constituting misdemeanors within the city limits - legalizes procedure followed for many years;

Amending Section 94 of Article VII, requiring written contracts in certain instances after receiving competitive sealed bids for public improvements;

Amending the Charter by adding Section to Article VII, to be numbered 103.1, relative to public utility corporation doing public utility business within The City to first secure consent to do such business;

Amending Section 110 of Article VII, changing the existing law relative to filing claims;

Amending Section 113 of Article VII, to change existing charter so as to define Official Advertising to be only such advertising as is required to be published by law; giving directions to voters, directing the City Clerk to cause proposed amendments to be published in the official newspaper, 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, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

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

The agenda showed that the following items had been referred to the City Manager by the City Clerk:

Petition for storm drainage system in and adjoining Streamview Drive;
Petition for closing the Alley in Block 38 Lexington Park;
Petition of Burgener and Tavares, by Freeland, Peterson & Evenson, for closing certain easements in C. C. C. Tatum's Bay Hills Mesa, etc.
Invitation of San Diego County Fair to enter an exhibit at Del Mar, from June 26th through July 5, 1953.

There being no further business to come before the Council at this time, said meeting was adjourned, at the hour of 4:29 o'clock P.M., on motion made by Councilman Wincote, seconded by Councilman Kerrigan.

ATTEST:

FRED W. SICK, City Clerk

By August M. Hadstrom
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, Thursday,
January 22, 1953

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

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

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 Monte Villa Tract and First Addition to Pacific Beach Vista Tract, into "R-2" Zone, and repealing Ordinance No. 119 (New Series) insofar as the same conflicts, the Mayor asked Glenn A. Rick, City Planning Director for a report.

Mr. Rick told the Council that the matter is still being considered.

Mrs. Gladys Davis she and other property owners would like to have the matter heard today, rather than continued until another time.

Mr. Rick pointed out that the Planning Commission opposes the request, as he had reported earlier, and as stated in the written report. He said that until the new ordinance is adopted, owners could have 4 families on a 25-foot lot in R-2 Zone. He said that he had recommended adoption of an Ordinance to permit the crossing of lot lines with buildings, first. He said that the new Ordinance would permit crossing lot lines for the 25-foot lots.

Councilman Godfrey, objected to 2 dwellings, instead of a duplex, which had been referred to.

Mr. Rick said that a duplex on 2 lots would be far better than 2 small houses, as permitted now.

Councilman Wincote and Mr. Rick exchanged opinions relative to the alternative. He read suggestions (Wincote) relative to no necessity for filing for a variance if on a 25-foot lot - which would be permitted at the present time.

Mr. Rick said that the present situation can provide for the breaking down of zones. He said that property owners would be permitted to have 2 duplexes across the 25-foot lines under the other method.

Mrs. Davis said that there were people present more interested in the 900 block than the 1000 block. She said that it is a new neighborhood, and that most of the residences have been built up since the zoning had gone in.

The Planning Commission report on the subject was read to the Council, on request of Council members, by the Clerk.

Mr. Rick pointed out that virtually all of Pacific Beach is divided into 25-foot lots. He showed a map of the area, over which he and members of the Council conferred.

Mrs. Davis spoke again, and told about the La Jolla Mesa Drive and Street district. Beyond that, she said, Bayard does not go through.

There was conversation between Councilman Swan and Mr. Rick relative to inclusion of hill property in the new zone.

Various individuals held another conference over maps and petitions.

The Mayor asked that the discussion be limited to 10 minutes on each side, to avoid a lengthy hearing - inasmuch as the Council had a long docket for consideration in Conference.

George Potts spoke about conditions which exist in the area: the terrain, drainage, and for desire to provide for houses in the front, inasmuch as many houses had built upon the rear of the lots. He said that property owners, generally, intend to permit erection of 2 dwellings on each 50-foot lot, and not upon each 25-foot lot.

There was general discussion between members of the Council, proponents of the new zoning, and Mr. Rick regarding the area, and regarding the possible development.

Mr. Potts said that most property owners have 2 25-foot lots, and use them as one 50-foot lot, as is the custom in other parts of the City, where the subdivisions differ.

Mr. Rick said that is not in agreement with the facts. He clarified the zoning situation. He suggested that the zoning be not changed, but asked for adoption of his newly-proposed Ordinance to permit the crossing of lot lines without variance.

Councilman Godfrey said that if there are hardship cases, or if they have merit, each individual case should be granted under variance, rather than through change of zone.

Councilman Kerrigan asked that the zone be not changed to provide for what is wanted.

Councilman Godfrey spoke about existing conditions, variances, and zoning. He said that there is no objection to variances, where required, and pointed out that such are granted by the Council regularly.

Councilman Godfrey moved to file the Ordinance, which motion was seconded by Councilman Kerrigan.

The vote was not taken at this time.

The Mayor went into the effect of filing the proposed Ordinance.

F. D. Warner, one of the proponents, who had been heard previously, spoke again. He declared that there had been discussion upon only 1 point at the first hearing. He said that he had prepared photographs of the affected area, which he passed around to the Council. (They were returned latter by the Sergeant at Arms).

The Mayor said that he wants to protect the area.

Councilman Godfrey said, again, that the Council (or Zoning Committee) can grant variances where there are hardship cases.

Mr. Potts said that he wanted to hear more about the situation.

Councilman Kerrigan spoke about what was really wanted. He asked if there can be a mass variance, to accomplish what is desired.

Mr. Rick's reply to the question was "No".

Mr. Warner told about his corner lot, and the cost of the paving. He indicated that he wants 2 houses.

The Mr. told Mr. Warner that it would require application for variance.

Mr. Rick said that the record shows that there were even fractional lots - each about 12-1/2 feet.

Mrs. Burnhard spoke. She said that she has a house on the front of the lot, and that later a house would be wanted on the back. She said that she has a 150' by 50' parcel.

The Mayor said that there is no guarantee the property as is, or as will be, but each has to be considered.

Mrs. Tomby told the Council that she will need a second house for future income.

Councilman Godfrey spoke to Mr. Warner, and showed sketches. He said that protestants live far outside the district. He said that the answer to Mr. Potts' problem will not be an answer to Mr. Warner's problem.

There was discussion between Councilman Dail and Mr. Warner.

Then Councilman Godfrey and Mr. Warner held a discussion over Mr. Warner's problem.

Councilman Kerrigan said that changing of the zone accomplishes something that the property owners do not want.

The roll was called, and the proposed Ordinance to change the zone was ordered filed. The six members of the Council present voted for its filing.

Councilman Kerrigan requested, and was granted unanimous consent to present the next matter, not listed on the Agenda, but about which the Council had been talking. He presented to the Council the City Planning Director's communication dated January 15, which requests that the zoning section of the Municipal Code be amended to cover the construction of duplex dwellings on pairs of 25-foot lots in Zone R-1 and 4-unit apartments on pairs of 25-foot lots in Zone R-4 (as called for by the Council on November 19)

RESOLUTION NO. 110271, recorded on Microfilm Roll No. 59, referring to the

City Attorney for preparation and presentation of the necessary Ordinance, the matter of permitting the crossing of lot lines where 25-foot lots are involved, as an amendment to the zoning section of the San Diego Municipal Code; requesting the City Attorney to confer with the Planning Director therewith; directing that such proposed Ordinance be referred to Council Conference for study, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

A gentleman, whose name the Clerk understood to be Ken Howard, spoke at this time. He asked what had happened to the opposition in the matter of the proposed zone change in Monte Villa Tract and First Addition to Pacific Beach Vista Tract.

The Mayor replied that the opposition had won.

Mr. Howard said that he represented most of the people who have built new houses. He objected to houses on the back of the lots, which he declared to be shacks. He said that he and others are looking to the future when there will be nice homes throughout the area.

The Mayor said that the Council had upheld that point of view through its action.

The hour of 10:00 o'clock A.M. having arrived, being the time set for hearing on the proposed Ordinance incorporating portion of Lot 31 Ex-Mission Lands into R-2 Zone and R-4 Zone as defined by the Municipal Code, and repealing Ordinance No. 35, the report of the Planning Commission which voted 7-0 for the rezoning, was read to the Council by the Clerk.

Mr. Rick told about the area and its development.

A protest, which had been received, was presented and read.

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

Mrs. Russell H. Edgington said that she wants to stay in Zone R-1. She expressed opposition to a proposed housing project, which she said would be a permanent feature of the neighborhood.

There was a conference between Councilman Kerrigan and Mrs. Edgington, at the rail, over a map.

ORDINANCE NO. 5461 (New Series), incorporating portion of Lot 31 Ex-Mission Lands into R-2 Zone and R-4 Zone, as defined by Section 101.0406 and Section 101.0408 of the San Diego Municipal Code, and repealing Ordinance No. 35 (New Series) adopted September 12, 1932, insofar as the same conflicts, 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 Butler. Absent--Councilman Schneider. Nays--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, Kerrigan, Dail, Godfrey, Mayor Butler. Absent--Councilman Schneider. Nays--Councilmen None.

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

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portion of Pueblo Lots 1235, 1236, 1237 and portion of C.C.C. Tatum's Bay Hills Mesa into R-2 Zone, and Repealing Ordinance No. 13456, was presented.

A report from the Planning Department stated that the Commission had voted 7-0 to recommend said rezoning be adopted, but that it not become effective until the approved subdivision map is filed of record in the office of the County Recorder.

The Clerk reported that no protests had been received.

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

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

ORDINANCE NO. 5462 (New Series), incorporating portion of Pueblo Lots 1235, 1236, 1237 and portion of C.C.C. Tatum's Bay Hills Mesa into "R-2" Zone as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 13456 approved February 15, 1932 insofar as it conflicts - said Ordinance not to take effect until the date of adoption of the Subdivision Map of the area tentatively identified as Clairemont Manor Unit No. 2, or be in force prior to the thirty-first day from and after its passage - was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey, Mayor Butler. 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 Butler. Nays--Councilmen None. Absent--Councilman Schneider.

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

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for construction of a drainage system on Tierra del Fuego Island, Mission Bay, received by the Purchasing Agent December 30, 1952, from 2 bidders; recommending award to Paul Spencer Construction, the low bidder, was presented. The report stated that the bid of \$21,640.20 is 16.8% below the estimate.

RESOLUTION NO. 110272, recorded on Microfilm Roll No. 59, accepting bid of Paul Spencer Construction Company for construction of a Drainage System on Tierra del Fuego Island, Mission Bay; awarding contract, authorizing and instructing the City Manager to enter into and execute the same in accordance with plans and specifications therefor, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending adoption of the Tentative Map for the resubdivision by method of Record of Survey of Lots 627 to 633 inclusive, of Clairemont Unit No. 5; stating that the resubdivision

is occasioned by the fact that houses overlap lot lines, and lots are being widened to accommodate location of the houses; the area is served by the existing sewer and water system and streets will be fully improved under the Tentative Map of Clairemont Unit No. 5, that no additional improvements are required, was presented. It states that the Commission has made the following finding:

- a) The entire area involved in the resolution is less than five acres;
- b) All of the proposed lots abut upon dedicated streets;
- c) No street openings or widenings are required in the division of the land;

d) The lot design meets the approval of the governing body.

Said report stated that the Planning Commission has recommended approval of the Tentative Map for said Resubdivision.

RESOLUTION NO. 110273, recorded on Microfilm Roll No. 59, approving the Tentative Map of Survey Map for resubdivision of Lots 627 through 633 of Clairemont Unit No. 5, on the conditions set forth therein, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, reporting on communication from Byrl D. Phelps for owner of Gordon Terrace, requesting elimination of sidewalks, which is a small subdivision, being resubdivision of Lots in portion of La Playa. Said communication recommended that Resolution 108261 be amended to omit item #2 from Resolution No. 108261, was presented.

The communication states that originally the subdivider requested that surfacing be eliminated on San Antonio Avenue but withdrew it and agreed to install the surfacing.

RESOLUTION NO. 110274, recorded on Microfilm Roll No. 59, amending Resolution No. 108261 approving the Tentative Map of Gordon Terrace, a subdivision of portion of Block 164 La Playa into 5 lots, by eliminating Item No. 2, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reported on letter of H. F. Laurence relative to use of property at 1541 India Street, in Zone C, for manufacturing "Poly-Kleen", and recommending adoption of the Resolution submitted relative to a permitted use, was presented.

RESOLUTION NO. 110275, recorded on Microfilm Roll No. 59, making a finding that the use by H. F. Laurence of the North Half of Lot 3 Block 26 Middletown (1541 India Street), in the C Zone, for manufacture by powdered minerals into a product known as a cleaner and polisher (Poly-Kleen), using only one 1-horsepower motor, is a similar business to, and not more obnoxious or detrimental to the welfare of the particular community than the uses enumerated in Sec. 101.0411 of the San Diego Municipal Code, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

Communication from Joseph E. Padgett, Commissioner, City Planning Commission, dated January 20, 1953, relative to architectural control, particularly as it has to do with regulation of highway billboards, and suggesting that there be a franchise tax, and expressing his views generally on the subject, and stating that there would seem to be a need for regulation, was presented.

RESOLUTION NO. 110276, recorded on Microfilm Roll No. 59, referring to Council Conference the communication from Joseph E. Padgett, member of the City Planning Commission, dated January 20, 1953, and bearing Document No. 462434, relative to architectural control, franchise tax, etc., on billboards, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from Carolyn C. Marberry (Mrs. R. B.), 4677 Kansas Street, San Diego 16, bearing date January 19, 1953, opposing any increases in bus fares and telephone rates, was presented.

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

Communication from Mr. and Mrs. T. P. Davis, Mr. and Mrs. L. R. McMaster, 1738 Knoxville St., San Diego, dated Jan. 12, 1953, relative to the need for a sewer in said block, and requesting immediate attention to the matter, was presented.

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

Communication from Morton K. Fleming, Jr. (R. Adm., USN., ret.) being copy of communication addressed to the Chairman, Board of Education - 5201 Marlborough Drive, San Diego, dated January 16, 1953 - relative to text books used in the City Schools, was presented.

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

Communication from Kenneth D. Saum, 1262 Moana Drive, San Diego 7, dated 8 December, 1953, objecting to the burning of large quantities of trash at the U.S. Naval Training Center and Ryan Aeronautical Company, was presented.

Among other things, the communication states that it is very disheartening to find that the City will permit burning of trash in large quantities within two miles of downtown San Diego. It states that there must be a City Ordinance restricting burning

of trash within the City, and if not it asks why San Diego does not pass an ordinance that will return the offenders to haul their trash to some remote location for burning. It also points out that the prevailing west wind blows the smoke over the City to create a condition not unlike the Los Angeles "smog"; and points out that several million dollars have been spent in developing beautiful Harbor Drive.

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

Communication from John Bate, Port Director, enclosing form of lease with The Flying Tiger Line, Inc., covering approximately 14,000 square feet of land adjoining the paved apron in the air freight area immediately west of Wake Boulevard on Lindbergh Field. It states that the premises are to be used for air freight service, and that in order to properly handle and protect the shipments, the Lessee has agreed to construct a building, pave driveways and landscape the area. The report said that in addition to a land rental of 3¢ per square foot per year, the Lessee must pay a landing fee schedule based on the number of flights and weight of aircraft in use; the lease is for 5 years, with 2 5-year options to renew; that it is subject to review every 2-1/2 years during the term of the lease and its option periods. It reports that the remaining terms and provisions are in accordance with established Harbor Commission policy.

RESOLUTION NO. 110277, recorded on Microfilm Roll No. 58, ratifying, confirming and approving Tideland's Lease with The Flying Tiger Line, Inc., in accordance with copy of lease on file in the Office of the City Clerk as Document No. 462484, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110282, recorded on Microfilm Roll No. 59, granting and approving request of W. H. Barber, contained in Change Order No. 2, for extension of 90 days, to and including March 29, 1953, heretofore filed with the City Clerk as Document No. 462487 in which to complete contract for installation of the Morena Bridge Water Line, contract contained in Document No. 445697 on file in the office of the City Clerk, extending time of completion to March 29, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110283, recorded on Microfilm Roll No. 59, approving Change Order No. 5, dated December 9, 1952, heretofore filed with the City Clerk as Document No. 462489, issued in connection with contract between the City of San Diego and Bent Construction Company and Daley Corporation, for construction of Sutherland Dam, contract contained in Document No. 452841 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$1,657.86, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110284, recorded on Microfilm Roll No. 59, approving Change Order No. 3, dated December 31, 1952, heretofore filed with the City Clerk as Document No. 462491, issued in connection with contract between The City of San Diego and Sim J. Harris Co. for the improvement of Pepper Drive across Hollywood Park, contained in Document No. 458845 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$205.64, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110281, recorded on Microfilm Roll No. 59, approving request of Sim J. Harris, contained in Change Order No. 2, for extension of 30 days to and including February 3, 1953, heretofore filed with the City Clerk as Document No. 462493, in which to complete contract for improvement of Pepper Drive, contract contained in Document No. 458845 on file in the office of the City Clerk; extending completion time to February 3, 1953, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110282, recorded on Microfilm Roll No. 59, approving request of Loring and Company, contained in Change Order No. 5, for extension of 45 days, to and including January 13, 1953, heretofore filed with the City Clerk as Document No. 462495, in which to complete contract for construction of alterations to the Bail Office, Police Station, contract contained in Document No. 450440 on file in the office of the City Clerk; contract time extended to January 13, 1953, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110283, recorded on Microfilm Roll No. 59, approving Change Order No. 2, dated January 5, 1953, heretofore filed with the City Clerk as Document No. 462497, issued in connection with contract between The City and E. C. Losch for installation of a 12-inch pipe on Wren Street, Winona Street and Orange Avenue, contract filed in the office of the City Clerk as Document No. 452516; changes amounting to decrease in the contract price of approximately \$887.77, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110284, recorded on Microfilm Roll No. 59, approving request of Nielsen Construction Co., contained in Change Order No. 1, for extension of 30 days to and including February 2, 1953, heretofore filed with the City Clerk as Document No. 462499, in which to complete contract for construction of new Sewer Department Building, contract contained in Document No. 453158 on file in the Office of the City Clerk; extending completion time to February 2, 1953, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110285, recorded on Microfilm Roll No. 59, granting permission to General Petroleum Corporation, 2619 East 37th Street, Los Angeles, 54, California, to install two 35-foot driveways on the west side of Texas Street, between points 12 and 47 feet and 96 and 131 feet north of the north line of University Avenue; to install two 30-foot driveways on the north side of University Avenue, between points 6 and 36 feet, and 63 and 93 feet west of the west line of Texas Street, adjacent to the east 96 feet of Lots 25 to 28 inclusive, and to all of Lots 29 and 30 Block 199 University Heights, to provide access to service stations at said location, on the various conditions contained in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110286, recorded on Microfilm Roll No. 59, granting permission to D. F. Reeder, 3494 Main Street, San Diego 15, to install a 20-foot, a 30-foot and an 85-foot driveway on the westerly side of Thor Street, approximately between points 18 and 38 feet, 82 and 112 feet, and 166 and 251 feet north of the northerly line of Main Street, adjacent to Lots 24 and 25 Block 252 West Arlington; the 20-foot driveway to provide access to the office of the 22-unit motel at said location; the other 2 to provide access to off-street parking, on the various conditions contained in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110287, recorded on Microfilm Roll No. 59, authorizing the City Attorney to compromise claim of J. Paul Conner and Inter Insurance Exchange of the Automobile Club of Southern California \$54.69, in the amount of \$32.19; directing the City Auditor to draw warrant in favor of J. Paul Conner and Inter Insurance Exchange of the Automobile Club of Southern California in the sum of \$32.19 in full payment of the afore-said claim, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110288, recorded on Microfilm Roll No. 59, denying claim of Emery G. Johnson, on file in the Office of the City Clerk under Document No. 461268, was on motion of Councilman Dail, seconded by Councilman Kerrigan, seconded.

RESOLUTION NO. 110289, recorded on Microfilm Roll No. 59, denying claim of George P. Peck, on file in the Office of the City Clerk under Document No. 460320, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110290, recorded on Microfilm Roll No. 59, denying claim of Surratt Loran, on file in the Office of the City Clerk under Document No. 461062, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110291, recorded on Microfilm Roll No. 59, authorizing Paul Beerman, Director of the Water Department, to attend the meeting of the Executive Board of the American Water Works Association, to be held in Santa Barbara, California, February 7, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110292, recorded on Microfilm Roll No. 59, authorizing City Manager O. W. Campbell, Assistant Manager E. W. Blom; Phil Lawlor, Budget Officer, and O. K. Cope, Assistant to the City Manager, to attend the meeting of the City Manager's Section of the League of California Cities, to be held in Monterey, California, from February 22nd to February 25th, inclusive, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110293, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date December 9, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 83 Las Alturas Villa Sites, to the right of way and easement for public street purposes in said property; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110294, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date December 9, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 74 Las Alturas Villa Sites, to the right of way and easement for public street purposes; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110295, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date December 9, 1952, wherein

said parties subordinate all their right, title and interest in and to a portion of Lot 75 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110296, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date December 11, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 1 Resubdivision of Lots 1 to 12 inclusive Block 15 Paradise Hills, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110297, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Bank of America National Trust & Savings Association, beneficiary, and Corporation of America, a corporation, trustee, bearing date December 11, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 1 Resubdivision of Lots 1 to 12 inclusive Block 15 Paradise Hills, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110298, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Home Federal Savings and Loan Association of San Diego, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date December 19, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 28 Imig Park No. 2, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110299, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date December 19, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 29 Imig Park No. 2, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110300, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date December 19, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 39 Imig Park No. 2, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110301, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date December 19, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 40 Imig Park No. 2, to a right of way for public sewer heretofore conveyed to the City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110302, recorded on Microfilm Roll No. 59, accepting subordination agreement executed by Home Federal Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date December 19, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 49 Imig Park No. 2, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110303, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Home Federal Savings and Loan Association, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date December 19, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 51 Imig Park No. 2, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110304, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Home Federal Savings and Loan Association of San Diego, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date December 19, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 38 Imig Park No. 2, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110305, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Edward H. Brooks, beneficiary, and Southern Title and Trust Company, trustee, bearing date December 30, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 2 Block 6 Idyllwild, 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110306, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by James Constantino and Roberta Alene Constantino, beneficiaries and Land Title Insurance Company, trustee, bearing date December 10, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 92 Las Alturas Villa Sites, 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 for record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110307, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Irene Culver Salter and Charles H. Goss, beneficiaries, and Land Title Insurance Company and Chula Vista Investment Company, trustee, bearing date December 22, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 93 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110308, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Samuel J. Gibbs and Ida F. Gibbs, and Home Federal Savings and Loan Association of San Diego, beneficiaries, and Union Title Insurance and Trust Company and Pacific Coast Title Insurance Company, trustees, bearing date October 1, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 17 Imig Park No. 2, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110309, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by the Lutheran Hospital Society of Southern California, beneficiary, and The First National Trust and Savings Bank of San Diego, trustee, bearing date December 1, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 1202, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110310, recorded on Microfilm Roll No. 59, accepting deed of Sid Smith and Lula B. Smith, bearing date December 3, 1952, conveying portions of Lots 1 and 2 Block "C" El Nido; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110311, recorded on Microfilm Roll No. 59, accepting quitclaim deed of Shell Oil Company, bearing date December 18, 1952, quitclaiming all right, title and interest of said Company acquired by virtue of lease dated August 27, 1948 with the City of San Diego in and to a portion of Lot 12 and all of Lots 13 and 14 Block 4 Municipal Tidelands Subdivision, Tract No. 1, according to Map on file in the Office of the City Clerk as Document No. 100007; authorizing and directing the City Clerk to file said quitclaim deed for record in the office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110312, recorded on Microfilm Roll No. 59, 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 December 19, 1952, conveying Lot 33 Block 1, Lots 28 and 29 Block 4, Lot 25 Block 7 McLaren's "H" Street Addition, Lots 7 to 16, Lots 21 and 22 Block 7 and Lots 20 to 30 Block 8 Spring Garden Tract; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110313, recorded on Microfilm Roll No. 59, 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 December 19, 1952, conveying the East 1/2 of Lot 4 and all of Lot 5 Block 1 Buena Vista Tract, Lots 1 and 2 Block 37 Western Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110314, recorded on Microfilm Roll No. 59, accepting deed of Western Mutual Corporation, bearing date November 7, 1952, conveying easement and right of way for public street purposes in portion of Lot 1 Las Alturas Villa Sites; 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110315, recorded on Microfilm Roll No. 59, accepting deed of Ronald D. Blackwell and Juanita Blackwell, bearing date August 11, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 1 Resubdivision of Lots 1 to 12 Block 15 Paradise Hills; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110316, recorded on Microfilm Roll No. 59, accepting deed of M. H. Golden Construction Company, bearing date December 29, 1952, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 282; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110317, recorded on Microfilm Roll No. 59, accepting deed of Solon S. Kipp and Della A. Kipp, bearing date December 11, 1952, conveying easement and right of way for public sewer purposes in portion of Unnumbered lot lying north of Pueblo Lot 1200 and east of Pueblo Lot 1202; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110318, recorded on Microfilm Roll No. 59, accepting deed of San Diego Hospital Association, bearing date December 8, 1952, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 1202; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110319, recorded on Microfilm Roll No. 59, accepting deed of The San Diego Society for Crippled Children, bearing date November 24, 1952, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 1202; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110320, recorded on Microfilm Roll No. 59, accepting deed of Thomas E. Sharp, bearing Date December 1, 1952, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 1200; authorizing and directing the City

Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110321, recorded on Microfilm Roll No. 53, accepting deed of Alexander Mix and Kathryn B. Mix, bearing date December 16, 1952, conveying easement and right of way for storm drain purposes in portion of Lot 2 Block 6 Idyllwild; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, 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 not listed on the Council's agenda; he explained the matter to the Council before its adoption:

RESOLUTION NO. 110322, recorded on Microfilm Roll No. 59, authorizing and directing the City Manager to enter into contract with the California Water & Telephone Company wherein it will be agreed by said parties to said contract that the agreement heretofore entered into between said parties on December 6, 1951, will be cancelled and abandoned, and that in lieu thereof a new agreement shall become effective wherein said water company agrees to sell to the City, subject to the approval of the Public Utilities Commission of the State all of its facilities now utilized by said water company in supplying its consumers with water in that certain area or tract more particularly described and defined on a map attached to said agreement, and called "Exhibit A," and the City to agree to serve not only the consumers of said Water Company in the City but also those heretofore served by said Water Company in the County, said service to commence with the approval of said agreement by said Public Utilities Commission, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

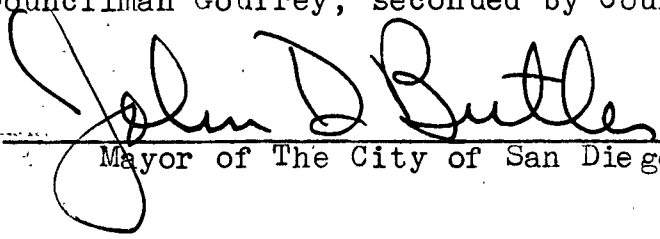
Said Resolution recites that The City has entered into contract with said Company on December 6, 1951, wherein the City agreed to buy and said company agreed to sell certain water facilities used by said company in supplying water to consumers residing in portion of The City of San Diego located in the southwesterly corner thereof adjacent to the City, at and for \$5,000.00, and the City further agreed that it would assume the obligation of serving the consumers located within the City and those located outside the City but only upon annexation to the City; that the City Manager advises that the Company is willing to modify the agreement and accept as a purchase price for said water distributing system \$3,500.00, and in consideration will be in the interests of the City to accept said modification and agree to serve the consumers of said Water company located in the County of San Diego adjacent to the City as well as those consumers of the Water company residing within the City; that the Council is of the opinion that it will be in the best interests of the City to modify said contract accordingly.

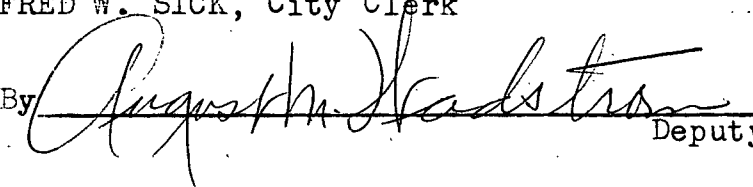
Councilman Swan asked the City Manager about the Morena Bridge opening date.

The Manager replied that it would be next Tuesday (January 27, 1953)

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.

ATTEST:
FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By 
Deputy

REGULAR MEETING

Chamber of the Council of the City of San Diego, California,
Tuesday, January 27, 1953

Present--Councilmen Wincote, Schneider, Kerrigan, Dail, Godfrey, Mayor
Butler.

Absent---Councilman Swan
Clerk----Fred W. Sick

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.

The Minutes of the Regular Meetings of Tuesday, January 20, 1953, and of Thursday, January 22, 1953, were presented to the Council by the Clerk.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said Minutes were approved as written, after which they were signed by the Mayor.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 109805, for the paving and otherwise improving of the Alley in Block 195 City Heights, and Lincoln Avenue, within the limits and as particularly described in Resolution of Intention No. 109805, the Clerk reported that written protest had been received from Mrs. Sadie Criffo, which protest 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 protests were presented.

RESOLUTION NO. 110323, recorded on Microfilm Roll No. 59, overruling and denying the protest of Mrs. Sadie Criffo against the proposed improvement of the Alley in Block 195 City Heights, and Lincoln Avenue, within the limits and as particularly described in Resolution of Intention No. 109805; 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 Wincote, said proceedings were referred to the City Attorney for preparation and presentation of the next step.

The next three matters: Hearing on the continued ordinance for zoning portions of C.C. Seaman's Subdivision and Furlow Heights Unit No. 3; The petition of Kesling Modern Structures, Inc. and Loma Valley, Inc., for amending of Ordinance No. 5179 New Series, in connection with Zoning in property covering Loma Valley; Petition of Kesling Modern Structures, Inc. and Loma Valley Inc. for extension of time in which to file final map of Loma Valley, were all held over instead of considered at this time, to await the arrival of Glenn A. Rick, City Planning Director, who had left the meeting.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received for furnishing Venturi Meter for Sutherland-San Vicente Conduit on December 12, 1952, from 2 bidders, was presented.

The communication reported that the low bidder, Simplex Valve & Meter Company failed to meet specifications, and that the bid of Builders-Pacific, Incorporated, was considered excessive. It recommended rejection of bids and re-advertising.

RESOLUTION NO. 110324, recorded on Microfilm Roll No. 59, rejecting all bids received for furnishing one Venturi Meter for Sutherland-San Vicente Conduit, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

(No Resolution authorizing the re-advertising accompanied the recommendation)
Mgr.'s Office states that a Resolution to advertise will be forthcoming.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received January 14, 1953, for sale of Sewage Sludge Fertilizer, was presented.

The communication stated that the Bid of Wilbur Ellis Company is the high bid of the three bids received; in addition, the bid of the second high bidder contains several exceptions to the City specifications. It recommended award to said Wilbur Ellis Company to purchase the City's output for a period of 3 years commencing February 1, 1953.

RESOLUTION NO. 110325, recorded on Microfilm Roll No. 59, accepting bid of Wilbur Ellis Company for purchase from the City of the City's output of Sewage Sludge Fertilizer for a period of 3 years commencing February 1, 1953; awarding contract; authorizing and instructing the City Manager to enter into and execute contract with said company for sale of said Sewage Sludge Fertilizer, 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 received January 21, 1953, from 5 bidders, for construction of storm drain in La Jolla Mesa Drive at Linda Rosa Avenue; recommending awarding contract to Pace Construction Company, the low bidder, was presented.

Said report states that the low bid is 3.7% above the estimate.

RESOLUTION NO. 110326, recorded on Microfilm Roll No. 59, accepting bid of Pace Construction Company for construction of storm drain in La Jolla Mesa Drive at Linda Rosa Avenue; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, in accordance with plans and specifications on file in the office of City Clerk, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing 45 items of water service equipment, clamps, tapping valves and gate valves - recommending award to 3 of the 6 bidders, bids having been received December 17, 1952, was presented.

RESOLUTION NO. 110327, recorded on Microfilm Roll No. 59, accepting bid of Western Metal Supply Company for the furnishing of various Tapping Sleeves, Sleeves, in accordance with said Resolution; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, in accordance with specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110328, recorded on Microfilm Roll No. 59, accepting bid of Smith-Blair, Inc., for furnishing Clamps, in accordance with said Resolution; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, in accordance with specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110329, recorded on Microfilm Roll No. 59, accepting bid of Mission Pipe and Supply Company for furnishing Valves, in accordance with said Resolution; awarding contract, authorizing and instructing the City Manager to enter into and execute the same, in accordance with specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing bids for the furnishing of bids for 2 Combination Pumping Engines, Hose Carriers and Water Tank Apparatus for the Fire Department, as per specifications on file in the Office of the City Clerk bearing Document No. 462702, was presented.

RESOLUTION NO. 110330, recorded on Microfilm Roll No. 59, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 2 Combination Pumping Engines, Hose Carriers and Water Tank Fire Apparatus, in accordance with Document No. 462702 on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110331, recorded on Microfilm Roll No. 59, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Belt Street from the U.S. Naval Station to 28th Street (consisting of excavating, grading and paving; removal of curbs, sidewalks and pavement, and construction of curbs, gutters, catch basins, etc.), filed in the office of the City Clerk as Document No. 462703; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids therefor, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110332, recorded on Microfilm Roll No. 59, approving plans and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of sanitary sewers in Dawes Street between the alleys northerly and southerly of Reed Avenue, filed in the office of the City Clerk as Document No. 462702; 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 Kerrigan, adopted.

RESOLUTION NO. 110333, recorded on Microfilm Roll No. 59, approving plans and specifications for furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of sanitary sewers in Pueblo Lots 282 and 283 Vernon Park, and in Old San Diego, filed in the office of the City Clerk under Document No. 462705; 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 Swan, adopted.

RESOLUTION NO. 110334, recorded on Microfilm Roll No. 59, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for moving Keeper's Residence to Reservoir Roof at University Heights North Reservoir, bearing Document No. 462706; 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 Wincote, adopted.

The Planning Director had returned to the meeting, so the Mayor directed that the continued hearing on the proposed Ordinance incorporating portion of Lot 16 C.C. Seaman's Subdivision and Lots 1-4 Furlow Heights Unit No. 3 into "R-4" Zone, be brought up at this time.

Glenn A. Rick, City Planning Director, told the Council that he had tried several times to reach Mr. Furlow in connection with securing a needed right of way for the City before the rezoning is accomplished. He suggested that the hearing - which had already been continued several times - be continued another 2 weeks.

Councilman Kerrigan pointed out the importance of acquiring the right of way for walkway purposes, to protect school children.

On motion of Councilman Kerrigan, seconded by Councilman Wincote, said hearing on the proposed zoning Ordinance in Seaman's Subdivision and Furlow Heights Unit No. 3, was continued until the meeting of Tuesday, February 10, 1953.

The next two matters on the agenda, which had been held over, were considered at this time:

They were the petition for amendment to Ordinance No. 5179 New Series, from Kesling Modern Structures, Inc. and Loma Valley, Inc., in connection with the zoning covering property covered by Loma Valley; also petition from the same two organizations for extension of time in which to file the final Map of Loma Valley Subdivision. The first mentioned petition had been continued until this meeting, and the second one was new.

The Mayor announced that the matter had been considered in Conference this morning, preceding the official meeting. He said that the original subdivision of Loma Valley had been approved because it was O.K. at that time. He referred to the R-1C Zone change. He made further reference to the City Attorney's letter relative to the intention of the Council, and read a portion of such a letter. He asked Glenn A. Rick, City Planning Director, to make a verbal report.

Mr. Rick said that the tentative map had been received in October of 1951, and amended the following day. The Tentative subdivision map had been approved by the Council, he said. Mr. Rick told of the delay, which was perhaps the City's fault, rather than the Subdivider's.

Councilman Wincote asked if changes were being made on the final map.

Mr. Rick replied that they are. He asked Harry S. Haelsig, Assistant City Planning Director, to tell the Council about the case, inasmuch as he is familiar with the details.

Mr. Haelsig reviewed the situation relative to the closing of Gage (it was not clear if he referred to Gage Lane or Gage Drive), and of an opening. He spoke about the subdivider having bought land necessary for the opening. Mr. Haelsig mentioned the reversionary right, which presents a problem, in connection with the closing. He said that the subdivider had also bought other reversionary rights. He pointed out that there has been no undue delay. He said that delays had not been caused by the City, but rather by a title situation, and stressed the point that if adequate title search had been made, the problems would have been discovered.

Councilman Wincote said that the zone change had occurred before the subdivision matter had come up, and spoke about land being included within boundaries of that owned by the new owner.

Mr. Rick said that he felt there was no reason to call to the Council's attention the zone matter, insofar as it affected the subdivision. He said that it was up to the subdivider to clarify the matter to the Planning Department or the Council. He said that the recourse was to provide by petition for creation of larger lots in the subdivision.

The Mayor said that the Council should hear from both sides.

William F. Reed, attorney, 524 San Diego Trust & Savings Building, San Diego, was heard. He referred to a contest between the Planning Commission and the City Council. The subdivider, he pointed out, had created larger buffer lots on the upper area. He said that the trouble had been in obtaining engineering. He told of the City having acquired right of way for street purposes. He mentioned, also, of the subdivider having purchased land for street purposes, together with the acquisition of reversionary interests. He reviewed that cost to the subdivider. Mr. Reed said that the subdivider has been paying interest on a loan to put on the subdivision, to the First National Bank. He said that it should have been called to the subdivider's attention that the area involved had been up-zoned, if it was known that it was in the up-zoning district. He told about the Tentative Map's approval. Mr. Reed said that land included in said map for upzoning had been included by mistake. He said that the Council intended to give approval as of the date of Loma Valley going through.

Richard P. MacNulty, attorney, Suite 1403 Bank of America Building, appeared as an adjacent property owner, and in behalf of interested neighbors. He said that he had been present at the zone hearings, and that Loma Valley had been included in the area covered by the up-zoning. He pointed out that there was no secrecy involved, and that the owners knew at the time that Loma Valley would be included. He called attention to the fact that the necessary posting and publishing of notices had been done. He contended that it would be illegal for the Council to amend the Ordinance, and that it should require that there be a regular zone hearing. He said that in his opinion the request would be illegal.

Councilman Wincote asked Mr. MacNulty if property owners knew about the tentative subdivision map.

Mr. MacNulty's reply was that he thought it would be possible to stop the subdivision.

Councilman Wincote said that he thought there were views opposite to those of Mr. MacNulty.

The Mayor made reference to legal and moral commitments, relative to expenditure made on account of the subdivision.

Mr. MacNulty answered the Mayor by saying that the subdivider knew of the situation.

Councilman Dail pointed out that the Council cannot reconsider its action. He said that it is obvious that the subdivision map is going through, that it had been passed without the Council receiving a briefing, and said that he did not know it was included. He, too, said that the Council would have to hold hearings if the zoning matter change is considered.

Douglas Deaper, Deputy City Attorney, was asked by the Mayor if there is any precedent to go by, and wondered about past hearings.

Before Mr. Deaper could answer, Councilman Dail said that Kesling was responsible for drawing the map.

Mr. Deaper said that no planning matter would be legal unless handled by the Planning Department. Property owners, or the Council, have the right to attempt to accomplish the rezoning, he said.

Mr. Rick spoke regarding the map for rezoning. He said that if it is rezoned to R-1, the property would be surrounded by R-1C which is a higher zoning of lots.

Councilman Godfrey said that he thought that the subdivider should petition for rezoning of the property.

Mr. Rick told the Council that the City can initiate the proceedings for rezoning if it wishes.

Councilman Godfrey said that the City should not appear to favor anyone, which might be the case if the City initiates the proceeding. He stressed, again, that he wants to hear both sides of the issue.

Councilman Dail said that there is an obligation to both sides, and felt that the City should institute the hearing.

RESOLUTION NO. 110335, recorded on Microfilm Roll No. 59, granting petition of Kesling Modern Structures, Inc. and Loma Valley Inc. for a 90-day extension of time in which to file the final Map of Loma Valley Subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Wincote.

RESOLUTION NO. 110336, recorded on Microfilm Roll No. 59, instituting proceedings leading to an R-1 Zone in the area affected by the proposed Loma Valley, now Zoned R-1C by Ordinance No. 5179 (New Series) adopted May 8, 1952, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110337, recorded on Microfilm Roll No. 59, authorizing and directing the Purchasing Agent to advertise and sell approximately 50 tons of cast iron scrap, 25 tons of steel scrap, and one-half ton of scrap brass, now stored at Chollas Pipe Yard; determining that all expenses in connection with the sale shall be deducted from the proceeds received therefrom, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Said Resolution recites that the Public Works Department has given notice, in writing, to the Purchasing Agent, that the City has said scrap iron and scrap steel and scrap brass, stored at Chollas Pipe Yard, no longer desirable for use or retention by The City, and has recommended that it be sold.

Application from Riley Walker, 2740 Imperial Avenue, for permission to operate the Starlight Room, said address, with a Class B Dine & Dance License, was presented, together with recommendation for granting from the various interested City departments.

RESOLUTION NO. 110338, recorded on Microfilm Roll No. 59, granting application of Riley Walker, 2740 Imperial Avenue, for a Class B license to conduct public dance at the Starlight Room, same 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.

Councilman Dail was excused at this time.

Communication from the Street Superintendent, bearing the Assistant City Manager's stamp of approval, reporting on petition to close portions of Pala Street, Beacon Drive, San Vicente Street and San Felipe Street, was presented.

Said communication states that subject streets proposed to be closed are unimproved and their closing is required in connection with resubdivision of the adjacent property as approved for Lomita Village Unit No. 4; access to adjacent property to be provided by streets to be dedicated in Lomita Village Unit 4. It recites that the attorney for the subdivider has filed an amended complaint in the Superior Court to Quiet Title and abandon said portions of said streets. It recommended that the City Attorney be authorized to enter and file a disclaimer in and to said portions of said streets as described in Complaint No. 178181.

* RESOLUTION NO. 110339, recorded on Microfilm Roll No. 59, granting petition for the closing of portions of Pala Street, Beacon Drive, San Vicente Street and San Felipe Street, as described in Document No. 460408, 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 thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

* Another Resolution is shown later in the agenda authorizing the Attorney to file a disclaimer in Action No. 178181.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 7 sections of the Municipal Code in connection with the reapproval of the Tentative Map of Delta Heights, was presented.

RESOLUTION NO. 110340, recorded on Microfilm Roll No. 59, suspending Sections 102.05, 102.07-5, 102.11-1, 102.12-6, 102.16-8 & 102.18, 102.17-c of the Municipal Code, in connection with reapproval of the Tentative Map of Delta Heights, heretofore suspended under Resolution No. 105028, insofar as they relate to Tentative and Final Maps, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending reapproval of the Tentative Map of Delta Heights, which was approved by Resolutions 105029 and 105028, in connection with said Map, subject to 10 conditions set forth therein, was presented.

RESOLUTION NO. 110341, recorded on Microfilm Roll No. 59, approving the Tentative Map of Delta Heights, heretofore approved by Resolutions Nos. 105029 and 105028, being reapproval, subject to the conditions set forth therein, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 3 sections of the Municipal Code in connection with the Tentative and Final Maps of portion of Lot 18 La Mesa Colony, was presented.

RESOLUTION NO. 110342, recorded on Microfilm Roll No. 59, suspending Sections 102.16-8, 102.18, 102.17-c of the Municipal Code, in connection with the Tentative Map of portion of Lot 18 La Mesa Colony (a 12-lot subdivision located westerly of Seminole Drive and northerly of Acorn Street), was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map for subdivision of portion of Lot 18 La Mesa Colony, into 12 parcels, subject to 10 conditions, was presented.

RESOLUTION NO. 110343, recorded on Microfilm Roll No. 59, approving the Tentative Map of portion of Lot 18 La Mesa Colony, subject to the conditions set forth therein, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Euclid View, subject to final check by the City Engineer and the posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 110344, recorded on Microfilm Roll No. 59, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Donald F. Morrison and Margaret E. Morrison, husband and wife, subdividers, and Security Title Insurance Company, a corporation, as trustee, for installation and completion of the unfinished improvements and the setting of the monuments required for Euclid View Subdivision; 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 Kerrigan, adopted.

RESOLUTION NO. 110345, recorded on Microfilm Roll No. 59, adopting ^{final} map of Euclid View, being portion of the Northeast Quarter and portion of the East 30 feet of the northwest quarter of Lot 1 Horton's Purchase of the Ex-Mission Lands; accepting on behalf of the public Pirotte Drive, Lyle Drive, portion of Altadena Avenue, unnamed easements, declaring the same to be public streets, portion of public street and unnamed 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 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 Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition requesting that portions of Pueblo Lots 1226, 1238 and 1239 be rezoned from R-1 to R-2 Zone, that the area is part of a proposed subdivision to be known as Clairemont Unit No. 12, tentative map of which was approved July 10, 1952 by the Council by Resolution No. 107539; stating that the Planning Commission voted 5-0 to recommend such rezoning to R-2, and that the Ordinance not become effective until the final map of Clairemont Unit No. 12 is filed in the County Recorder's Office, was presented.

RESOLUTION NO. 110346, recorded on Microfilm Roll No. 59, requesting the City Attorney to prepare and present Ordinance incorporating portions of Pueblo Lots 1226, 1238 and 1239 into R-2 Zone, which area is part of a proposed subdivision to be known as Clairemont Unit No. 12, which Ordinance shall not become effective until the final map of said Clairemont Unit No. 12 is filed in the County Recorder's Office, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Carl R. Anderson, Owner, Caesar's Cafe, 555 University Avenue, San Diego 3, requesting that the City look into the matter of parking meters installation on Sixth Avenue, south of University Avenue, and repainting of white parking lines, was presented.

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

Communication from Dean E. Howell, Chairman, Board of Supervisors, San Diego County, enclosing copy of letter and attachment which at the direction had just been sent to the State Park Commission. It states that it is believed that the changes in policy and law proposed are immediately necessary to assure equitable, effective action in the important field of beach park acquisition. It asks that if the Council agrees, it is recommended that prompt steps be taken to make it certain that early action is taken along the lines proposed.

RESOLUTION NO. 110347, recorded on Microfilm Roll No. 59, referring to Council Conference communication from the County Board of Supervisors, signed by Dean E. Howell, Chairman, relative to changes in policy and law proposed affecting beach park acquisition, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Communication from Henry A. Pozner, 517-19 Island Avenue, advocating the providing decorations for patients in the polio, Vauclain Home and various wards and rooms at the County Hospital, was presented. It said, in a P.S. that a copy is being sent to the Board of Supervisors, San Diego County (which operates the Hospital).

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

Application of Gerald Klaus, 3225 Midway Drive, for a Class C Dine & Dance License at Riviera Beer Garden, said address, was presented, together with recommendations for approval from the interested City departments.

RESOLUTION NO. 110348, recorded on Microfilm Roll No. 59, granting application of Gerald Klaus, 3225 Midway Drive, for a Class C Dine & Dance License to conduct public dance at Riviera Beer Garden, said address, 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.

RESOLUTION OF AWARD NO. 110349, recorded on Microfilm Roll No. 59, accepting bid of Griffith Company, a corporation, and awarding contract, for the paving and otherwise improving of Cottonwood Street, within the limits and as particularly described in Resolution of Intention No. 109268, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

A written report from the City Engineer states that the low bid is 7.5% below the estimate.

RESOLUTION OF AWARD NO. 110350, recorded on Microfilm Roll No. 59, accepting bid of Griffith Company, a corporation, and awarding contract, for the paving and otherwise improving of Thomas Avenue, within the limits and as particularly described in Resolution of Intention No. 109269, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

A written report from the City Engineer states that the low bid is 25.4% below the estimate.

RESOLUTION ORDERING WORK NO. 110351, recorded on Microfilm Roll No. 59, for the installation of sewer mains in 44th Street and C Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110352, recorded on Microfilm Roll No. 59, 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, 1952, to and including December 15, 1953, in accordance with Engineer's Report and Assessment filed November 28, 1952, in the office of the City Clerk, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 110353, recorded on Microfilm Roll No. 59, for the installation of sewers in the Alley in Block 136 City Heights; Quince Street, Lexington Avenue, and Public Rights of Way, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 110354, recorded on Microfilm Roll No. 59, for the paving and otherwise improving of Addison 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. 110355, recorded on Microfilm Roll No. 59, for the paving and otherwise improving of Vista Del Mar Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110356, recorded on Microfilm Roll No. 59, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Brighton Avenue, Cape May Avenue and the Alley in Block 77 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 107163, and to be assessed to pay the expenses; 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 Swan, adopted.

RESOLUTION NO. 110357, recorded on Microfilm Roll No. 59, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of La Palma Street, within the limits and as particularly described in Resolution of Intention No. 107165, and to be assessed to pay the expenses; 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 Swan, adopted.

RESOLUTION NO. 110358, recorded on Microfilm Roll No. 59, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Playa Del Norte Street and Neptune Place, within the limits and

as particularly described in Resolution of Intention No. 104449, and to be assessed to pay said expenses; 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 Swan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that the petition for the paving and otherwise improving of the Alley in Block 109 Central Park be amended to include sewer laterals as required, was presented.

RESOLUTION NO. 110359, recorded on Microfilm Roll No. 59, adopting recommendation of the City Engineer filed in the office of the City Clerk on January 20, 1953, under Document No. 462304; authorizing and directing the City Engineer to amend the proceedings for improvement of the Alley in Block 109 Central Park, in accordance with said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that the proceedings for the improvement of the Alleys in Block 45 Ocean Beach be amended to include portion of Cable Street, and rights of way over Lots 5 and 6 in said Block 45, was presented.

RESOLUTION NO. 110360, recorded on Microfilm Roll No. 59, adopting recommendation of the City Engineer filed in the office of the City Clerk on January 20, 1953, under Document No. 462305; authorizing the City Engineer to amend proceedings for improvement of the Alleys in Block 45 Ocean Beach, in accordance with said recommendation, was on Councilman Godfrey, seconded by Councilman Swan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings for improvement of Newton Avenue westerly of 43rd Street be amended to include sidewalks adjoining Southcrest Park which is on a portion of Lot 23 Caruther's Addition, and installation of wire link guard fence and cutoff wall as required, was presented.

RESOLUTION NO. 110361, recorded on Microfilm Roll No. 59, adopting recommendation of the City Engineer filed in the office of the City Clerk on January 20, 1953, under Document No. 462302; authorizing the City Engineer to amend proceedings for improvement of Newton Avenue westerly of 43rd Street in accordance with said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on petition for paving and otherwise improving of the Alley in Block 43 City - petition signed by owners of 91.7% of the frontage property - was presented.

RESOLUTION NO. 110362, recorded on Microfilm Roll No. 59, granting petition contained in Document No. 452799 for the paving and otherwise improving of the Alley in Block 43 City Heights; directing the City Engineer to furnish 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 said improvement, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on petition for paving and otherwise improving of the Alley in Block 101 Frink and Wilde's Subdivision - petition signed by the owners of 60% of the property frontage - was presented.

RESOLUTION NO. 110363, recorded on Microfilm Roll No. 59, granting petition contained in Document No. 461968 for the paving and otherwise improving of the Alley in Block 101 Frink and Wilde's Subdivision; directing the City Engineer to furnish 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 said improvement - to include the necessary work to be done in Lots 1 and 10 said Block to connect with existing drain, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on petition for paving and otherwise improving of the Alley in Block 43 W. P. Herbert's Subdivision - petition signed by the owners of 77.1% of the property frontage - was presented.

RESOLUTION NO. 110364, recorded on Microfilm Roll No. 59, granting petition contained in Document No. 460324 for the paving and otherwise improving of the Alley in Block 43 W. P. Herbert's Subdivision; directing the City Engineer to furnish 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 said improvement, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on petition for paving and otherwise improving of the Alley in Block 1 Ocean Front - petition signed by the owners of 75% of the property frontage - was presented.

RESOLUTION NO. 110365, recorded on Microfilm Roll No. 59, granting petition

contained in Document No. 460123 for the paving and otherwise improving of the Alley in Block 1 Ocean Front; directing the City Engineer to furnish description of 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 installation of sewer laterals if required, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on petitions for the paving and otherwise improving of Boundary Street between Orange Avenue and Lincoln Avenue - petition signed by owners of 78% of the property owners - was presented.

RESOLUTION NO. 110366, recorded on Microfilm Roll No. 59, granting petition contained in Documents Nos. 454209 and 454210 for the paving and otherwise improving of Boundary Street; directing the City Engineer to furnish description of the assessment district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses and installation of waterservices and drainage structures if required, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on petitions for the paving and otherwise improving of C Street between 33rd and 34th Streets - petition signed by owners of 66.7% of the property owners - was presented.

RESOLUTION NO. 110367, recorded on Microfilm Roll No. 59, granting petitions contained in Documents Nos. 458274 and 460643 for the paving and otherwise improving of C Street; directing the City Engineer to furnish 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, together with installation of water services as required, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on petition for paving and otherwise improving of Del Rey Street between Glendora and Rosewood Streets - petition signed by owners of 85% of the property owners - was presented.

RESOLUTION NO. 110368, recorded on Microfilm Roll No. 59, granting petition contained in Document No. 458275 for the paving and otherwise improving of Del Rey Street; directing the City Engineer to furnish description of the assessment district or lands to be affected and benefited by and to be assessed to pay the costs, damages and expenses, including water services, sewer laterals and sewers if required, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the Acting City Manager's stamp of approval, reporting on petition for paving and otherwise improving of Evergreen Street between Newell and Poe Streets - petition signed by owners of 62% of the property frontage - to include water mains and appurtenances and water services if required, was presented.

RESOLUTION NO. 110369, recorded on Microfilm Roll No. 59, granting petition contained in Document No. 450097 for the paving and otherwise improving of Evergreen Street; directing the City Engineer to furnish 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 for said improvement, including installation of water mains and appurtenances and water services if required, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on petition for the paving and otherwise improving of Lieta Street and Morenci Street, each between Asher Street and Tonopah Avenue - petition signed by owners of 71.9% of the property frontage, was presented. Said communication recommends that the petition be granted and proceedings be combined with that ordered by Resolution No. 107749 for improvement of Asher Street, Lieta Street and Morenci Street. It also includes detail of the improvement to be made.

RESOLUTION NO. 110370, recorded on Microfilm Roll No. 59, granting petition contained in Document No. 457753 for the paving and otherwise improving of Lieta Street and Morenci Street, each between Asher Street and Tonopah Avenue; directing the City Engineer to furnish 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, together with other work if required; directing the City Engineer to consolidate assessment district with assessment district heretofore ordered by Resolution No. 107749, was on motion of Councilman Swan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on petition for paving and otherwise improving of the southerly half of Opal Street between Dawes and Everts Streets - petition signed by owners of 100% of the property frontage, was presented. It also recommended that proceedings be combined with those ordered by Resolution No. 109277, set out the recommended improvement, and recommended that the north half of Opal Street be graded.

RESOLUTION NO. 110371, recorded on Microfilm Roll No. 59, granting petition contained in Document No. 462301 for the paving and otherwise improving of the southerly half of Opal Street; directing the City Engineer to furnish 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 grading of the north half of Opal Street and additional work, if required; directing him to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 109277, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the City Engineer reporting on Documents Nos. 457752 and 460326, being petitions for the improvement of 33rd Street between Steel Street and Ocean View Boulevard, and for Steel Street and Gillette Street near 33rd Street, Durant Street between Payne Street and the easterly termination of Durant Street - signed by owners of 71.1% of the property frontage - and making detailed recommendation for the improvements, was presented.

RESOLUTION NO. 110372, recorded on Microfilm Roll No. 59, granting petitions contained in Document Nos. 457752 and 460326 for the paving and otherwise improving of 33rd Street, between Steel Street and Ocean View Boulevard; Steele Street and Gillette Street near 33rd Street; Durant Street between Payne Street and the easterly termination of Durant Street; directing the City Engineer to furnish 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 therefor, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Proposed Resolution, relative prohibiting City employees from engaging in any employment outside the City service or participate actively in the management or operation of any business or enterprise without having first secured the permission of the Civil Service Commission and the City Manager, if there would be in any way conflict with the employee's responsibilities and obligations to the City reflect criticism or discredit on the employee or the City or affect the efficiency of the employee in the performance of his duties; making detailed directions for permit to engage in any employment outside the City service or participate actively in the management, etc.; providing that violation by an employee of the terms of said regulation shall be cause for removal from the service of The City of San Diego or for such lesser disciplinary action as may be deemed necessary by the Civil Service Commission and the City Council, was presented.

The proposed Resolution was not discussed.

Said proposed Resolution was on motion of Councilman Schneider, seconded by Councilman Kerrigan, referred to the Civil Service Commission for study and report back to the Council.

Communication from the Harbor Commission, signed by John Bate, Port Director, recommending construction of a storm drain in the Air Freight Area, Lindbergh Field, at a total estimated sum of \$1,350.00, which the Commission believes can be accomplished by City forces to the best advantage of the City of San Diego, was presented.

Members of the Council asked Carl Reupsch, of the Harbor Department, for a report, relative to the necessity for said work.

Mr. Reupsch replied that it is for the purpose of protecting the paving.

RESOLUTION NO. 110373, recorded on Microfilm Roll No. 59, authorizing and empowering the Port Director to do all the work in connection with construction of a storm drain in the Air Freight Area, Lindbergh Field, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Harbor Department has recommended said construction, that the Port Director 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. 110375, recorded on Microfilm Roll No. 59, determining and declaring that the public interest, convenience and necessity of The City of San Diego require the construction, operation and maintenance of a public freeway, I.E., a limited access highway, to be known as Wabash Boulevard, across portions of Lots 1, 2, 3, 45 and 46 Block 5 San Diego Land and Town Company's South Chollas Addition; Lots 18, 19 and 20 Block 291 Seaman and Choate's Addition; Lots 1 to 5 Block 1 Hunter's Addition; Lot 6 Block 85 and Lot 2 Block 92 San Diego Homestead Union; and that the public interest, convenience and necessity demand the acquisition of the land to be used by the City for construction of said public freeway within the area aforesaid; declaring the intention of the City of San Diego to acquire said lands under Eminent Domain Proceedings; directing the City Attorney of The City of San Diego to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemnation said lands, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110374, recorded on Microfilm Roll No. 59, authorizing and empowering the City Manager to do all the work in connection with the construction of improvements to the Fitzgerald Drain, located near the east City limits on the south side of the old Mission Valley Road, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has recommended construction of said improvement, that he 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. 110376, recorded on Microfilm Roll No. 59, authorizing and empowering the City Manager to do all the work in connection with the construction of a curb inlet in 4th Avenue, at San Diego and Arizona Eastern Railway Right of Way, including grading work to direct flow to the inlet, as shown on City Engineer's Drawing 4776-B on file in the office of the City Engineer, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the Engineering Department has recommended

said construction, 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 Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110377, recorded on Microfilm Roll No. 59, authorizing and empowering the City Manager to do all the necessary pavement restoration work on Winona Street, from El Cajon Boulevard to Collier Street, by appropriate City forces, in accordance with his recommendation, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has recommended said restoration, that he 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. 110378, recorded on Microfilm Roll No. 59, authorizing and empowering the City Manager to do all the work in connection with the installation of certain fixtures in the newly constructed Sewer Building, Department of Public Works, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

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

RESOLUTION NO. 110379, recorded on Microfilm Roll No. 59, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego a lease agreement between The City of San Diego and the State of California, for leasing of City owned lands at Morena Reservoir under the terms and conditions set forth in the form of lease agreement on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110380, recorded on Microfilm Roll No. 59, authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of The City of San Diego an agreement between The City and ~~Said Company~~, wherein said Railroad grants to the City permission to construct, reconstruct, maintain and operate an 8-inch cast iron pipe San Diego & Eastern Railway Company encased in 40 feet of 16-inch steel pipe with minimum wall thickness of one-fourth inch, for conveying water beneath property of the Railroad, at a depth specified by said Railroad, at or near Encanto Station, from a point in Railroad's northerly right of way line to a point in the southerly right of way line and crossing not less than 3 feet below base of line in Railroad's main line track at Engineer Station 300+50, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110381, recorded on Microfilm Roll No. 59, approving request of Ace Pipeline Construction Company, contained in Change Order No. 1, for extension of 45 days, to and including February 9, 1953, heretofore filed with the City Clerk as Document No. 462758 in which to complete its contract for installation of Small Water Main Replacements, Schedule B-1, Specification No. 32, which contract is contained in Document No. 455104; extending time of completion under said contract to February 9, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110382, recorded on Microfilm Roll No. 59, approving Change Order No. 1, dated January 12, 1953, heretofore filed with the City Clerk as Document No. 462475, issued in connection with contract between the City of San Diego and V. R. Dennis Construction Co., for construction of pavement, curbs and walks for Roadways in the Non-Scheduled Flight Area, Lindbergh Field, said contract contained in Document No. 455767 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$2,780.00, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110383, recorded on Microfilm Roll No. 59, approving Change Order No. 1, dated December 26, 1952, heretofore filed with the City Clerk as Document No. 462760, issued in connection with contract between The City of San Diego and Ets-Hokin & Galvan for installation of Traffic Signals and Safety lights at Midway Drive and Ventura Boulevard, contract contained in Document No. 459502 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$932.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110384, recorded on Microfilm Roll No. 59, approving Change Order No. 1, dated January 12, 1953, heretofore filed with the City Clerk as Document No. 462762, issued in connection with the contract between The City of San Diego and Ets-Hokin & Galvan for installation of traffic signals on Washington Street, at 1st, 4th and 5th Avenues, contract contained in Document No. 456410 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$210.00, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110385, recorded on Microfilm Roll No. 59, approving request of M. H. Golden Construction Company contained in Change Order No. 5, for extension of 30

days to and including January 30, 1953, heretofore filed with the City Clerk as Document No. 462764 in which to complete contract for construction of University Heights North Reservoir, contract contained in Document No. 446643 on file in the office of the City Clerk; extending time of completion to January 30, 1953, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110386, recorded on Microfilm Roll No. 59, approving Change Order No. 1, dated January 9, 1953, heretofore filed with the City Clerk as Document No. 462774, issued in connection with contract between The City of San Diego and W. A. Robertson Company for installation of Small Water Main Replacements, Group 1, 1952-1953, Specification No. 33, contract contained in Document No. 458239; changes amounting to increase in the contract price of approximately \$1821.74, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110387, recorded on Microfilm Roll No. 59, approving Change Order No. 4, dated January 16, 1953, heretofore filed with the City Clerk as Document No. 462772, issued in connection with contract between The City of San Diego and F. E. Young Construction Company for construction of the new Public Library Building, contract contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to decrease in the contract price of \$556.48, was on motion of Councilman Godfrey, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110388, recorded on Microfilm Roll No. 59, approving Change Order No. 5, dated January 16, 1953, heretofore filed with the City Clerk as Document No. 462770, issued in connection with contract between The City of San Diego and F. E. Young Construction Company for construction of the new Public Library Building, contract contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$309.26, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110389, recorded on Microfilm Roll No. 59, approving Change Order No. 6, dated January 16, 1953, heretofore filed with the City Clerk as Document No. 462768, issued in connection with contract between The City of San Diego and F. E. Young Construction Company for construction of the new Public Library Building, contract contained in Document No. 451108 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$67.37, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110390, recorded on Microfilm Roll No. 59, approving Change Order No. 7, dated January 16, 1953, heretofore filed with the City Clerk as Document No. 462766, issued in connection with contract between The City of San Diego and F. E. Young Construction Company for construction of the new Public Library Building, contract contained in Document No. 451108 on file in the Office of the City Clerk; changes amounting to increase in the contract price of \$90.60, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110391, recorded on Microfilm Roll No. 59, authorizing the City Attorney, on behalf of The City of San Diego to file a disclaimer in that certain action entitled "Sweetwater Homes, Inc., a corporation, Plaintiff, vs. The City of San Diego, a municipal corporation, Defendant", No. 178181 now pending in the Superior Court of the State of California in and for the County of San Diego, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted. (Resolution granting petition for closing portions of Pala Street, Beacon Drive, San Vicente Street and San Felipe Street, in connection with this subject, will be found earlier in these Minutes).

RESOLUTION NO. 110392, recorded on Microfilm Roll No. 59, granting permission to Charles P. Brinkman, 4279 J Street, San Diego, to install a 4" cast iron sewer line between the property line and the sidewalk, one foot outside of the property line and to run in a westerly direction, parallel to the south line of J Street to point of intersection with the public sewer; said sewer to serve property at 4251 J Street; subject to approval of the City Engineering Department, City Inspection Department and Properties Department, and upon conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110393, recorded on Microfilm Roll No. 59, expressing on behalf of the officers and employees of The City of San Diego, and the people of The City of San Diego, appreciation for the fine work of the San Diego Junior Chamber of Commerce in participating in the Tournament of Roses Parade; directing the City Clerk to send certified copies of said Resolution to the officers of the San Diego Junior Chamber of Commerce, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution states that said Junior Chamber on January 1, 1953, participated in the parade of the Tournament of Roses by entering a float, that it won the President's Trophy, the second highest award in the tournament, that the Council is aware of the fact that participation in such affairs by the San Diego Junior Chamber of Commerce results in benefits of considerable value to the City of San Diego and the inhabitants thereof.

RESOLUTION NO. 110394, recorded on Microfilm Roll No. 59, electing Ray S. Jones to succeed himself as a member of the City Planning Commission to serve for a term of 2 years or until his successor is elected and appointed and qualified, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110395, recorded on Microfilm Roll No. 59, confirming the appointment by the Mayor of Arthur Wells, Sr. and Paul Beermann to serve as representatives of The City of San Diego on the San Diego County Water Authority Board, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110396, recorded on Microfilm Roll No. 59, approving claim of Charles H. Scott, on file in the office of the City Clerk under Document No. 461417, in the amount of \$11.00; directing the City Auditor to draw his warrant in favor of said Charles H. Scott in said sum in full payment of the aforesaid claim, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110397, recorded on Microfilm Roll No. 59, denying claim of Robert W. Chambers, on file in the office of the City Clerk as Document No. 461476, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110398, recorded on Microfilm Roll No. 59, denying claim of William R. Urquhart, on file in the office of the City Clerk as Document No. 461901, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110399, recorded on Microfilm Roll No. 59, authorizing L. R. Burton, Superintendent of Sanitation Division, Department of Public Works, to attend the conference on Rubbish Collection and Disposal, to be held at the University of California, Berkeley, California, on February 5 and 6, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110400, recorded on Microfilm Roll No. 59, authorizing A. George Fish, Safety Officer, to attend the California Industrial Safety Conference, to be held in Los Angeles, California, February 13 and 14, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110401, recorded on Microfilm Roll No. 59, authorizing Richard Gallagher, Director of Public Works, to attend the annual Road Conference, to be held at the University of California, in Berkeley, California, February 4, 5, 6, 1953, and to attend sessions of the Civil Defense Engineers' Training Course, to be held at St. Mary's University, February 5, 7, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110402, recorded on Microfilm Roll No. 59, accepting quitclaim deed of The Alvarado Community Association, a corporation, executed on January 16, 1953, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Alvarado Unit No. 2, being a subdivision of portions of Lots 23 and 67 Rancho Ex-Mission of San Diego; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5463 (New Series), recorded on Microfilm Roll No. 59, proclaiming a Municipal Primary Election in the City of San Diego, California, for the purpose of nominating candidates at said Election, to be held Tuesday, the 10th day of March, 1953, for the following offices:

Member of the Council from District No. 1:

Two to be nominated;

Member of the Council from District No. 3:

Two to be nominated;

Member of the Council from District No. 4:

Two to be nominated;

Member of the Board of Education:

Two to be nominated;

Designating and determining for said Primary Election the election precincts which 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; Designating and Declaring the polling places and members of the precinct boards to be designated and declared to be those designated by the City Clerk; a list of polling places and members of the precinct board of and in the voting precincts on file in the office of the City Clerk; determining the time the polls shall be open on said day of election; directing the City Clerk to procure and

have printed the requisite number of ballots and sample ballots and other printed matter, and to procure whatever supplies may be necessary; directing the City Clerk to make arrangements with the Board of Education for use of school buildings throughout the City as central depositories for the ballot boxes and bags from the precincts adjacent thereto, and arrange for conveyance of said ballot boxes and bags from precincts from such school depositories to the City Clerk; 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 the City Clerk to cause said ordinance to be published in the official newspaper, 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, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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

ORDINANCE NO. 5464 (New Series), recorded on Microfilm Roll No. 59, proclaiming a Municipal Primary 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 nomination of candidates for Member of the Board of Education to be nominated at the Municipal Primary Election to be held in The City of San Diego on the 10th day of March, 1953 - and making other directions to the City Clerk in connection with said Election, as set out in Ordinance No. 5463 (New Series), 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 Kerrigan, 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.

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

ORDINANCE NO. 5465 (New Series), recorded on Microfilm Roll No. 59, appropriating the sum of \$45,000.00 from the Unappropriated Balance for the purpose of providing funds for the purchase of real property to be used for permanent public improvements, such as streets, public buildings, playgrounds and parks - funds to be expended only upon the adoption of resolutions of the Council authorizing such expenditure - 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, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5466 (New Series), recorded on Microfilm Roll No. 59, appropriating the \$4,000.00 from the Traffic Safety Fund, for the purpose of providing funds for construction of improvements to the Fitzgerald Drain located near the east City Limits on the south side of the Old Mission Valley Road, 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, 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.

The final reading of such Ordinance was in full.

(Ordinance No. 5465 (New Series)).--

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 Butler. Nays--Councilmen None. Absent--Councilman Dail.

ORDINANCE NO. 5467 (New Series), recorded on Microfilm Roll No. 59, appropriating the sum of \$2,000.00 from the Unappropriated Balance Fund, for the purpose of providing funds for the purchase of office furniture and equipment for the Sewer Division Building, Public Works Department, 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, 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.

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

In connection with the next proposed Ordinance, the City Manager made a verbal report, and spoke about the loss of meter revenue under permission which would be granted by said Ordinance for the parking of sightseeing automobiles or buses, in referring to the license tax which would be required from seach conference.

Proposed Ordinance amending the San Diego Municipal Code by amending Sections 31.0346, 81.01 and 82.01 and by adding Section 86.03.5 which amendments and addition relate to Sight Seeing Bus Loading Zones, was presented.

RESOLUTION NO. 110403, recorded on Microfilm Roll No. 59, referring to Council Conference the proposed Ordinance amending the San Diego Municipal Code by amending

Sections 31.0346, 81.01 and 82.01 and adding Section 62.03.5 which amendments and addition Regulate Sight Seeing Bus Loading Zones (Providing License Fee, etc.) was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 5468 (New Series), recorded on Microfilm Roll No. 59, changing the name of a portion of El Paseo Grande and a portion of Avenida De La Playa to De La Ribera, 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 Butler. Nays--Councilmen None. Absent--Councilman Dail.

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, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail. Prior to the final reading of such Ordinance, a written or printed copy was furnished to each member of the Council.

Councilman Dail returned to the meeting at this time.

Mayor Butler spoke about the agreement for the Health Department consolidation with the County of San Diego, and said that he was not sure if the Council wanted to act upon the Resolution at this time. He pointed out that the County Board of Supervisors had made changes, that the City after considering the matter should advise the County if any further changes are needed.

RESOLUTION NO. 110404, recorded on Microfilm Roll No. 59, referring to Council Conference for further study, a Resolution in connection with the City-County Health Departments consolidation - said Resolution referred to being one which has been considered by the Board of Supervisors and brought up verbally by the Mayor at this meeting - was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

At the hour of 11:00 o'clock A.M. the Council took a recess to the hour of 2:00 o'clock P.M. this date.

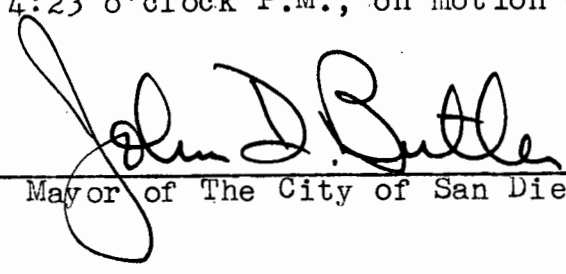
Upon reconvening at the hour of 4:22 o'clock P.M., the roll call showed the following:

Present---
Councilmen Swan, Wincote, Kerrigan, Godfrey, Mayor Butler
Absent---
Councilmen Schneider, Dail
Clerk----- August M. Wadstrom

RESOLUTION NO. 110405, recorded on Microfilm Roll No. 59, authorizing the City Manager to execute the Basic Agreement for Public Health Services to be furnished by the County of San Diego to The City of San Diego, and the First Supplemental Agreement to Basic Agreement for Public Health Services to be furnished by the County to the City, was on motion of Councilman Godfrey, 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 4:23 o'clock P.M., on motion of Councilman Kerrigan, seconded by Councilman Godfrey.

ATTEST:
FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By  Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Thursday, January 29, 1953

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, Godfrey, Mayor Butler
Absent--Councilman Dail
Clerk---Fred W. Sick

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on proposed Ordinance incorporating portion of Lot 16 Partition of Rancho Mission into "C-P" Zone and "C" Zone, as defined by Section 101.410 and Section 101.0411 of the San Diego Municipal Code and repealing conflicting Ordinance, Glenn A. Rick, City Planning Director was requested to give a verbal report.

Mr. Rick explained that the area is one of 3 parcels under consideration for rezoning in said Lot, this one being the Walsh property. He told of its location, and said that the owner has agreed with said proposed rezoning, and that is is giving right of way for a north-south arterial road. He explained the proposed use of the property.

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.

ORDINANCE NO. 5467 (New Series), incorporating portion of Lot 16 Partition of Rancho Mission of The City of San Diego, California, into "C-P" Zone and "C" Zone, as defined by Section 101.0410 and Section 101.0411 of the San Diego Municipal Code and Repealing Ordinance No. 116 (New Series) adopted January 3, 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, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilman Dail

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

Communication from the Planning Commission, signed by the Assistant Planning Director, recommending approval of the final Map of Highland Homes, subject to approval of the final map subject to the posting of an adequate bond to insure installation of the of the required improvements, was presented.

RESOLUTION NO. 110406, recorded on Microfilm Roll No. authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Highland Park Homes, Inc., a corporation, subdividers, and the Security Title Insurance Company, a corporation, as trustee, for installation and completion of the unfinished improvements and the setting of the monuments required for Highland Homes Subdivision; directing the City Engineer to present an ordinance establishing the official grades of all the streets within said subdivision, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110407, recorded on Microfilm Roll No. 59, adopting Map of Highland Homes and accepting streets and portions of public streets and unnamed streets and unnamed easements shown thereon - subdivision being portion of Lot 67 of that portion of the Ex-Mission Lands of San Diego known as Horton's Purchase, more particularly described in said Resolution; streets being 44th Street, Z Street, portions of Boston Avenue, 43rd Street, 45th Street, unnamed easements, declaring the same to be public streets and uneasements 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, portions of streets 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 Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Planning Department, signed by P. Q. Burton, reporting on request of Ray M. Woodmansee for extension on Council Resolution No. 88165 of January 20, 1948 - which designates a 4-acre parcel of land near the northeast corner of 54th Street and University Avenue as a Trailer Park District on a temporary basis for a period of 5 years from January 20, 1948, was presented. Said communication offers 3 solutions to the request: 1) Grant the request for renewal on the parcel covered in the original resolution, that is a 4-acre parcel described as the westerly 400 feet of Lot 22 Lemon Villa; 2) Grant the request on a portion of the parcel of land, namely that occupied by the trailer park itself: the northerly 200 feet of the westerly 263 feet of the easterly 559.69 feet of Lot 22 Lemon Villa, a 1.2 acre parcel; 3) Deny the request for renewal. It states that the Planning Commission visited the property and found a very neat, well-maintained trailer park, with some minor details to be corrected. It states that in view of the developments in the vicinity the Commission was of the opinion that the trailer park should continue on a temporary permit, and voted 5-0 to recommend that the area occupied by the trailer park only should be continued as a trailer park district, and that it be for a period of 3 years from expiration of the present resolution.

That communication was presented and read to the Council by the Clerk.

Mr. Woodmansee spoke for the granting of more than what was recommended by

said Commission.

Councilman Godfrey spoke of portion that is being used for a trailer park, and wondered if it is more than recommended for use.

Glenn A. Rick, City Planning Director, told of the use of the property being in the prescribed Trailer Park District. He spoke of the prescribed use in such districts. He told of City purchase of land for use as a public Park, and wondered if the Trailer Park District should be used and expanded in the area, or if provision would be made for other use. He told the Council that Mr. Woodmansee was not the owner of the property at the time the "area" was established.

Councilman Dail entered the meeting at this time.

Councilman Wincote wondered why the matter is handled by zone variance.

Mr. Rick said that the original grant had been made under variance, and that the 5-year matter was made a part thereof. He said that the area involved is one in which there is always a controversy, and told of the top soil storage nearby which has created protest.

Councilman Kerrigan reviewed the case of the former, who was in the Navy at the time, and said that as a result thereof, he had been granted the permit as a matter of consideration.

Councilman Wincote said that he could not understand why a time limit should be put on the use.

Mr. Rick related the distinction in connection with use for trailer park purposes in various zones. He said that 5 areas of the City had been recommended for trailer parks, to avoid a hit and miss system of trailer parks as to location. He said that he and the commission had used the matter as set up as a guide for policy. He told of use by the previous owner. It was his feeling that perhaps at the end of 5 years the trailer park should be removed. He told the Council that the M-2 zone use for trailers is in the law, in answer to Council Schneider who had asked about the zone.

Councilman Wincote referred to a "knife at the throat" of the one to whom a permit is granted, and to a contradiction in relation to the time limit. He said that the implication of not renewing the permit should not enter into the situation.

Mayor Butler left the meeting at this time, and Vice Mayor Swan assumed the duties of Chairman.

Mr. Woodmansee said that the original agreement was in the agreement relative to the 5-year basis. He wondered why it was 5 years then, 3 years now.

Councilman Schneider said that he had viewed the property, and reported a fine trailer park. He referred to the City park, and said that the trailer park would be no detriment to the City's park.

Mr. Rick thought the record of use, from the Planning Office, should be brought in. He referred to the then-existing children's home as being a non-conforming use, and to its subsequent removal.

Councilmen Wincote and Schneider reviewed the use and development of the area.

Councilman Kerrigan declared that the use of the area "has not fully jelled".

Councilman Godfrey spoke about the 2-1/2 acres out of the 4 acres used, and said that a smaller area was used, apparently.

Mr. Woodmansee told the Council that he was asking for an extension of time,

Councilman Wincote said that after the zone variance having been granted everyone knows it (the trailer court) is there, and where the development is made. He said that he does not like the idea of threatening a good owner.

Mr. Woodmansee said that if there is any further development, it would be toward University Avenue.

Councilman Godfrey said that 2-1/2 acres should be acceptable - and that the property would be nearer the street with the extension.

It was moved by Councilman Schneider to grant request of Ray M. Woodmansee, Crewtview Trailer Park, 5430 University Avenue, San Diego, permission for operation of a Trailer Park in portion of Lot 22 Lemon Villa, and that time for such operation be extended for a period of 5 years from the date of the expiration of Resolution No. 88165 adopted January 20, 1948, extending said time up to January 20, 1958.

Before the roll was called, there was discussion relative to anticipated changes.

Councilman Dail was excused from the meeting at this time.

RESOLUTION NO. 110408, recorded on Microfilm Roll No. 59, granting application of Ray M. Woodmansee, Crestview Trailer Park, 5430 University Avenue, San Diego, to continue operation of Trailer Park on portion of Lot 22 Lemon Villa, on a 2-1/2 acre parcel of land, and that permission for said operation be continued for a period of 5 years from the expiration of Resolution No. 88165 adopted January 20, 1948, which said Resolution had granted the previous permit - which makes an extension of said operation up to January 20, 1958, was on motion of Councilman Schneider, seconded by Councilman Wincote, by the following vote, to-wit: Yeas--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey. Nays--Councilmen None. Absent--Councilman Dail, Mayor Butler.

The Clerk reported to the Council that the communication from the Planning Commission, recommending that the Tentative Map of Muirlands (South Half of Pueblo Lot 1774) be approved, had been withdrawn from the Agenda by Harry C. Haelsig, Assistant City Planning Director, and would not come up at this time.

Application of Kenneth Callstrom, 4302 Mission Boulevard, for Class A Dine & Dance License to operate the Encore Club, 4302 Mission Boulevard, was presented, together with recommendations for approval from the various interested City departments.

RESOLUTION NO. 110409 recorded on Microfilm Roll No. 59, granting application of Kenneth Callstrom, 4302 Mission Boulevard for a Class A license to conduct public dance at Encore Club, said address, on premises where intoxicating liquor is sold, subject to compliance with existing ordinances and regulations, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

At this time a majority of the members of the Council executed the undertaking for the lighting of the ornamental street lights located in Roseville Lighting District No. 1, under Resolution of Intention No. 108556, with San Diego Gas & Electric Company.

Communication from Duane C. Maley, 3405 Florida Street, opposing the location of the Padre ball park in the Balboa Park area, and setting forth his reasons therefor, was presented. It urged the Council to deny such a proposition in the interests of the citizens of San Diego who desire to retain the Park as it is.

It was moved by Councilman Kerrigan, seconded by Councilman Schneider, to refer said communication to the Planning Commission.

Before the roll was called, Councilman Wincote asked about the Master Plan for Balboa Park.

Glenn A. Rick said that part of the Park is in the Master Plan, and that the area proposed for use by the Club, is in the plan. He said that it would be necessary to amend the plan if the Ball Park were permitted to go in.

The roll was called on the motion, and the communication referred to the Planning Commission.

Communication from F. L. Ringleben, 3566 - 43rd Street, dated January 14, 1953, relative to the Off-Street parking situation, was presented. The communication favored such an Ordinance.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said communication was referred to the "Off-Street Parking" file.

(The Clerk sent the communication to the Council Secretary, inasmuch as the general subject is in Council Conference).

Communication from San Diego Chamber of Commerce, dated January 23, 1953, signed by R. T. Blair, Jr., Secretary to the Board of Directors, reporting on the Health, Sanitation and Safety Committee's study relative to the ~~oklahoma~~ sewage disposal system, was presented. It stated that there is an urgent need for adoption of a realistic plan in view of the current inadequacy of certain portions of the system and in view of the pressing need imposed by the rapid growth of the City.

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

A proposed Resolution authorizing the Harbor Department to purchase an area at the foot of Belt Street, from the Atchison, Topeka and Santa Fe Railroad, being 26,143 square feet of area at \$13,528.93, was presented.

At the request of the Council, Carl Reupsch from said Harbor Department was heard. Mr. Reupsch said that the purchase of the land is for the purpose of straightening a bad area. He said that it is for re-aligning the roadway, which adjoins the Tidelands.

The City Manager also made a verbal report, at the request of the Council, about improvements of the Santa Fe's railway crossings over streets. He said that the company is proceeding with its program.

Asked about the price of the land by Councilman Wincote, Mr. Reupsch replied that it had been appraised by the Percy H. Goodwin Company.

RESOLUTION NO. 110410, authorizing the Harbor Department to expend \$13,528.93 of the Harbor Department funds for the purchase of 26,142 square feet of area at the foot of Belt Street from the Atchison, Topeka and Santa Fe Railroad (not on tidelands), was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

A proposed Resolution relative to the Tecolote Canyon Trunk Line Sewer and the Wellington Street Sewer Extension, initial cost estimate of improvements being \$209,905.00 for the Tecolote Canyon Trunk Line Sewer and \$28,568.50 for the Wellington Street Sewer, was presented. It states that the minimum initial contribution to be paid by the property owners to be benefited by construction of the initial unit would be \$24,220.00 for the Tecolote Canyon Trunk Line Sewer and \$5,760.00 for the Wellington Street Sewer; and it finds that \$65.00 is the proportionate share that the property owners shall bear of Tecolote Canyon Trunk Sewer Line and the Wellington Street Sewer Extension of each family in area "A", that \$35.00 is the proportionate share that the property owner shall bear of said Tecolote Canyon Trunk Line Sewer of each family unit in area "B", that \$20.00 is the proportionate share that the property owner shall bear of said Tecolote Canyon Trunk Line Sewer of each family unit in area "C", was presented.

The City Manager made a verbal report, and pointed out that the Resolution's terms are in accordance with City ruling.

Councilman Wincote said that he thought the amount of the individual contribution might not be enough, in view of high sewer bids which had been received recently.

The City Manager said that the bids referred to by Councilman Wincote had to do with a 1911 Street Improvement Act proceeding, whereas this would be a City job. He believed that there would be a difference.

RESOLUTION NO. 110411, recorded on Microfilm Roll No. 59, in connection with the total cost of the initial improvements for Tecolote Canyon Trunk Line Sewer and Wellington Street Sewer Extension, also the minimum initial contributions to be made by property owners of the area to be benefited by the construction of such initial unit, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110412, recorded on Microfilm Roll No. 59, 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, State of California, and to take all necessary steps to acquire from the State of California lands in City Heights, more particularly set forth in said Resolution, ~~and to take all necessary steps to acquire from the State of California~~ the lands described, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110413, recorded on Microfilm Roll No. 59, 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, State of California, and to take all necessary steps to acquire from the State of California lands in Logan Park, Long & Hickok's Subdivision, In San Diego Homestead Union Sub., South Chollas Addition, Wetmore & Sanborn's Add., more particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110414, recorded on Microfilm Roll No. 59, 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, State of California, and to take all necessary steps to acquire from the State of California lands in Bonnie Brae, Fairhaven Acres, Fairmount Addition to City Heights, Treat Addition, Hoitt's Subdivision, Rancho Ex Mission Segregated Interest, etc., more particularly set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110415, recorded on Microfilm Roll No. 59, approving request of H. H. Peterson, contained in Change Order No. 1, for extension of 60 days to and including February 26, 1953, heretofore filed with the City Clerk as Document No. 462900, in which to complete contract for construction of University Heights North Reservoir Drain Extension and lowering of Mission Valley Pipe Line, contract contained in Document No. 451616 on file in the office of the City Clerk; extending completion time under said contract to February 26, 1953, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110416, recorded on Microfilm Roll No. 59, approving request of E. C. Losch Company, contained in Change Order No. 3, for extension of 30 days to and including March 16, 1953, heretofore filed with the City Clerk as Document No. 462902 in which to complete contract for installation of small water main replacements, Schedule "B" Section 2, contract contained in Document No. 452570 on file in the Office of the City Clerk, extending completion time to March 16, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110417, recorded on Microfilm Roll No. 59, approving request of E. C. Losch Company, contained in Change Order No. 4, for extension of 30 days to and including February 13, 1953, heretofore filed with the City Clerk as Document No. 462904, in which to complete contract for installation of 12-inch pipe lines on Wren Street, Winona Street and Orange Avenue, contract contained in Document No. 452516 on file in the office of the City Clerk, extending completion time to February 13, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110418, recorded on Microfilm Roll No. 59, declaring that the City has entered into relationship with the County, whereby the County will perform public health functions for the City; that during continuance of the relationship, the City will have no active Public Health Commission; that the present Public Health Commission of The City held its last meeting January 21, 1953; that members of the Commission have faithfully, conscientiously and selflessly devoted themselves during their tenure of office to the interests of the public health of the citizens of San Diego, have ably assisted the City Council and City Manager in matters pertaining thereto, and deservedly merit recognition and commendation therefor; commending and thanking on behalf of the City Council and City Manager who appointed them, and the citizens of San Diego who benefited by their splendid service the retiring members of said Public Health Commission:

Dr. Samuel J. McClendon	Appointed December 1936
Dr. R. A. Schneiders	Appointed February 1946
Dr. Francis West	Appointed June 1950
Charles Hoffman	Appointed August 1932
Hance H. Cleland	Appointed June 1950

directing the presentation to each of the Public Health Commissioners above named a certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110419, recorded on Microfilm Roll No. 59, authorizing and empowering the Mayor and the 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 Velma Johnson portions of Lots 1, 2, 3 Block 8 San Diego Land and Town Company's South Chollas Addition; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor of the City of San Diego, with instructions that the same be placed in an escrow opened for the purpose of executing said deed, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said Resolution recites that the City is desirous of obtaining Lot 30 Block 7 McLaren's "H" St. Addition, to be used for drainage channel purposes in connection with Wabash Boulevard, that Velma Johnson owner of said land is willing to deed the same to the City for \$250.00 in exchange for quitclaim deed from the City for portions of

Lots 1, 2, 3 Block 8 San Diego Land and Town Company's South Chollas Addition; that the value of property to be granted to the City as determined by a qualified real estate appraiser is \$250.00; that the property owned by the City is \$500.00 as determined by the last report of the City Auditor and Comptroller; that the City Manager has recommended said exchange, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110420, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by I. V. Auiler, Sr. and Helen M. Auiler, beneficiaries, and Security Title Insurance Company, trustee, bearing date December 24, 1952, wherein said parties subordinate all their right, title and interest in and to portion of Lots "C", 32 and 33 La Mesa Colony, and portion of El Cajon Avenue vacated to public use, to the Relinquishment of Access Rights heretofore executed in favor of The City of San Diego, relinquishing to the City any and all abutter's rights of access in and to the adjacent State highway right of way; authorizing and directing the City Clerk to file said subordination agreement for 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 Godfrey, adopted.

RESOLUTION NO. 110421, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Julius C. Brauner and Lois Brauner, beneficiaries, and Land Title Insurance Company, trustee, bearing date January 9, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 74 Las Alturas Villa Sites, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110422, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by John Hancock Mutual Life Insurance Company, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date December 29, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 9 and 10 Collwood Park, to the right of way and easement for storm drain purposes conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110423, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by W. E. Starke, beneficiary, and Cecilia G. Starke, Trustee, bearing date January 14, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lot 17 Rancho Mission of San Diego, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for 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 Godfrey, adopted.

RESOLUTION NO. 110424, recorded on Microfilm Roll No. 59, accepting deed of James T. Beamon, bearing Date January 14, 1953, conveying portions of Lots 6 and 7 Block 29 Seaman & Choates Addition; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110425, recorded on Microfilm Roll No. 59, accepting deed of Violet Beck, bearing date January 12, 1953, conveying portions of Lots 30, 31 Block 4 McLaren's "H" Street Addition; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110426, recorded on Microfilm Roll No. 59, accepting deed of Olive B. Bradbury, William E. Bradbury, Jr. and Phyllis Beatrice Bradbury, bearing date December 9, 1952, conveying portions of Sections 30 and 31 Township 12 South Range 1 West, San Bernardino Meridian; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110427, recorded on Microfilm Roll No. 59, accepting deed of Alice M. Cimmino and Frank Cimmino, bearing date January 15, 1953, conveying portions of Lots 38 and 39 Block 290 Seaman & Choates Addition; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110428, recorded on Microfilm Roll No. 59, accepting deed of Waddell Collins and Myrtle E. Collins, bearing date October 2, 1952, conveying portion of Lot 6 Block B O. L. Steel Subdivision; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110429, recorded on Microfilm Roll No. 59, accepting deed of Anna C. C. Dohl, bearing date December 3, 1952, conveying Lots 9 and 10 Block 94 and Lot 5 and portion of Lot 6 Block 95 Campo Del Dios Unit No. 4; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110430, recorded on Microfilm Roll No. 59, accepting deed of William M. Green and Mable G. Green, bearing date November 13, 1952, conveying portions of Lots 4, 5, 6 Block "C" El Nido; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110431, recorded on Microfilm Roll No. 59, accepting deed of Don Gono Le Blanc, bearing date January 18, 1953, conveying portion of Lot 2 Block E Home Gardens; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110432, recorded on Microfilm Roll No. 59, accepting deed of Bekin Van and Storage Company, bearing date December 26, 1952, conveying easement and right of way for public street purposes in portion of Lot 28 Eureka Lemon Tract; setting aside and dedicating the same to the public use as and for a public street, and naming the same Balboa Avenue; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110433, recorded on Microfilm Roll No. 59, accepting deed of Rufus Choate, bearing date November 8, 1952, conveying portion of Lots 13, 14, 15 Block 2 Western Addition; 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 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 Godfrey, adopted.

RESOLUTION NO. 110434, recorded on Microfilm Roll No. 59, accepting deed of Rufus Choate, bearing date November 8, 1952, conveying portions of Lots 23 and 24 Block 2 Western Addition; 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 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 Godfrey, adopted.

RESOLUTION NO. 110435, recorded on Microfilm Roll No. 59, accepting deed of Rufus Choate and Flora M. Choate, bearing date November 8, 1952, conveying portion of Lot 4 Block 2 Western Addition; 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 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 Godfrey, adopted.

RESOLUTION NO. 110436, recorded on Microfilm Roll No. 59, accepting relinquishment of Access Rights, executed by R. W. Caldwell and Winifred Caldwell, bearing date December 16, 1952, relinquishing any and all abutter's rights of access in and to the adjacent state highway right of way, over and across portion of Lots C, 32 and 33 La Mesa Colony, and portion of El Cajon Avenue vacated to public use; authorizing and directing the City Clerk to file said Relinquishment of Access Rights of record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110437, recorded on Microfilm Roll No. 59, accepting quitclaim deed of Herbert C. Kelly and Helen G. Kelly, bearing date January 8, 1953, conveying easements and rights of way for earth excavation or embankment slope purposes and for drainage purposes in portion of Lots 24 and 25 Block 52 Morena; authorizing and directing the

City Clerk to file said quitclaim deed for record in the Office of the Recorder of San Diego, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110438, recorded on Microfilm Roll No. 59, accepting deed of Phyllis C. Smith, bearing date January 15, 1953, conveying easement and right of way for retaining wall purposes in portion of Lots 25 and 26 Block 69 Park Villas; authorizing directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110439, recorded on Microfilm Roll No. 59, accepting deed of the State of California, acting by and through its Director of Public Works, bearing date December 23, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 45 The Highlands; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110440, recorded on Microfilm Roll No. 59, accepting deed of Walter D. Zimmerman and June L. Zimmerman, bearing date January 8, 1953, conveying easement and right of way for public sewer purposes in portion of Lot 17 Rancho Mission of San Diego, according to Partition Map thereof; authorizing and directing the City Clerk to file said deed for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110441, recorded on Microfilm Roll No. 59, accepting deed of Union Title Insurance and Trust Company, bearing date January 8, 1953, conveying easement and right of way for public sewer and storm drain purposes in portion of Lot 67 Rancho Mission of San Diego, according to Partition Map thereof; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with Certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110442, recorded on Microfilm Roll No. 59, accepting deed of Frank Miner and Blanche H. Miner, bearing date December 5, 1952, conveying easement and right of way for storm drain purposes in portion of Lots 9 and 10 Collwood Park; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110443, recorded on Microfilm Roll No. 59, accepting deed of United States of America, Housing and Home Finance Agency, Public Housing Administration, bearing date January 6, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1198; authorizing and directing the City Clerk to file said deed for 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 Godfrey, adopted.

A proposed Ordinance, incorporating portion of the N.E. 1/4 of Lot 16 Ex Mission Lands into "CP" Zone and "C" Zone as defined by Section 101.0410 and Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 35 (New Series) adopted September 12, 1932, insofar as the same conflicts, was presented.

The Planning Commission's report states that the property is a 3.97 acre parcel of land under one ownership (owned by Russell Segel).

The proposed Ordinance states that it shall take effect and be in force on the date of the adoption of the Subdivision Map of the area, provided that the Ordinance shall not take effect or be in force prior to the thirty-first day from and after its passage.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, a hearing was set on said proposed Ordinance for the hour of 10:00 o'clock A.M., February 17, 1953.

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

RESOLUTION NO. 110444, recorded on Microfilm Roll No. 54, designating Vincent T. Godfrey (Councilman) as the member on the County Board of Health, representing The City of San Diego, pursuant to Section 53 of the Charter of the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the County Charter establishes a County Board of Health composed of 7 members, that one member of said Board is the representative of The City of San Diego and is designated by the City Council. (The City and County Health Departments were consolidated by election).

Councilman Kerrigan requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda:

A communication signed by C. V. Brandon, 5332 W. Falls View Dr., W. T. McKinney, 5219 East Falls View Dr., Robert C. Morgan, 5336 W. Falls View Dr., "For the Committee", was presented.

The communication states that a group of people residing at various addresses on West Falls View Drive and East Falls View Drive requested an investigation into discrepancies in heating installations in the homes at the addresses mentioned therein. It states, further, that the Building Inspection and Fire Departments were requested to examine installations for suspected deviations from applicable City Codes and prepare a written report of the findings to the persons making the request. The communication points out that a Building Inspection Department representative did appear and examine the installations at most of said addresses, but that there was no official acknowledgement of the initial request or statement outlining contemplated action or ruling. The communication points out that in the interim, the opinions of the home owners as to the quality of work accomplished by the contractor involved has been verified by reported cancellation of the State Contractors' Licensing Board which had cancelled the contractor's license. It said that it is recognized that the processes of government take time, but it is to be hoped that the matter is not being pressed unduly when it is requested that attention again be directed to the matter and that a statement of findings be forthcoming.

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

(A communication on the same subject was referred to the City Manager by the Council on September 18, 1952 - Document No. 455657).

The City Manager requested, and was granted, unanimous consent to present the next matter not listed on the Agenda:

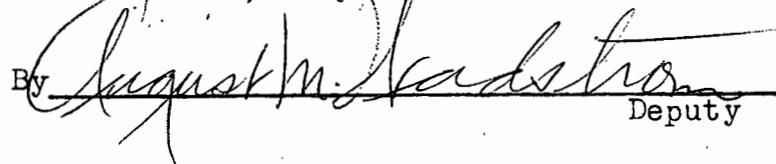
The City Manager told the Council about the Institute of Government to be held on February 18, 1953, in the Conference Building, Balboa Park, sponsored by all the public employees groups in the San Diego area, and requested the Council to endorse the project.

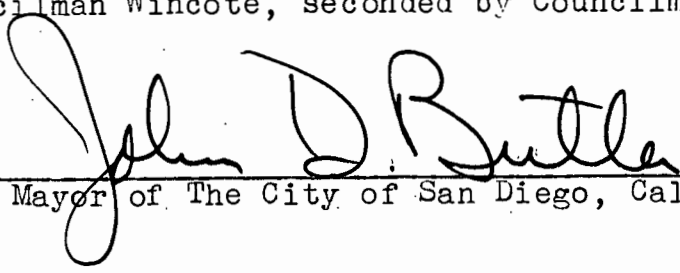
RESOLUTION NO. 110445, recorded on Microfilm Roll 59, endorsing the program and giving support to the Fifth Annual Institute on Government, sponsored by all the public employee groups in the San Diego area, which Institute is to be held on February 18, 1953, in the Conference Building, was on motion 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 Wincote, seconded by Councilman Kerrigan, at the hour of 10:55 o'clock A.M.

ATTEST:
FRED W. SICK, City Clerk

By


Deputy


Mayor of The City of San Diego, California

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, February 3, 1953

Present-Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,
Mayor Butler.
Absent--Councilmen ~~None~~ Dail
Clerk---Fred W. Sick

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.

The Minutes of the Meetings of Tuesday, January 27, 1953, and of Thursday, January 29, 1953, were presented to the Council by the Clerk.
On motion of Councilman Swan, seconded by Councilman Schneider, said Minutes were approved without reading, after which they were signed by the Mayor.

At this time, the Mayor presented to the following employees, awards for their long service with the City. In connection with each, he gave a resume of the services.

Mrs. Ruth M. Fiet, Senior Librarian in the Main Library, in charge of the "Readers' Advisory" service and supervisor of part-time pages - 25 years;
James L. Mohler, Associate Civil Engineer in the City Engineer's Office, responsible for checking plans and specifications on street assessment projects, etc., and the naming and changing of street names - 30 years;
John M. Seuss, City Shops Superintendent, Division of Public Works - also Superintendent of the Central Garage Division - 40 years;
Rudolph C. Wueste, Water Department, Superintendent of the Water Impounding System - 40 years.

After having made the presentations, the Mayor said that he and members of the Council were in somewhat of an embarrassing position for presenting to each of the 40-year employees only a pin. He said that the matter had been referred to the City Civil Service as to the possibility of preparation and presentation of appropriate plaques.

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 Alleys in Blocks 246, 243, 244, 242, 241 and 238 Mission Beach, and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 109436, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

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 \$1,500.00, which bid was given Document No. 463362;
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, a corporation established under the laws of the Commonwealth of Massachusetts, in the sum of \$2,000.00, which bid was given Document No. 463363;
The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York, a corporation, in the sum of \$1,300.00, which bid was given Document No. 463364.

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.

Said bids were opened by the clerk, and on motion made and seconded, were publicly declared.

Councilman Dail entered the meeting during the reading of the previous bids.

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 Arista Street, within the limits and as particularly described in Resolution of Intention No. 109438, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion and second, 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 \$1,000.00, which bid was given Document No. 463365;
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 \$1,000.00, which bid was given Document No. 463366;
The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$900.00, which bid was given Document No. 463367;
The bid of Griffith Company, accompanied by bond written by National Surety Company in the sum of \$900.00, which bid was given Document No. 463368.

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, the latest time set for the receiving of bids for the paving and otherwise improving of Birch Street, within the limits and as particularly described in Resolution of Intention No. 109439, the Clerk reported that 4 bids had been received, which bids were presented to the Council.

On motion and second, 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 \$1,500.00, which bid was given Document No. 463369;

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. 463370;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,100.00, which bid was given Document No. 463371;

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1,000.00, which bid was given Document No. 463372.

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 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, 1952 to and including November 30, 1952, in accordance with plans and specifications contained in report of the City Engineer filed in the office of the City Clerk November 21, 1952, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion and second, 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 the San Diego Trust and Savings Bank in the sum of \$228.48, which bid was given Document No. 463373.

Thereupon, 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.

At this time a majority of the members of the Council signed the undertaking with San Diego Gas & Electric Company for the furnishing of electric current in Adams Avenue Lighting District No. 1.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2100 made to cover the costs and expenses of the paving and otherwise improving of Thomas Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 104665, the Clerk reported that written appeals had been received from Mrs. Irma E. Noel, D. S. Dudley, Julius H. & Shirley Kindel (signed by Julius H. Kindel), which appeals were presented to the Council.

The City Engineer made a verbal report in which he said that a 5.3% protest had been received - 2 on account of cost - 1 relative to water service being already in, whereas a charge was being made for another.

At this time the Mayor inquired if any interested affected property owners were present who desired to be heard.

John W. Jenkins asked the Council for what he was being assessed. A conference took place between Mr. Jenkins, the City Engineer, Councilmen Swan and Schneider, over maps and figures in the Engineer's file. Mr. Jenkins did not enter formal protest.

Councilman Schneider indicated that all appeals should be overruled, with exception of the Kendel protest which had to do with installation and charge for a service where one was already installed.

RESOLUTION NO. 110446, recorded on Microfilm Roll No. 59, overruling and denying the appeals of Mrs. Irma E. Noel, D. S. Dudley, Julius H. and Shirley Kindel, from the Street Superintendent's Assessment No. 2100 made to cover the costs and expenses of the paving and otherwise improving of Thomas Avenue and Reed Avenue, within the limits and as particularly described in Resolution of Intention No. 104665; overruling and denying all other appeals; confirming and approving said Assessment No. 2100; 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.

RESOLUTION NO. 110447, recorded on Microfilm Roll No. 59, requesting the City Manager to explain to Mrs. Julius H. Kindel, 1611 Thomas Avenue, San Diego, 9, that the Council has confirmed the Street Superintendent's Assessment No. 2100 for the improvement of Thomas Avenue and Reed Avenue, and that it will be necessary to file claim against the City of San Diego in connection with water main installation, 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 hearing on the Street Superintendent's Assessment No. 2101 made to cover the expenses of the installation of sewer system in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, et al., within the limits and as particularly described in Resolution of Intention No. 104947, the Clerk reported that written appeals had been received from Emma P. Fisher, Ethel H. Hill and George R. Hill, H. M. Shaffer, Earl Shearer and Verna E. Shearer, Mrs. W. C. Willis, which appeals were presented to the Council.

The City Engineer told the Council that there was a 7.4% appeal. He recommended that the appeals of George R. Hill and Ethel H. Hill and of Earl Shearer and Verna E. Shearer be sustained. He also made detailed reports on the other appeals.

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

Mrs. Lula M. Paschall spoke about the assessment for the whole lot, but

told the Council that the sewer had been brought only half way.

The City Engineer said that standard practice had been followed. He said that it saved the property owners the cost of bring the sewer the entire way, when not needed, and pointed out that the sewer service charge is for what Mrs. Paschall has actually received improvement.

Mrs. Paschall said that her house is on only 50 feet of a 100 foot parcel, and asked about service for the other portion of the 100 feet.

The City Engineer showed the property and improvement to Mrs. Paschall on a map, and pointed out that she can use the same sewer for the next improvement. He pointed out that the 100 feet is for one lot, and that it is not split. He said, further, that it will be necessary to pay for 1 or 2 laterals, whichever is needed.

Mrs. Emma P. Fisher spoke next, and emphasized the fact that she has no road to her property on which the sewer had been placed.

The City Engineer showed Mrs. Fisher a map of her lots. He declared that there is a dedicated road, although Mrs. Fisher insisted there is no road. The Engineer said that if there is to be an improved road, it will be necessary for the affected property owners to have one built as in all other instances, which would then make the entire hillside property buildable. He said that the sewer had been installed through petition of property owners of the district.

Councilman Swan thought that the assessment mentioned by Mrs. Fisher - over \$1200.00 is high.

The City Manager pointed out that Mrs. Fisher owns 4 lots, making it not a high assessment for each.

The City Engineer told about the breakdown of the assessment, and said that Mrs. Fisher's property had been assessed like that of others. In the case of the triangular lot - one of the Fisher lots - he said that half of the frontage of the lot is used.

Councilman Wincote also said that all owners were assessed on the same basis.

Councilman Kerrigan explained the method for installation of roads, which had been mentioned to Mrs. Fisher previously.

Councilman Dail said that the matter had been before the Council previously on another petition, which had been killed, and that the proceedings had been started over again.

Mrs. Fisher maintain that she had known nothing of the proposed improvement until she had received the final notice relative to the assessment.

At the request of the Council, the City Clerk checked the file and found that notice had been sent - and that there was an affidavit in the proceedings in connection therewith.

The Mayor said that whether or not the notice had been delivered to Mrs. Fisher through the mails, she had received constructive notice.

RESOLUTION NO. 110448, recorded on Microfilm Roll No. 59, overruling and denying the appeals of Emma P. Fisher, H. M. Shaffer, Mrs. W. C. Willis, Mrs. Lula M. Paschall from the Street Superintendent's Assessment No. 2101 made to cover the expenses of the installation of sanitary sewer system in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, et al, under Resolution of Intention No. 104947, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110449, recorded on Microfilm Roll No. 59, sustaining the appeals of George R. Hill and Ethel H. Hill and of Earl Shearer and Verna E. Shearer, from the Street Superintendent's Assessment No. 2101, made to cover the expenses of the installation of sanitary sewer system in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, et al, under Resolution of Intention No. 104947; directing the Street Superintendent to modify and correct said assessment in accordance with said appeals, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110450, recorded on Microfilm Roll No. 59, confirming and approving the Street Superintendent's modified and corrected Assessment No. 2101 made to cover the expenses of the installation of sanitary sewer system in 66th Street, Madera Street, Brooklyn Avenue, Wunderlin Avenue, Broadway, et al, under Resolution of Intention No. 104947; 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 Kerrigan, 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. 2102 made to cover the costs and expenses of paving and otherwise improving of the Alley in Block F Referee's Partition Map of P/L 1110, 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. 110451, recorded on Microfilm Roll No. 59, confirming and approving the Street Superintendent's Assessment No. 2102 made to cover the cost and expenses of the paving and otherwise improving of the Alley in Block F Referee's Partition Map of the East one-half of Pueblo Lot 1110, within the limits and as particularly described in Resolution of Intention No. 105354; directing said 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 Swan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 109914 of Preliminary Determination for the paving and otherwise improving of the Alley in Block 7 Ocean Beach, 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. 110452, recorded on Microfilm Roll No. 59, determining that the proposed improvement of the Alley in Block 7 Ocean Beach, within the limits and as particularly described in Resolution No. 109914 of Preliminary Determination is 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 the 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. 109915 of Preliminary Determination for improvement of the Alley in Block 17 Ocean Beach, 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. 110453, recorded on Microfilm Roll No. 59, determining that the proposed improvement of paving and otherwise improving of the Alley in Block 17 Ocean Beach, within the limits and as particularly described in Resolution No. 109915 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 Swan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for furnishing one Hydraulic Aerial Ladder, for the Department of Public Works, received January 15, 1953, from 2 bidders, was presented. It recommended award to Win Ward Company of Pomona, California, low bidder.

RESOLUTION NO. 110454, recorded on Microfilm Roll No. 59, accepting bid of Win Ward Company for the furnishing of one Hydraulic Operated Aerial Ladder, for \$1,599.30 f.o.b. San Diego, plus State Sales Tax; awarding contract, and authorizing and instructing the City Manager to enter into and execute the same, pursuant to specifications therefor on file in the office of the City Clerk, 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 20,000 lineal feet of Class 150, 8" Asbestos Cement Pipe for stock, received January 27, 1953, from Crane Company of San Diego, sole bidder, was presented. Said report stated that the pipe offered by said company is satisfactory, that the price is approximately 2-1/2% higher than for similar pipe about 1 year ago. It recommended award to said Company.

RESOLUTION NO. 110455, recorded on Microfilm Roll No. 59, accepting bid of Crane Company for the furnishing of 20,000 ft. Class 150, 8" Asbestos Cement Pipe at \$2.057 per ft.; awarding contract, and authorizing and instructing the City Manager to enter into and execute the same, pursuant to specifications on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Councilman Dail left the meeting at this time.

Communication from the Purchasing Agent submitting Resolution accepting the bid of Ets-Hokin & Galvan, the lowest of 8 bidders, for construction of manholes and conduits for power and telephone utilities on Shelter Island, for Harbor Department, for \$79,021.00, was presented.

Resolution accepting bid and awarding contract was adopted. It was not numbered at this point however, inasmuch as action was reconsidered. Councilman Swan had requested information as to whether the bid was above or below the estimate. The information was not forthcoming at this time.

(Later action awarding the contract will be found in these Minutes).

Communication from the Purchasing Agent submitting Resolution accepting the bid of Sim J. Harris Company, the low bid of 2 bidders for construction of bituminous surface treatment for 10th Street Industrial Pier for the Harbor Department, for the sum of \$10,201.26, and recommending award, was presented.

That item was held, also, for report as to whether the bid was above or below the estimate.

(Later action awarding the contract will be found in these Minutes).

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing advertising for bids for furnishing one Hydraulic Controlled Power Driven Concrete Breaker for the Public Works Department as per specifications on file in the office of the City Clerk bearing Document No. 463072, was presented.

RESOLUTION NO. 110456, recorded on Microfilm Roll No. 59, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of one Hydraulically Controlled Power Driven Concrete Breaker in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the office of City Clerk, 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 advertising for bids for furnishing Radio Tubes for the Storeroom for a period beginning March 1, 1953, to February 28, 1954 as

specifications on file in the Office of the City Clerk bearing Document No. 463075, was presented.

RESOLUTION NO. 110457, recorded on Microfilm Roll No. 59, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with its requirements of Radio Tubes for the period beginning March 1, 1953 through February 28, 1954, in accordance with Notice to Bidders, Specifications, Bidding Instructions and Requirements on file in the Office of the City Clerk, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, submitting Resolution authorizing purchase of 6 engine heads for Enterprise engines Model GSG-6 in use at the Sewage Treatment Plant, was presented. It states that the engines now require said replacements from time to time, and by purchase of 6 heads at one time a saving of 50% can be secured. It states that the only available source is from Enterprise Engine Company of San Francisco, and no benefit can be derived from advertising for bids. It recommended such purchase without bids.

RESOLUTION NO. 110458, recorded on Microfilm Roll No. 59, authorizing and directing the Purchasing Agent to purchase in the open market, without advertising for bids, 6 engine heads from Enterprise engines, Model GSG-6, part #G-3047 at \$886.80 each, less 50% f.o.b. factory - from Enterprise Engine Company of San Francisco, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, reporting on petition of San Diego Unified School District for rezoning from R-1 to R-2 a portion of Sec. 33, Twp. 16S, R2W SBBM, was presented. The report states that the parcel of land is located at the southerly termination of Altadena Avenue, which is approximately 1600 feet south of University Avenue. In addition to other comments relative to the site for a proposed school to serve children in the area bounded by Euclid Avenue, University Avenue, 54th Street and Chollas Valley, it suggested that the matter be forwarded to the City Attorney's office for drafting of an ordinance prior to setting it for public hearing.

RESOLUTION NO. 110459, recorded on Microfilm Roll No. 59, adopting recommendation of the Planning Commission for rezoning said portion of S33 T16S R2W; directing the City Attorney to prepare and present the necessary ordinance, was on motion of Councilman Kerrigan, seconded by Councilman Swan, adopted.

Communication from the Planning Commission, signed by Glenn A. Rick, forwarding original agreement, together with duplicate thereof, signed by Dr. John B. Smith and May K. Smith, and W. Scott Cook and Harriet Bates Cook, regarding property near 29th Street and Nutmeg Street, which property was the subject of a zone variance granted recently by the City Council. The agreement, in effect, provides that the various lots and portions of lots will be used for building sites for only two dwellings, requested by the Council as a condition of the zone variance.

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

A short time later the action was reconsidered on motion and second, but was advanced to this location, to keep the subject together.

RESOLUTION NO. 110460, recorded on Microfilm Roll No. 59, directing the City Clerk to record agreement from Dr. John B. Smith and May K. Smith, and Scott Cook and Harriet Bates Cook, owners of portion of Block 2 (Park Addition) relative to split of property and to construction of 2 buildings - a single family residence on each - was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending Change of Grade proceedings on Harbor Drive between Scott Street and a point 580 feet easterly from Scott Street, and on Scott Street between Harbor Drive and Ingelow Street, and that the City allocate funds to pay the cost of said Change of Grade proceedings, estimated to cost \$475.00, was presented. It states that the proceedings are required on Harbor and Scott in order that grades and positions of curbs as established be changed in order to meet with planned development of Harbor Drive.

RESOLUTION NO. 110461, recorded on Microfilm Roll No. 59, starting Change of Grade proceedings on Harbor Drive between Scott Street and a point 580 feet easterly from Scott Street, and on Scott Street between Harbor Drive and Ingelow - cost of said proceedings to be borne by the City of San Diego through funds to be allocated, in an estimated cost of \$475.00 - in connection with improvement of portions of both streets, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Personnel Director requesting approval to the establishment of a new classified position: "Assistant Golf Course Manager", Standard Rate of Pay to be Rate No. 19, \$327 to \$397 per month, was presented.

It states that establishment of the class was recommended by the Park and Recreation Director in order to assist in the administration and to augment the staff of the Golf Course, and that necessity for the class has been established by the Civil Service Commission.

RESOLUTION NO. 110462, recorded on Microfilm Roll No. 59, requesting the City Attorney to prepare and present the necessary ordinance to establish the new classified position, being "Assistant Golf Course Manager", with a Standard Rate of Pay to be Rate No. 19 - \$327 to \$397 per month - was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Mrs. Bertha Bambush, 3678 Birch St., San Diego, dated Jan. 28, 1953, complaining of failure of the S.D. Transit System to comply with the ordinance which prohibits smoking on busses, and referring to her residence about 4 blocks

west of National City together with annoyance resulting from the smoking in riding to and from her residence, was presented.

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

Communication from San Diego Chamber of Commerce, signed by C. O. Heffner, Memorial Committee, dated January 29, 1953, was presented. The communication refers to letters of September 30, 1952 and November 5, 1952, regarding memorial and flagpole proposed to be erected in the Old San Diego Plaza, and to said Chamber of Commerce being ready to donate \$550.00 to the project as mentioned in the November 5 letter.

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

Communication from Pepsi-Cola Bottling Co. of San Diego, signed by Frank Alessio, President, dated January 30, 1953, was presented. It requested permission to appear before the Council this date regarding Neon sign desired for erection on a building at 3640 Barnett Avenue.

In connection with said letter, Frank Alessio appeared, and presented to the Council a picture of the proposed sign.

The Mayor told Mr. Alessio that it was felt that said matter should go before the Planning Commission.

Glenn A. Rick, City Planning Director, referred to the proposed sign as being on a building where a man is putting in a "Batting Game". He said that Mr. Alessio wants to join with the owner of the batting game, but by adding his own sign to the building which would be in connection with the sport and sign on the building. He pointed out that the soft drink involved in the advertising sign is emphasized over the use of the batting game, being many times larger.

Mr. Alessio showed the Council the picture. He said that the height of the sign is 25 feet (10-1/2 feet on top of the building, relative to the Pepsi-Cola revolving cap).

Mr. Rick objected to the design, indicating that the soft drink was being over-emphasized instead of the activity at the location. He said, however, that it might not make much difference to the appearance of the City.

Douglas Deaper, City Attorney's office, said that if the sign is to be erected in the area where it is the only sign advertising a business, it might not be denied.

Mr. Rick said that he could have approved the sign, under delegated power, but that he did not.

Councilman Wincote said that Mr. Rick or the Council could use persuasive power to provide for the change.

Mr. Rick spoke about approval of the sign, being outside the amusement, whereas the soft drink portion had been added to the sign.

It was moved to approve the sign by Councilman Kerrigan, seconded by Councilman Schneider. (The picture of the sign was not filed).

Mr. Rick said that no standards had been set up governing such a matter, and that Mr. Alessio had come to the Council to expedite the matter, rather than having it go through various departments.

The roll was called, resulting in
RESOLUTION NO. 110463, recorded on Microfilm Roll No. 59, granting permission for erection of a sign, advertising the batting game on property on Barnett Avenue, to be topped with a "Pepsi-Cola" cap revolving sign, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from Shoreline Planning Association of California, Inc., 506 Santa Monica Boulevard, Santa Monica, California, dated January 28, 1953, signed by Carl P. Staal, President, was presented. The communication was copy of one addressed to Board of Supervisors of Coastal Counties, Los Angeles and San Diego City Councils, and enclosed copy of reply to letter written to the Association by Mr. Willis H. Miller, Director of Planning, San Diego County. It had to do with promoting the best possible cooperation between all parties in preserving and improving the beaches.

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

Councilman Swan asked about the contents of the lengthy report, which he learned from the Clerk was a large document. He agreed to read it later in the Clerk's office, which he did.

Communication from Mrs. Jack Warren, 3404 Florida St., San Diego 4, California, dated January 29, 1953, expressing objections to a professional ball park proposed for location in Balboa Park, and setting forth the reasons therefor, was presented.

On motion of Councilman Wincote, seconded by Councilman Schneider, said communication was referred to the Planning Commission, for hearing on the subject.

Members of the Council asked the Planning Director if communications of objection would be available to them when the matter comes before the Council in the future. Glenn A. Rick, the Director, replied that the Council would have them.

RESOLUTION NO. 110464, recorded on Microfilm Roll No. 59, directing notice of filing of the Street Superintendent's Assessment No. 2108, and of the time and place of hearing thereof, for the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in Resolution of Intention No. 103448, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110465, recorded on Microfilm Roll No. 59, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise of the Alleys in Block 45 Ocean Beach, Public Rights of Way in said Block, and Cable Street; approving Plat No. 2402 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said alleys, rights of way and 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 Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110466, recorded on Microfilm Roll No. 59, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Newton Avenue; approving Plat No. 2392 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 Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110467, recorded on Microfilm Roll No. 59, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street, Morenci Street; approving Plat No. 2391 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said Avenue and 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 Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110468, recorded on Microfilm Roll No. 59, ordering work for the paving and otherwise improving of the Alley in Block 195 City Heights, and Lincoln Avenue, within the limits and as particularly described in Resolution of Intention No. 109805, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110469, recorded on Microfilm Roll No. 59, for the paving and otherwise improving of the Alleys in Block 45 Ocean Beach, Public Rights of Way in Lots 5 and 6 said Block, and Cable Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110470, recorded on Microfilm Roll No. 59, for the paving and otherwise improving of Newton Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110471, recorded on Microfilm Roll No. 59, for the paving and otherwise improving of Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street and Morenci Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110472, recorded on Microfilm Roll No. 59, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the Alleys in Blocks 2 and 27 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 108553, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on Resolution No. 105918 which granted petition for improving Winona Avenue and 50th Street, recommending that proceedings be amended to extend the improvement on 50th Street to the northerly line of Trojan Avenue to connect to the existing pavement on 50th Street and that the job include gutters, cutoff walls and a wire link guard fence, was presented.

RESOLUTION NO. 110473, recorded on Microfilm Roll No. 59, adopting recommendation of the City Engineer filed in the office of the City Clerk on January 27, 1953, under Document No. 462752; authorizing and directing said Engineer to amend proceedings for improvement of portions of Winona Avenue and 50th Street, in accordance with said recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer reporting on Documents Nos. 457150 and 458266, being petitions for the paving and otherwise improving of Morrell Street, Emerald Street, Hornblend Street, Noyes Street, and stating that petitions are signed by the owners of 64.9% of the property frontage; also recommending that sidewalks be installed on portions of Morrell Street, Hornblend Street and Noyes Street, was presented.

RESOLUTION NO. 110474, recorded on Microfilm Roll No. 59, granting petitions contained in Documents Nos. 457150 and 458266 for the paving and otherwise improving of portions of Morrell Street, Hornblend Street and Noyes Street; directing the City Engineer to furnish the Council with 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 Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on Document No. 461961, being petition for storm drainage system in Streamview Drive and the adjoining area under provisions of the 1911 Improvement Act, half of the cost to be paid from the 1952 Storm Drain Bond Fund, was presented.

RESOLUTION NO. 110475, recorded on Microfilm Roll No. 59, granting petition contained in Document No. 461961 for the installation of a storm drainage system in Streamview Drive and the adjoining area; 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 installation of the storm drainage system, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

After adoption of said Resolution, Councilman Dail commented on the petition being the first to come into the City relative to the bond issue which had been voted for storm drain improvement, under which affected property owners would benefit. He complimented the signers for their interest.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting on Document No. 462514, being petition to install sewers in 54th Street to serve Lots 6 and 7 Lemon Villa, by private contract, was presented.

The communication stated that work is to be done under City inspection, according to plans and specifications filed under Document No. 462515; all work, including preparation of plans and specifications, and inspection to be done at no cost to the City of San Diego.

RESOLUTION NO. 110476, recorded on Microfilm Roll No. 59, granting property owner - Farmers' Market Shopping Village, Inc. - permission to install sewers in 54th Street to serve Lots 6 and 7 Lemon Villa, by private contract, in accordance with said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote,

RESOLUTION NO. 110477, recorded on Microfilm Roll No. 59, giving notice of the proposed annexation to The City of San Diego of Lots 135 through 145, inclusive, of National Vista, in the City of National City, County of San Diego, State of California, to be known and designated as "Kathol-Beall Tract", as more particularly set out in detail in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

(Said property had been annexed previously, but the City Attorney pointed out a flaw in the proceedings so that it was necessary to repeal portion thereof and take this new action.)

RESOLUTION NO. 110478, recorded on Microfilm Roll No. 59, determining and declaring that the public interest, convenience and necessity of The City of San Diego require the location, relocation, construction, reconstruction, maintenance, operation and repair of water pipe lines and water conduits from Sutherland Dam to San Vicente Drainage area, for the conveyance, treatment and storage of water for domestic and public use by The City of San Diego and the inhabitants thereof, and for all other purposes incidental thereto, that the public interest, convenience and necessity demand acquisition of easements and rights of way through, over, under, along and across the property to be used by said City for the location, relocation, construction, reconstruction, maintenance, operation and repair of said pipe lines and conduits; declaring the intention of The City to acquire said easements and rights of way under Eminent Domain Proceedings; directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning said properties and acquiring said easements and rights of way, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110479, recorded on Microfilm Roll No. 59, authorizing the City Attorney on behalf of The City of San Diego, to file a disclaimer in action entitled "Clifford O. Boren Contracting Co., Inc., a California corporation, Plaintiff, vs. The City of San Diego, a municipal corporation, Defendant", No. 178014, now pending in the Superior Court of the State of California in and for the County of San Diego, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110480, recorded on Microfilm Roll No. 59, authorizing the City Manager to employ Daley Corporation to remove and reconstruct curbs at the intersection of Thorn Street and Central Avenue, and reconstruct curbs, sidewalks and paving at the intersection of Thorn Street and 41st Street, as shown on Engineer's Drawings 9310-L and 9311A-L on file in the City Engineer's Office, at and for the price of \$860.00, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

Said Resolution recites that The City has entered into contract with Daley Corporation for improvement of portions of Central Avenue and Thorn Street under a 1911 Street Improvement Act proceeding, stating that drawings show work consisting of reconstruction of curbs, sidewalks and pavings at said intersection and the Corporation has offered to do the work for \$860.00, which the City Manager has recommended be accepted.

RESOLUTION NO. 110481, recorded on Microfilm Roll No. 59, approving Change Order No. 1, dated January 16, 1953, heretofore filed with the City Clerk as Document No. 463087, issued in connection with contract between The City of San Diego and Rogers Construction Company for construction of the De Anza Point Pump Station, contract contained in Document No. 460140 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$220.00, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110482, recorded on Microfilm Roll No. 59, approving request of San Diego Elevator Co., contained in Change Order No. 1, for extension of 75 days to and including February 20, 1953, heretofore filed with the City Clerk as Document No. 463089 in which to complete contract for remodeling of the elevator in the Art Gallery in Balboa Park, contract contained in Document No. 453467 on file in the office of the City Clerk as Document No. 453467; extending said completion time to February 20, 1953; waiving provisions of the 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. 110483, recorded on Microfilm Roll No. 59, granting permission to Mrs. E. Greene, 313 So. Pardee Street (Ralph Dover Plumbing, 1824 Hancock Street) to install a sewer line outside of property line at 505 Jewell Drive - Lot 30 Block H Southlook at grade of 1/8" per foot, in lieu of 1/4" per foot; subject to approval of the City Engineering Department, City Inspection Department and Properties Department, and upon the express condition that the City shall be held free and clear of any claim for damages by reason thereof, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110484, recorded on Microfilm Roll No. 59, authorizing and directing the City Manager to issue requisition in the sum of \$34.02 against such funds as may be available for the purpose, for paying The Union-Tribune Publishing Company for publication of Notice Inviting Bids for construction of a Median Lane in Rosecrans Street at Midway Drive, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

RESOLUTION NO. 110485, recorded on Microfilm Roll No. 59, authorizing and directing the San Diego Gas & Electric Company to install a 600 candle power overhead street light at each of the following locations, in The City of San Diego:

71st Street at Amherst Street;
Pynchon Street at T Street;
Pynchon Street at Ocean View Boulevard,

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

RESOLUTION NO. 110486, recorded on Microfilm Roll No. 59, granting permission to The Atchison, Topeka & Santa Fe Railway Company to install, operate and maintain a gantry crane on the westerly side of California Street, extending 6.25 feet east of the west edge of the pavement on said street, from the south line of G Street to a point 150 feet south of the south line of G Street, on the conditions and in the manner provided in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110487, recorded on Microfilm Roll No. 59, authorizing Earl Sheggrud, Civil Defense Facility Protection Coordinator, to attend the "Facilities Self-Protection Conference" to be conducted by the Federal Civil Defense Administration Western Technical Training School at St. Mary's College, California, on February 11, 12, 13, 1953; authorizing the incurring of all necessary travel expenses in connection with said trip, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110488, recorded on Microfilm Roll No. 59, accepting quitclaim deed of Douglas Scripps McKellar and Katherine F. McKellar, husband and wife, executed on the 14th day of January, 1953, quitclaiming all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without the subdivision named Sycamore Terrace, being a portion of Pueblo Lots 1281 and 1286; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5470 (New Series), recorded on Microfilm Roll No. 59, establishing the grade of Imperial Avenue, between the southerly prolongation of the easterly line of 63rd Street and the northerly prolongation of the westerly line of 69th 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.

Proposed Ordinance incorporating portions of Pueblo Lots 1226, 1238 and 1239 into "R-2" Zone as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 13456 adopted February 15, 1932, insofar as the same conflicts, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, a hearing was set for the hour of 10:00 o'clock A.M., Thursday, February 19, 1953.

RESOLUTION NO. 110489, recorded on Microfilm Roll No. 59, accepting bid of Ets-Hokin & Galvan for construction of manholes and conduits for power and telephone utilities on Shelter Island, for the Harbor Department for the sum of \$79,021.00; awarding contract, authorizing and instructing a majority of the members of the Harbor Commission to enter into and execute on behalf of The City of San Diego a contract therefor, was on motion Wincote, seconded by Councilman Schneider, adopted.

This matter was referred to earlier in the meeting and held to this time for report on the work being above or under the estimate.

The Mayor reported that it was under the estimate.

Said Resolution was adopted after previous action thereon had been reconsidered.

RESOLUTION NO. 110490, recorded on Microfilm Roll No. 59, accepting bid of Sim J. Harris Company for construction of bituminous surface treatment for 10th Street Industrial Pier for the Harbor Department, for the sum of \$10,201.26; awarding contract, authorizing and instructing a majority of the members of the Harbor Commission to enter into and execute on behalf of The City of San Diego a contract therefor, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

This matter was referred to earlier in the meeting and held to this time for report on the work being above or under the estimate.

The Mayor reported that it was just over the estimate.

The City Manager requested, and was granted, unanimous consent to present items, not listed on the Council's agenda. Before adoption, he explained each item as submitted.

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting final map of Lomita Village Unit No. 4, recommending approval subject to the posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 110491, recorded on Microfilm Roll No. 59, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with the Security Title Insurance Company, a corporation, as trustee, contract for installation and completion of the unfinished improvements and the setting of the monuments required for Lomita Village Unit No. 4 subdivision; 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.

Said Resolution recites that Sweetwater Homes, Inc., a corporation, has certain improvements in Lomita Village Unit No. 4 yet to be installed and completed and required monuments yet to be set in positions specified on said map and have executed contract and have deposited \$315,545.67 in cash in escrow with the Security Title Insurance Company, a corporation, as trustee, being Escrow No. 241871 to guarantee satisfactory completion of the unfinished improvements and the setting of the monuments required.

RESOLUTION NO. 110492, recorded on Microfilm Roll No. 59, adopting Map of Lomita Village Unit No. 4, portions of Blocks D, F and H, together with portions of Spreckels Avenue, Bonsall Street (formerly Bayview Avenue), San Vicente Street (formerly Pennsylvania Avenue) and San Felipe Street (formerly Coronado Avenue) as said portions of San Vicente Street and San Felipe Street were vacated and closed to public use by Decree Quieting Title rendered in Superior Court Case No. 178181 all in Narragansett Heights; together with all of Pala Street (formerly Victoria Avenue) and portions of Beacon Drive and San Vicente Street (formerly Pennsylvania Avenue) as said Streets and Avenues having been vacated; accepting on behalf of the public streets, portions of streets and unnamed easements, shown on said Map: Anza Drive, Bonsall Street, Beacon Drive, Bowie Street, Cates Street, Leucadia Avenue, Spreckels Avenue, Norm Street, Pala Street, Rytke Street, San Felipe Street, San Vicente Street, Sears Avenue, a portion of Sweetwater Avenue and unnamed easements, for public purposes, portions of streets and unnamed easements declared to be public streets, portions of public streets and unnamed 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, portions of streets 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 Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110493, recorded on Microfilm Roll No. 59, accepting deed of Andrew T. LaPointe, Jr. and Winifred G. LaPointe, executed in favor of The City of San Diego, bearing date January 22, 1953, conveying easement and right of way for public street purposes in portion of Lot 16 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110494, recorded on Microfilm Roll No. 59, accepting subordination agreement, executed by Central Federal Savings and Loan Association of San Diego, beneficiary, and Land Title Insurance Company, trustee, bearing date January 27, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 16 Soledad Terrace, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110495, recorded on Microfilm Roll No. 59, revoking all powers, rights and duties conferred upon F. A. Rhodes by Resolutions 89872 and 89873; ratifying and confirming all acts heretofore performed by F. A. Rhodes as "Authorized Agent" for The City of San Diego; designating O. W. Campbell, City Manager, 251 Civic Center, as "Authorized Agent" of The City of San Diego with respect to application or applications and endowing him with all rights, powers and duties conferred upon the former agent, F. A. Rhodes, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City had authorized F. A. Rhodes to act as "Authorized Agent" for The City of San Diego with respect to application or applications and that the City Council desires to replace said Authorized Agent by naming O. W. Campbell in his stead as "Authorized Agent". (The Resolution has to do with Department of Finance, State of California)

The following matters had been referred by the Council to Council Conference, and were returned by the Council Secretary, for filing:

Resolution No. 109954 which tabled proposed incorporation of Lot 16 Ex-Mission Lands into R-4 Zone;

Resolution No. 109953 which tabled proposed incorporation of portion of N.E. 1/4 of Lot 16 Ex-Mission Lands into C Zone;

Communication from San Diego Municipal Employees' Association, re Fifth Annual Institute on Government, to be held February 18, 1953 in Conference Building, Balboa Park;

Communication from San Diego Municipal Employees Association, relative to purported action by the Charter Committee in connection with compensation for overtime work by City employees at the regular rate instead of at time-and-a-half;

Communication from Mrs. E. H. Dowell re operation of the City Pound by the Police Department - also opinion from the City Attorney on the same subject;

Communication from California Society for Prevention of Cruelty to Animals, Inc., regarding records of licensed dogs;

Resolution No. 109952 relative to general picture under hearing in connection with property in the vicinity of 29th Street and Nutmeg Street;

Proposed Ordinance amending Division 6 Article I Chapter X of the San Diego Municipal Code by adding Section 101.0601.10 in connection with the providing of off-street parking;

Opinion of the City Attorney re providing off-street parking control;

Communication from the Planning Director re zone amendment covering buildings across 25-foot lot lines;

Communications from Frank G. Forward, Vincent Whelan, attorney; San Diego Chamber of Commerce - all favoring employment of "liaison officer", representative at Sacramento re legislation (lobbyist);

Resolution No. 109892 re La Jolla Town Council communication requesting that main artery into La Jolla, La Jolla Boulevard, be widened.

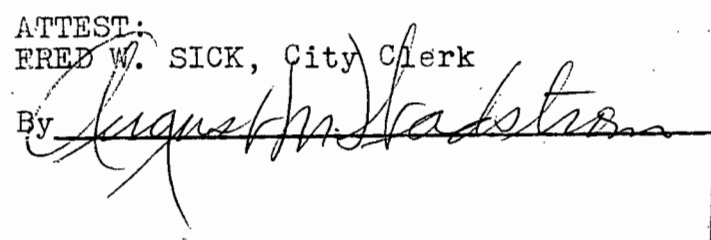
There being no further business to come before the Council at this time, on motion of Councilman Schneider, seconded by Councilman Kerrigan, the meeting was adjourned at the hour of 11:17 o'clock A.M.

ATTEST:

FRED W. SICK, City Clerk

By


Mayor of The City of San Diego, California


Deputy

REGULAR MEETING

Chamber of the Council of the City of San Diego, California,
Thursday, February 5, 1953

Mayor Butler

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey,

Absent---Councilmen None

Clerk----Fred W. Sick

Before the Council considered its agenda for this meeting, Mayor Butler recognized Mr. Lewis Baldwin, of San Diego, and asked him to be heard.

Mr. Baldwin spoke to the Council about the interest in and the world-wide improvement through Moral Re-Armament. He introduced two guests, whom he asked to address the Council.

The first was Hanjo Neumann, of Berlin, Germany. Mr. Neumann told about the need for moral re-armament in his country, and said that he felt that this (the United States) is the place to begin. He told of things that have been done by his country and for his country since the war. Mr. Neumann spoke of the Ruhr and control of the mind through control of industry in that area. He told about the force behind Moral Re-Armament, and the force throughout the world. He pointed out that there is a new thinking on the part of German youth, and told of his early training and activities which differed from thinking and action which he is now advocating. He said that all are anxious to learn about line in the West, rather than some of the other phases of thinking. Germany wants, Mr. Neumann said, to take the responsibility for its place in the World.

George Vondermuhl, from Switzerland, was introduced next by Mr. Baldwin. He was formerly on Business Week Magazine, the Council was told.

Mr. Vondermuhl told, and quoted from, a radio broadcast in opposition to Moral Re-Armament. After reading the opposition to the force, the speaker told the Council that the broadcast had come from Moscow. He told of the beginning of the movement which he is supporting, in London. He said that Moral Re-Armament is a force which will lead the peoples throughout the World. He told about the infiltration throughout the World of Moral Re-Armament movement. He said that there is a task force working throughout the World, setting for its goal the benefits of such Re-Armaments. He told of a world-wide assembly to be held in Japan on the subject, in the near future. Mr. Vondermuhl invited the City Council to be represented at the assembly. Referring to the photograph of General Eisenhower, now President Eisenhower, hanging in the Council Chambers, he quoted from the General's views on peace.

Mr. Baldwin assumed the floor again, and quoted from a cable which had originated in India, lauding Moral Re-Armament. He said that there is a job for all in the field, and expressed the view that San Diego should set the pattern in endorsing the movement.

The Mayor thanked the gentlemen for their appearance, and their presentations.

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting Tentative Map of Clearview Heights, consisting of 90 lots, for dividing Lots 18 and 19 Horton's Purchase, located southerly of Federal Boulevard and westerly of 47th Street, was presented. It states that the map, as submitted indicates additional dedication of 30 feet of Federal Boulevard as will be requested in development of that street, and should also indicate the grading of the access right to Federal Boulevard on Lots 35-37 and 88-90. It points out that other than the normal corrections indicated on the accompanying tentative map the Planning Department recommends approval subject to the recommendations of the various department. It points out that no further suspensions of the Municipal Code are required, other than extensions granted on the previous Tentative Map (approved in October of last year). It states, further that the Commission has recommended that the former Resolution No. 109251 be revoked, and that the map's approval be in accordance with 10 conditions contained therein.

RESOLUTION NO. 110496, recorded on Microfilm Roll No. 59, approving Tentative Map of Clearview Heights; revoking Resolution No. 109251 dated November 18, 1952; on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Manager, reporting on communication from the Citizens' Committee of Falls View Drive, relative to defective heating units installed in homes in that area, was presented. At the request of Councilman Schneider, the detailed report was read to the Council.

Councilman Schneider asked the City Manager if the City will be liable relative to any delay in the case, in the event of fire.

The City Manager replied that there will be no municipal liability in the event of a delay. The City, he said, has offered assistance in the matter, which has been declined by certain property owners who had signed the letter of complaint.

Councilman Wincote said that the property owners should have assistance in correcting the situation. Correction, he said, as proposed, may ruin the appearance of the properties.

Councilman Godfrey wondered if the City can do anything to assist the owners. He said that he thought the action should be through the Courts, and that the City cannot correct the fault.

The City Manager reported that there are 9 homes still to be corrected.

Councilman Dail left the meeting at this time.

Councilman Wincote expressed sympathy for the owners affected, and offered to look at the property involved.

Councilman Godfrey thought that would be beyond the activity of the City Council.

Douglas Deaper, representing the City Attorney's office, agreed with Councilman Godfrey.

Councilman Godfrey said that the proposal made by Councilman Wincote would be a gesture, but that the City still can do nothing.

The City Manager made a report on the first installation having to be corrected and replace. The trouble was caused, by the original installation.

Councilman Wincote said that he might be able to make recommendations for remedying the condition.

The City Manager said that Mr. Bauer (Chief Inspector) has tried to do that. All the cases, he re-iterated have been ironed out, except for the 9 persons involved in this particular difficulty. He pointed out that the City has not accepted the work, and will not until the corrections are made.

Councilman Godfrey told the Council that it can be sympathetic, but the only hope for settlement is in the courts.

Councilman Wincote said that the City has accepted a botched job.

It was moved by Councilman Schneider to file the City Manager's report, which motion was seconded by Councilman Godfrey.

The Council was told by the City Manager that he would mail to the affected property owners copies of his report. Nevertheless a request to that effect was added to the motion.

Before the roll was called, the Manager told the Council that action has been taken - criminal action, that is - and that civil action can follow.

The roll was called, resulting in

RESOLUTION NO. 110499, recorded on Microfilm Roll No. 59, filing the communication from the City Manager, dated February 4, 1953, bearing the City Clerk's Document No. 463432, reporting on communication from the Citizens' Committee of Falls View Drive in the Collwood area in connection with furnaces installed in homes in the area, and requesting the City Manager to send copies of his report to the affected individuals, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Mrs. Joyce E. Beran, 6328 Tooley Street, San Diego 14, California (Encanto Heights) dated Jan. 30, 1953, relative to chicken nuisance, was presented. She said that while Encanto has been considered rural, it is in the City limits and owners have to pay City taxes.

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

Communication from Thomas J. Fanning, attorney at law, suite 926 Bank of America Building, San Diego, requesting that access be provided to property owned by Moto Asakawa and his family, in Lots 1 and 4 Block 353 Old San Diego - fronting on Morena Boulevard, was presented. It referred to property having been transferred to The City for extension of Morena Boulevard, whereupon a wooden fence was built across Morena Boulevard south of the intersection of Morena Boulevard and Linda Vista Road.

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

Petition of residents, signed by individuals from various parts of the City and elsewhere, protesting the use of public lands in Balboa Park for commercial use as the proposed Ball Park and Stadium at Florida Street and Morley Field Drive, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said petition of protest was referred to the Planning Commission file.

Communication from Mrs. Iva G. Stephens, 728 - 24 St., San Diego, protesting the "giving away" of any portion of Balboa Park to any private corporation for building of a base-ball park for private interests - when the State College was refused permission to locate there, presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the Planning Commission file.

Communication from San Diego Highway Development Association, signed by Robert Apitz, Secretary, 747 Pacific Beach Drive, dated February 3, 1953, relative to survey to establish the economic desirability for the construction of a low-level highway and rail route to the east, possibly the building of a tunnel on a toll basis to recover the cost, and referring to the desire of a committee to appear before the Council in the matter, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said communication was referred to Council Conference, by Resolution No. 110497.

Communication from San Diego County Development Federation, signed by Frank B. Weaver, Secretary, 8142 Allison, La Mesa, California, dated February 3, 1953, enclosing copy of resolution passed on January 20, 1953, favoring the Southwest Tunnel, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said communication was referred to Council Conference, by Resolution No. 110497.

Communication from David H. R. Pain, attorney at law, 1944 Cable Street, Ocean Beach, San Diego 7, dated February 2, 1953, referring to Council reluctance to take concrete steps toward the adoption of an off-street parking ordinance, was presented.

In addition to expressing the writer's views, the communication requested that he receive a constructive answer.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said com-

munication was referred to the Mayor with request that he reply.

The Mayor said that he would be glad to reply to Mr. Pain's letter, and would send copy of the City Attorney's opinion.

Communication from University of California, Department of Engineering, Sanitary Engineering Research Project, Berkeley 4, California, signed by Harold B. Gotaas, Director, dated January 30, 1953, was presented.

Said communication stated that copy of bulletin entitled "An Analysis of Refuse Collection and Sanitary Landfill Disposal", ^{was enclosed} and made reference to conference on "Municipal Refuse Collection and Disposal" being held February 5 and 6 at the University in Berkeley on that subject, and hoped that the City would be represented.

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

Communication from P. Beerman, bearing the City Manager's stamp of approval, recommending that the City Manager by resolution be authorized to have the work of relocating the Pacific Beach Pipe Line at Pacific Beach Junior High School performed by City forces, and making detailed recommendation in connection therewith, was presented.

RESOLUTION NO. 110498, recorded on Microfilm Roll No. 60, authorizing and empowering the City Manager to do all the work in connection with the installation of 240 feet of 16-inch CI pipe and the salvaging of 200 feet of 16-inch CI pipe on Haines and Diamond Streets, at the Pacific Beach Junior High School, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Water Department, Division of Water Accounting, has recommended said installation, 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. 110499 - See Page 377

RESOLUTION NO. 110500, recorded on Microfilm Roll No. 60, authorizing and empowering the City Manager to do all the work in connection with the construction of a "Rough-O-Meter", to be used for the purpose of measuring the roughness of improved streets in said City, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has recommended construction of such machine, that he has submitted estimates and has indicated that the same can be done by the City forces more economically than if let by contract.

RESOLUTION NO. 110501, recorded on Microfilm Roll No. 60, authorizing and empowering the City Manager to do all the work in connection with improvement of 68th Street, to relieve an existing drainage problem, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City Manager has recommended said improvement to relieve an existing drainage problem, that he 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. 110502, recorded on Microfilm Roll No. 60, authorizing and directing the City Manager to make formal application to the Public Utilities Commission for an order authorizing the alteration of grade crossing over the Atchison, Topeka and Santa Fe Railway Company tracks on Anna Avenue, was on motion of Councilman Swan, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110503, recorded on Microfilm Roll No. 60, authorizing the City Manager to expend an additional sum of \$2,500.00 from the funds heretofore appropriated by Ordinance No. 5465 (New Series), for the Huxley Street condemnation project, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The City Manager reported that the appropriation is for right of way for drainage structures.

Councilman Dail returned to the meeting at this time.

RESOLUTION NO. 110504, recorded on Microfilm Roll No. 60, amending paragraph 2, of Resolution No. 96576, as amended by Resolution No. 109338, determining the regulations and rates to be established as service charges for use of the Balboa Park Club; requesting the Park and Recreation Director, with the approval of the City Manager, to change ~~make the change in~~ service charges and regulations; rescinding Resolution No. 109338 adopted November 20, 1952, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110505, recorded on Microfilm Roll No. 60, granting application of Green-Haldeman Company, 101 West E Street, San Diego, doing business as "Call 'A' Car", San Diego, for the operation of two additional Drive-Your-Self trucks, as recommended by the Chief of Police and the City Manager; provided all ordinances of The City of San Diego pertaining to the operation and licensing of automobiles for hire are complied with within the periods of time prescribed therein, including subsequent inspection and approval by the Police Department; was on Councilman Wincote, seconded by Councilman Godfrey.

Councilman asked if the permit had to do with the granting under a "certif-

icate of convenience and necessity".

The City Manager replied that it did not. He said that the matter is under the State law, except that driver is obliged to have a license.

RESOLUTION NO. 110506, recorded on Microfilm Roll No. 60, authorizing and directing the City Manager to execute on behalf of The City of San Diego a modification of lease agreement made on August 5, 1947, and amendment thereto made on November 1, 1950, by The City of San Diego and Mission Beach Coaster Company, providing for leasing and license to use and operate a roller coaster, at its location in the Mission Beach Amusement Center by extending the term of said lease for a period of 5 years, beginning January 3, 1952, and ending January 2, 1957, for percentage rental on all revenue collected or obtained by the lessee:

For the period January 3, 1952, to January 2, 1953 - 10%

For the period January 3, 1953, to January 2, 1954 - 11%

For the period January 3, 1954, to January 2, 1957 - 12%

* Said Resolution recites that the City and the Company are desirous of modifying and amending the lease for operation and concession of a roller coaster, which lease is filed in the office of the City Clerk as Document No. 376433 and amendment filed as Document No. 425758 so as to provide extension for an additional 5 years and altering rental payments.

The City Manager told the Council that the matter is in reference to the old lease, and resulted from further discussions thereon. The City, he said, does not have actual title, which should be so stated in the lease. He pointed out the increase on the payment, and mentioned the expiration date being the same, with no extension provided.

* was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110507, recorded on Microfilm Roll No. 60, approving Supplemental Freeway Agreement between the State of California, acting by and through the Department of Public Works, Division of Highways, and the City of San Diego, modifying the Freeway Agreement heretofore entered into on January 21, 1952; directing the City Manager to sign the same on behalf of the 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 Kerrigan, adopted.

The City Manager made a verbal explanation relative to the agreement, and stated that it will be an access road east of Highway 101, for inclusion in plans. It will cost about \$12,000.00 more - to be split 50-50. The City will contribute its share next year from Gas Tax Fund, he told the Council.

RESOLUTION NO. 110508, recorded on Microfilm Roll No. 60, 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 George C. Gregory, portion of the north 40 feet of Lot 1 Block 83 San Diego Homestead Union, more particularly described in said Resolution; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor with instructions that said deed and the sum of \$600.00 be delivered to the grantee thereof when he shall have obtained a grant deed conveying to the City the property as required by the City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said Resolution states that the City of San Diego is desirous of acquiring portions of Lots 34, 35 and 36 Block 3; portions of Lots 26 and 27 Block 4; all of Lots 26, 27, 28 and 29 Block 7 McLaren's H Street Addition, for storm drainage purposes in connection with the construction of Wabash Boulevard. It says, also, that George C. Gregory, the owner, is willing to deed said land to the City in exchange for quitclaim deed from the City to property owned by the City, and the sum of \$600.00; the value of the property to be granted to the City is \$900.00 as determined by a qualified real estate appraiser; the City is the owner of a portion of Lot 1 Block 83 San Diego Homestead Union which is no longer required by the City; the value of the City property as determined by the last report of the City Auditor and Comptroller is \$300.00, and that the City Manager has recommended said change.

RESOLUTION NO. 110509, recorded on Microfilm Roll No. 60, accepting deed of The Atchison, Topeka and Santa Fe Railway Company, bearing date February 29, 1952, conveying portion of Pueblo Lot 1164; authorizing and directing the City Clerk to transmit said deed, together with two certified copies of said Resolution, to the City Harbor Department, for recording when escrow has been completed, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110510, recorded on Microfilm Roll No. 60, accepting deed of Osuma Nakata, bearing date January 14, 1953, conveying easement and right of way for public purposes in portion of Lot 28 Ex-Mission Lands, setting aside and dedicating the same to the public use, and naming the same Hilltop Drive; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110511, recorded on Microfilm Roll No. 60, accepting deed of Lewis R. Linville and Dorothy Linville, bearing date January 6, 1953, conveying easement and right of way for public street purposes in portion of Lot 17 Soledad Terrace, setting aside and dedicating the same to the public use as and for a public street, and naming the same Altos Road; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110512, recorded on Microfilm Roll No. 60, accepting deed of Howard Ogden and Mildred F. Ogden, bearing date January 26, 1953, conveying easement and right of way for public street purposes in portion of Lot 12 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 Madrone Avenue; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110513, recorded on Microfilm Roll No. 60, accepting deed of the San Diego Unified School District of San Diego County, bearing date January 6, 1953, conveying easement and right of way for public street purposes in portion of Section 34 Township 16 South Range 2 West of S.B.B.M., setting aside and dedicating the same to the public use as and for a public street, and naming the same Maple Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110514, recorded on Microfilm Roll No. 60, accepting deed of R. E. Hazard and B. R. Hazard, bearing date January 9, 1953, conveying easement and right of way for public street purposes in portion of Lot 22 Block 3 Corella Tract, setting aside and dedicating the same to the public use as and for a public street, and naming the same Nashville Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110515, recorded on Microfilm Roll No. 60, accepting deed of Edward R. Koon and Mildred E. Koon, bearing date January 9, 1953, conveying easement and right of way for public street purpose in portion of Lot 38 Block 3 Corella Tract, setting aside and dedicating the same to the public use as and for a public street, and naming the same Nashville Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110516, recorded on Microfilm Roll No. 60, accepting deed of Richard J. Kuhn and Helen C. Kuhn, bearing date January 9, 1953, conveying easement and right of way for public street purposes in portion of Lot 1 Block 2 Corella Tract, setting aside and dedicating the same to the public use as and for a public street, and naming the same Nashville Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110517, recorded on Microfilm Roll No. 60, accepting deed of Henry Tom Fong and Lily Woon Fong, bearing date January 12, 1953, conveying easement and right of way for public street purposes in portion of Lot 17 Block 2 Corella Tract, setting aside and dedicating the same to the public use as and for a public street, and naming the same Nashville Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110518, recorded on Microfilm Roll No. 60, accepting deed of Robert W. McIntyre, Jr., Dalphine S. McIntyre and Naomi G. Strom, bearing date January 21, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1105 and unnumbered Pueblo Lot adjacent thereto; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110519, recorded on Microfilm Roll No. 60, accepting deed of the San Diego Unified School District of San Diego County, California, bearing date December 16, 1952, conveying easement and right of way for water main purposes in portion of Block 163 Pacific Beach, and a portion of Haines Street as closed to public use by Resolution No. 69138; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

ORDINANCE NO. 5471 (New Series), recorded on Microfilm Roll No. 60, appropriating the sum of \$3,500.00 from the Traffic Safety Fund, for the purpose of providing funds for the improvement of 60th Street to relieve an existing drainage problem, 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, 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, Kerrigan, Wincote, Schneider, Dail, Godfrey, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The final reading of such Ordinance was in full.

Proposed Ordinance amending Sec. 44.30.2 of The San Diego Municipal Code, providing methods of disposal of animals at the City Pound was presented.

The City Manager made an explanation of the proposed Ordinance, to the Council.

Alice (Mrs. J. W.) Fisher, who was present in connection with the Ordinance, as a new member of the Society for Prevention of Cruelty to Animals, was heard. She said that in her opinion there is nothing wrong with the proposed Ordinance.

The City Manager told the Council of provision in the Ordinance for the giving of dogs to responsible organizations, after the dogs having been kept the legal time. He pointed out that the Ordinance would waive the daily charge for care of dogs, when they are given to such organizations.

Mrs. Strachan asked for a clarification of the matter of releasing dogs to any non-profit society or organization approved by the City Manager, as provided in the Ordinance. She said that a vivisection society would be considered non-profit, and wondered if dogs could be given to them.

The City Manager replied to that question by saying that no dog would be released to any vivisection organization.

ORDINANCE NO. 5472 (New Series), amending Sec. 44.30.2 of The San Diego Municipal Code, providing methods of disposal of Animals at the City Pound, 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 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.

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

Proposed Ordinance amending the San Diego Municipal Code by amending Sections 31.0346, 81.01 and 82.02 thereof, and by adding Section 86.03.5 which amendments and addition regulate the operation of sight seeing buses and provide loading zones therefor, was presented.

The City Manager told the Council that \$200.00 is to be a fee for the business location; \$50.00 per bus up to 20 capacity, \$90.00 per bus over 20. He said that another method had originally been provided for establishing the fee, but it had been found easier for the City Treasurer to work it out on this system, also that it is about the same fee in the end as the original plan. Upon being asked, the City Manager said that bus would probably be parked at the U.S. Grant Hotel - he didn't say which side - as a service to the City's visitors.

ORDINANCE NO. 5473 (New Series), recorded on Microfilm Roll No. 60, amending The San Diego Municipal Code, by amending Sections 31.0346, 81.01 and 82.02 thereof, and by adding thereto Section 86.03.5 which amendments and addition regulate the operation of sight seeing buses and provide loading zones therefor, 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 Kerrigan, 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 final reading of such Ordinance, a written or printed copy was furnished to each member of the Council.

A proposed Ordinance creating the Position of Assistant Golf Course Manager in the Classified Service of The City of San Diego, and establishing a schedule of compensation therefor, was presented.

Although there was no discussion thereof, Councilman Godfrey told the Council that he would like to have the matter continued one week.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said proposed Ordinance was continued for a period of one week - to February 13, 1953.

ORDINANCE NO. 5474 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of the Alley in Block 139 University Heights, between the southerly line of Tyler Avenue and the northeasterly line of Morrow Way, 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 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. 5475 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of Albion Street, between the northerly line of Jennings Street and the southerly line of Talbot 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--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. 5476 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of Hughes Street, between the limits described in said Ordinance, 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. 5477 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of Jennings Street, between the northerly prolongation of the westerly line of Silvergate Avenue and the northerly prolongation of the easterly line of Loma View Subdivision, 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 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. 5478 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of Keats Street, between the northwesterly line of Shafter Street and the southeasterly line of Shafter Street, 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 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. 5479 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of Monte Vista Avenue, between the southerly line of Belvedere Street and the northerly line of Westbourne 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, 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. 5480 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of Pembroke Drive, between the northeasterly prolongation of the northwesterly line of Lot 15 Collwood Park and the northerly line of Hobart 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, 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.

ORDINANCE NO. 5481 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of Silvergate Avenue, between the southerly line of Jennings Street and the Northerly line of Wilcox 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, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

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, Mayor Butler. Nays--Councilmen None. Absent--Councilmen None.

The Mayor requested, and was granted unanimous consent to present the next matter, not listed on the agenda.

At that time the Mayor recognized Walter A. Zitlau, and invited him to be heard.

Mr. Zitlau identified himself as chairman of Parents' Committee regarding Narcotics. He told the Council about a petition (he had a large one with him, addressed to various individuals and bodies, which he did not file) and to a letter.

He told of 6 steps to be taken on various levels, and read them from the petition. He also read from the letter the 6 steps. He said that the proposed movement has the support of many organizations. He told of that support and the endorsement of the project. Mr. Zitlau then filed an unsigned letter which contains the proposed 6 steps. It was the speaker's contention that the evil of narcotic traffic and use can be stamped out. He asked for endorsement of the plan by the Council. He said, also, that the Police Department can do with a bigger force for the purpose proposed. He declared that there are many big operators in the City, and wants them apprehended. Mr. Zitlau said that at the present it is not possible to do so.

Councilman Dail expressed the belief that funds ought to be appropriated by the City Council to provide an undercover.

Mr. Zitlau said that the Police Chief is doing all he can, with the present facilities at his command.

Councilman Godfrey said that the matter should be referred to Council Conference in connection with the entire question, and a study be made.

It was moved by Councilman Godfrey, seconded by Councilman Schneider to refer to an immediate conference the matter of the narcotics problem, its violation and correction; requesting the City Manager to have the Chief of Police present at such conference set for 8:30 A.M. next Tuesday - February 10, 1953, which motion was seconded by Councilman Schneider, adopted.

There were several brief comments by members of the Council before the roll was called on the motion, relative to the problem, during which Mr. Zitlau told about what has been done so far and what is proposed to be accomplished.

RESOLUTION NO. 110520, referring to Council Conference, to be held Tuesday, February 10, 1953, at the hour of 8:30 o'clock A.M., for the purpose considering the question of considering the growing narcotics problem, presented verbally at this meeting by Walter A. Zitlau; requesting the City Manager to have the Chief of Police present at that Conference, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

There was some discussion as to whether or not the head of the Vice Squad should be present. It was pointed out by the City Manager that if the Chief of Police feels that he should be there, his presence would be arranged.

At the conclusion of the matter, the Mayor and members of the Council thanked Mr. Zitlau for his interest in the subject, and for his many appearances before various bodies in attempting to stamp out the narcotics evil.

Councilman Dail requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda.

Councilman Dail filed with the Council a communication from W. R. Turner, 2103 Island Avenue, giving notice that the sidewalk along his property on 21st Street is in a hazardous condition due to removal of a tree and nothing having been done about repairing the walk, condition having existed for about 2 months.

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

Councilman Dail expressed commendation for Mr. Turner's having given constructive notice in the matter.

Councilman Kerrigan spoke, at this time, about the Telephone Company tearing up sidewalks for the purpose of installing cable. He said that only half of the sidewalk is being replaced. He wanted to know who is responsible for replacement, and also about permit in connection therewith. He told about an area, specifically, on El Cajon Boulevard, near College Avenue.

Councilman Schneider told about the same thing in his district, and referred to condition where cuts had been made in the streets and into which cars have dropped.

RESOLUTION NO. 110521, recorded on Microfilm Roll No. 60, referring to the City Manager for recommendation to correct the situation caused through excavations and cuts made by the Telephone Company in sidewalks and street, and requesting him to file a report thereon as quickly as possible, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

The City Manager told the Council that the permit procedure is weak. He spoke about one such condition across from his home, and said that the Telephone Company will correct it.

At this time Mayor Butler recognized Eugene L. Freeland, who was in the audience, and invited him to be heard, although Mr. Freeland had no communication on file.

Mr. Freeland spoke to the Council about The Muirlands subdivision. He supposed that it was to be considered today, and found that it was not listed on the agenda.

Members of the Council told Mr. Freeland that it would not be up today.

Mr. Freeland then talked about previous discussions on the subject, and of the Planning Commission's discussions and proposed recommendations. He pointed out that it was an urgent matter, and that there had been considerable delay.

Harry C. Haelsig, Assistant Planning Director, who had been sent for by the Council, appeared. Mr. Haelsig said that the matter had just been returned to his office from that of the Assistant City Manager to whom it had been sent for recommendation. He told of problems encountered in connection with sewer, curb or curb and gutter. He read a letter on the subject from E. W. Blom, Assistant City Manager.

Mr. Freeland spoke about the contract on the sewage and the drainage. He referred to the area being the section in which it had been proposed by one subdivider earlier to cut the property up into 50-foot lots. Property Owners, he said, had bought the property, to avoid that, and many of them are now ready to develop on large lots. He said that they want to develop the section without sidewalks, giving to the area a country atmosphere.

Mr. Haelsig read a report written by the City Engineer opposing installation of flat gutters, as desired by Mr. Freeland, the subdivision's engineer. He stated that sidewalk might be needed on one street in connection with a proposed school.

The City Manager spoke relative to agreement for type G curb or alternate, to meet the requirements of the City Engineer.

Councilman Schneider said that the Council cannot adopt the Tentative Map today, if there is no agreement.

The Manager told the Council that instead of a standard curb, it might be possible to roll it, to provide for the sweeping, which is an important item, etc. He said that the Manager has not approved the sketch of the curb which Councilman Kerrigan had before him.

There was discussion relative to the cost of curb and gutters.

Mr. Freeland said that his proposals have been used elsewhere, and declared that San Diego is the only City which has the regulations to which he objected. He said that all factors need to be taken into consideration.

The Manager said that the proposed Resolution had been on the Council's agenda, as Mr. Freeland supposed, but that it had been withdrawn by Mr. Blom because the Tentative Map of the proposed subdivision did not provide for curb, which he declared to be a necessary item.

Councilman Dail wondered if it would not be possible to provide sweeping of the streets, with the providing of a 5" depression in the gutter.

Councilman Godfrey and the City Manager told of the workings of the sweeper.

Councilman Godfrey said that details should be worked out by the Planning Department, City Manager, and City Engineer, rather than by the Council.

Mr. Haelsig said that there are only 2 points in question - the sewer and curb or gutter. The Resolution approving the Tentative Map can be drafted and before the Council, he said, in an hour.

It was moved by Councilman Godfrey that the Council recess until 2:00 o'clock P.M. today, to act upon the proposed Resolution, which motion was seconded by Councilman Schneider.

On motion just mentioned, the Council took a recess at the hour of 11:40 o'clock A.M., until the hour of 2:00 o'clock P.M., this date.

Upon reconvening, at the hour of 2:06 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Kerrigan, Godfrey

Absent---Councilmen Schneider, Dail, Mayor Butler.

Clerk----Fred W. Sick

In the absence of Mayor Butler, Vice Mayor Franklin Swan acted as Chairman.

Communication from the Planning Department, signed by Harry C. Haelsig, recommending suspension of 2 sections of the San Diego Municipal Code in connection with the Tentative Map of Subdivision of South Half of P.L. 1774 (The Muirlands), was presented.

RESOLUTION NO. 110522, recorded on Microfilm Roll No. 60, suspending Sections 102.18 and 102.17-c of the San Diego Municipal Code, in connection with the Tentative Map of the subdivision of the South Half of P.L. 1774 (The following Resolution refers to the property as The Muirlands; the Tentative Map calls it Muirlands Vista), was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

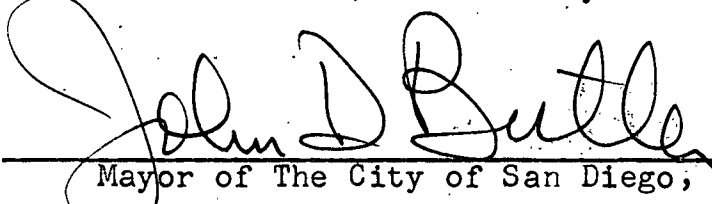
Communication from the Planning Department, signed by Harry C. Haelsig, submitting Tentative Map for subdivision of portion of the southerly half of Pueblo Lot 1774 of the 43-large lot subdivision, located in the Muirlands area south of Bescano Road, was presented. The communication referred to various recommendations of City departments, and the recommendation of the City Manager in respect to a cooperative agreement for the installation of an outfall sewer in the subdivision through P.L. 1781, owned by the City of San Diego, and a recommendation as to the type of gutters. It recommended that said Tentative Map be approved subject to 9 conditions.

RESOLUTION NO. 110523, recorded on Microfilm Roll No. 60, approving the Tentative Map of The Muirlands (So. Half of P.L. 1774), subject to the conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

There being no further business to come before the Council at this time, the Council adjourned, on motion of Councilman Wincote, seconded by Councilman Godfrey, at the hour of 2:10 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk


Mayor of The City of San Diego, California

By 

Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, California,
Tuesday, February 10, 1953

A Regular Meeting of the Council was held at this time, and was called to order by the Mayor at the hour of 10:09 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, February 3, 1953 and of Thursday, February 5, 1953, 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.

A large group of Eagle Boy Scouts were present in the Council Chambers, to act as "City Officials".

They were welcomed to the meeting, after which the Mayor requested the "Mayor for the Day", whom he introduced to present to the Council each of the Scout members present. All of the boys arose as introduced, and the group remained standing until all had been introduced.

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 Blocks 103 and 104 University Heights, the Clerk reported that 3 bids had been received, which bids were presented to the Council. It was under Resolution of Intention No. 109437.

Upon motion and second, 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 \$1400.00, which bid was given Document No. 463829;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1300.00, which bid was given Document No. 463830;

The bid of William M. Penick and Lloyd T. Penick, coopartners doing business under the firm name of T. B. Penick & Sons, which bid was given Document No. 463831; bond written by Massachusetts Bonding and Insurance Company was in the sum of \$1400.00;

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 Thor Street, the Clerk reported that 4 bids had been received, which bids were presented to the Council. It was under Resolution of Intention No. 109440.

Upon motion and second, 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 \$1,000.00, which bid was given Document No. 463832;

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 \$1,000.00, which bid was given Document No. 463833;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 463834;

The bid of Daley Corporation, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,000.00, which bid was given Document No. 463835.

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.

At this time a majority of the members of the Council signed 2 Undertakings for Street lighting, with San Diego Gas & Electric Company, in:

Logan Avenue Lighting District No. 1;
Pacific Highway Lighting District No. 1.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 109909, for the paving and otherwise improving of Steel Street, Gillette Street, 33rd Street and Imperial 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 Dail, 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. 109910, for the installation of sewers in the Alley lying northerly of and contiguous to Lots 26 to 36 inclusive, Resubdivision of Blocks H and Lots 26 to 38 inclusive of Block G Encanto Heights, and 63rd Street, 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 Dail, 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. 109911, for installation of street light standards, equipment, connections and appurtenances, pull boxes, and conduits and cable in Kingsley Street, James Street, Oleander Drive, Poinsettia Drive, Oleander Place, Hyacinth Drive and Wisteria Drive, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Mr. and Mrs. John Robert Webster, Jr.; W. T. McCluskey, Mrs. F. L. Gaxiola; Thomas N. Green, Captain, U.S. Marine Corps.; W. W. Stiers, Virginia Green (Mrs. Thomas N.), Scott G. Gray, Charles Barragan and Mrs. Charles Barragan, Levon L. Hammond, Joseph William Chenault and Vera G. Chenault, Donald M. Murray, Lewis M. Pinks, Francis M. Svacina, Robert Lee Wright, Cyril D. Jeffecoat; C. T. Fallgren, Jr.; Joseph D'Addario, Guy Douthitt, Leo Warner, Martin H. Miller, Harley B. Babbitz, Elizabeth B. Hester, Thomas C. Downing, Gordon E. Severn, which protests were presented to the Council.

The City Engineer made a verbal report in which he said that there is a 16.3% written protest.

The Mayor asked if any interested affected property owners were present who desired to be heard.

Wm. T. McCluskey, Lt., USMC, 3654 Kingsley Street, said that the proposed installation would be different from other installations in the nearby area. He said that the wires for the others are also underground. He said that he does not want the front of his property and driveway dug up, and that others feel the same way. Lt. McCluskey said that the cost as proposed would be over twice what it was thought it would be. He said that he did not like the situation of the light standards as proposed.

Mr. Hamlin, USN, 2752 Kingsley Street, whose first name was not learned, said that he does not like the location of the light poles.

The Mayor pointed out to the protestants that the City did not originate the project; it came about through petition of the property owners.

Lt. McCluskey said that he had contacted many property owners. He declared that not one of them knew what was being proposed.

The City Engineer reviewed the overall estimate of \$24,400.00. He broke that down into its component parts, and said that 140 lots would be involved.

Lt. McCluskey said that he is withdrawing his name from the original petition requesting the light installation. He said, also, that only he and Mr. Hamlin had investigated the proposal.

Councilman Wincote said that the City would have to check the signatures of protest.

Mr. Hamlin said that "public obstructions" should be distributed, and contended that many of them are being bunched on certain properties. He outlined the existing obstructions. Mr. Hamlin told the Council that there are easements on the back of the lots. He wanted to know why the project was drawn up to "put all on one". He said again that he does not want all the obstructions on his property.

The City Engineer said that plans have been prepared, and told of the location of the poles.

Mr. Hamlin replied that in some instances the proposed poles would be in the middle of sidewalks.

James Reading, City Traffic Engineer, who also deals with street lighting, was heard at the request of the Mayor. He told about the property line locations.

A man whose name the Clerk understood to be Joseph Sidero stated that he wants his name removed from the petition. (The Clerk could not find the name of the person whose name he understood, on the petition). He said that he wants lights and sidewalks like the rest of Loma Portal, instead of as proposed. He told of utility poles, and said that the proposed lighting would clash with present installations. He said that more should be known about it.

Martin Miller asked that his name be withdrawn from the original petition. He told of objections of individuals.

Councilman Schneider said that he felt that the matter should be postponed for an actual canvas.

Councilman Kerrigan said that the City should see if there is a majority petition.

Lt. McCluskey said that at least 50% of the people don't want the particular arrangement that is proposed.

Councilman Wincote wondered if center lights as installed in other sections would be acceptable.

Mr. Reading spoke again, and made comparison with the intersection lights. He said that it is planned to install 32 lights on standards, and referred to only 9 lights if put into the intersections.

Mr. Hamlin said that it would be impossible to make the lighting uniform with the balance of Loma Portal.

Councilman Wincote asked again if lights would be wanted in the center of the streets.

It was moved by Councilman Dail, seconded by Councilman Schneider that the

City Engineer recheck the petition and protest, and that it be determined what lighting is wanted.

Before the roll was called, Councilman Godfrey spoke about a signed petition of protest. He pointed out that time would be needed to circulate a petition relative to needs.

Councilman Wincote said that the Council should commit itself and declared that this is the day for protest.

Councilman Wincote and Schneider agreed that any future protest, or request for change would be persuasive only.

Councilman Dail pointed out that no evaluation of the protest had been made by the City Engineer.

Added to the original motion, was the matter of continuance for one week.

The Roll was called on the motion as amended, resulting in

RESOLUTION NO. 110524, recorded on Microfilm Roll No. 60, continuing the hearing on Resolution of Intention No. 109511 for the installation of ornamental light standards on Kingsley Street, James Street, Oleander Drive, et al, in Plumosa Manor Unit No. 2, until the hour of 10:00 o'clock A.M., Tuesday, February 17, 1953; requesting the City Engineer to recheck the petition and protest, and determine what lighting would be wanted, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

The Boy Scouts left the meeting at this time, for another appointment. He Mayor said that he hoped that the boys had received something from their visit. The City Manager said that they should assemble at the bus waiting at the south entrance, to continue their tour.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2103 made to cover the costs of the paving and otherwise improving of The Alley in Block 6 Mountain View, within the limits and as particularly described in Resolution of Intention No. 105353, the Clerk reported that written appeals had been received from Mabel Richardson and from Mrs. Thomas L. Pritchard, which appeals were presented to the Council.

The City Engineer reported verbally that there is a 4.2% appeals; 1 refers to no access to the improvement; 1 that the cost is too high.

RESOLUTION NO. 110525, recorded on Microfilm Roll No. 60, overruling and denying the appeals of Mrs. Thomas L. Pritchard and Mabel Richardson, overruling and denying all other protests on The Street Superintendent's Assessment No. 2103 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 6 Mountain View, within the limits and as particularly described in Resolution of Intention No. 105353; 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 said warrant, diagram and assessment in his office, was on motion of Councilman Wincote, seconded by Councilman Swan, adopted.

When the Mayor asked if any interested affected property owners were present who desired to be heard, prior to adoption of said Resolution, no one appeared to be heard verbally in protest.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2104 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 12 La Jolla Strand, within the limits and as particularly described in Resolution of Intention No. 106322, the Clerk reported that a written appeal had been received which contained the signatures of Irma A. Krieger, Elizabeth Swaller, Isabel Hinds, Zoy P. Washburn, which appeal was presented to the Council by the Clerk.

The City Engineer told the Council about the cut in the alley, and about the drain extensions, which matters were referred to in the appeal.

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

Mrs. Irma Krieger said that the alley was better before it was paved. She said that it was not left in good order. She also told about a bad grade, and the grade insofar as it affects several properties.

The City Engineer showed the Council a plat of the grades.

Councilman Schneider talked to Mrs. Krieger about the grades. He pointed out that it had been raised above the original grade, to ease the situation.

Mrs. Hinds, according to Mrs. Krieger, had said that the driveway is about 2 feet above the alley.

Councilman Wincote said that the contractor had apparently done his work according to the City's specifications.

The Mayor said that this hearing is on the assessment only, and that previous hearings had been held relative to the type of work, and the grades, etc.

Councilman Godfrey spoke regarding the problems, in connection with drainage and grades, and emphasized that the grades are established for the benefit of the whole neighborhood and said that it is regrettable that they may injure individuals.

The City Engineer reported that there has been a survey to meet the existing conditions. He pointed out that the City has troubles where there is both high and low property. He said that the grades had been checked by Field Inspectors.

The Mayor said that he thought the matter might well be continued one week, for the City Engineer to look at the work.

Mrs. Krieger pointed out that if the assessment is approved now, the Property Owners have no recourse.

RESOLUTION NO. 110526, recorded on Microfilm Roll No. 60, overruling and denying the appeal of Irma A. Krieger and others filed in the Office of the City Clerk from the Street Superintendent's Assessment No. 2104 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 12 La Jolla Strand, within the limits and as particularly described in Resolution of Intention No. 106322, overruling and denying all other appeals; confirming and approving said Assessment; directing the Street Superintendent to 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 Godfrey, adopted.

RESOLUTION NO. 110527, recorded on Microfilm Roll No. 60, instructing the

City Manager to investigate the paving and otherwise improving of the Alley in Block 12 La Jolla Strand, upon which a hearing was held this date relative to the Street Superintendent's Assessment No. 2104 made to cover the costs and expenses under Resolution of Intention No. 106322, and report back to the Council what the City can do in the matter of the grades which property owners had stated have injured various properties, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Councilman Swan left the meeting at this time, but returned shortly.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of G. D. Sperry, 2151 Chatsworth Boulevard, San Diego, from the decision of the Zoning Committee in denying his application for permission to divide portion of Pueblo Lot 104 into building sites, a report from the Planning Department, signed by D. E. South, was presented and read.

At the request of the Mayor, Glenn A. Rick, City Planning Director, made a verbal report. He told the Council that the property is on top of Point Loma, near the military reservation. He showed a map to the Council, over which a conference was held, including several persons who came up to the Council tables to look at it.

Mr. Rick maintained that there should be a subdivision, if the property is divided, in even two parcels. He pointed out that there is no public easement for sewer, in answer to a question put by Councilman Schneider. He said that he believed that there would be a violation of the State Law otherwise.

Councilman Schneider said that he had gained the impression that buildings have been constructed on easements.

Mr. Rick replied yes to Mr. Schneider's observation, but not by subdivision. This makes a violation, he said, through continued variances. He said that certain improvements and easements are needed. If the property is subdivided, he said, improvements would be required. He said that it is obvious that it would be a subdivision on small lots, and reviewed the subdivisions at the request of Councilman Swan.

R. L. Vaughn, attorney, representing Mr. Sperry, told the Council about the original parcel, the easements and variances which exist. He said that the question is one relating to the splitting the property, and to its access. He showed a photograph of the lot and its area.

Mr. Rick said that it would comply with the 10,000 foot area.

Mr. Vaughn said that the Planning Commission says that an easement has not been accepted. He contended that the Planning Department is blowing "hot and cold". He pointed out the splits on the lot for 3 houses, on a Map. Mr. Sperry wants the same as others, Mr. Vaughn said that the property should be divided into 2 parcels, and felt that the City should not penalize Mr. Sperry. He contended that the area would not be large enough to subdivide.

Councilman Dail left the meeting at this time.

Mr. Rick disagreed with Mr. Vaughn by saying that the property is not too small to subdivide, and contended that the City should stop the present practice of zone variances.

Mr. Vaughn told the Council that the cost of subdividing is too great, and stated that Mr. Sperry should not be put to that expense when others have not.

Mr. Rick said that if the City accepts the dedication it accepts the responsibility, also.

Councilman Schneider said that the City would be requiring the same on the small subdivision as on a 10 or 20 acre tract.

Councilman Dail returned to the meeting at this time.

There was further discussion, at this time, between various members of the Council and Mr. Vaughn.

Councilman Schneider said that he felt that there is a modest request being made, considering what has taken place heretofore.

Mr. Vaughn said that Mr. Sperry is willing to file a record of survey, and to remove trees if necessary, and provide water main.

Mr. Rick replied that a Record of Survey Map can be filed on certain conditions, which he outlined. He pointed out that a subdivision map is a clean-cut situation for division of the property. He said that the zone has been changed. He also objected to metes and bounds sales on the property.

Next, the Mayor asked if any protestants against Mr. Sperry's proposal were present who desired to be heard.

John B. Clark, Jr., told about the setbacks, which he said are already set. He said that the division, as proposed, would make a couple of small yards. He told the Council about his recent difficulty in connection with the Muirlands Vista subdivision map, relative to request that he be permitted to install cesspools.

Mr. Louis Geiger asked Mr. Sperry about his buying the property.

Mr. Sperry answered him.

Mr. Geiger said that he feels the Council should go along with the Planning Commission - or abolish it.

Councilman Wincote said that the easement would be the salvation.

Mr. Geiger said that the resident property owners have complied with regulations, and felt that the present proposal of Mr. Sperry does not seem fair.

Mr. Harold Eales spoke about easement which is better than some streets in the area.

Councilman Swan left the meeting again.

Mr. Eales spoke about his having a graveled easement to his property. He said that he and others want large lots. He said that if a road goes in, the owner would have to take out the cypress trees, which he does not want.

There was another conference over a map relative to easements.

Councilman Godfrey asked Mr. Rick about the street.

Mr. Rick answered that the matter should be determined, but that he was not ready to say what it should be, at this time. He said that it should be not less than 50 feet, however.

Mayor Butler said that the petition requesting reversal of the Zoning Committee's denial, is not well founded.

John Clark said that he was against the variance.
Mr. Rick about an opinion from the City Attorney relative to smaller lots than those provided by the zoning.
Fred Luschei said that he had signed the original petition endorsing the variance, but that he does not now feel in sympathy with the request. He said that he favors the large and spacious lots. He said that he felt it was a question of speculation on Mr. Sperry's part.

Councilman Godfrey asked Mr. Rick about the proposed subdivision.
Mr. Rick said that one would probably be approved, but could not be sure. Mr. Sperry, he said, would have 10,000 square feet of property, while some have 20,000 square feet - even 1-1/2 acres.

RESOLUTION NO. 110528, recorded on Microfilm Roll No. 60, overruling and denying the appeal of G. D. Sperry for permission to divide a portion of Pueblo Lot 104 into 2 building sites with one lot facing on a 50-foot easement to a dedicated street, on Catalina Boulevard between Rosecroft and Aztec, in Zone R-1C; sustaining the action of the Zoning Committee in adopting its Resolution No. 7105 including denial of application for variance to the provisions of Ordinance No. 32 New Series and Municipal Code Section 101.0304, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted, by the following vote, to-wit: Yeas--Councilmen Schneider, Kerrigan, Dail, Godfrey, Mayor Butler. Nays--Councilman Wincote. Absent--Councilman Swan.

During the hearing, John Clark filed two communications protesting the variance under appeal of G. D. Sperry, signed by property owners in the area, which communications were given the City Clerk's Document Nos. 463882 and 463883.

The Council took a Recess to the hour of 1:30 o'clock P.M.

The hour of 10:00 o'clock A.M. having arrived, being the time set for the continued hearing on the proposed Ordinance incorporating portion of Lot 16 C. C. Seaman's Subdivision and Lots 1-4 Furlow Heights Unit No. 3 into R-4 Zone, and repealing Ordinance No. 184 (New Seires) insofar as it conflicts - which had been before the Council for hearing at several different meetings - the proposed Ordinance was brought up again.

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.
*

This was considered as the first item in the afternoon session.

Upon reconvening, at the hour of 1:40 o'clock P.M., the Roll call showed the following:

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

In the absence of Mayor Butler, Vice Mayor Swan acted as Chairman.

* ORDINANCE NO. 5482 (New Series), recorded on Microfilm Roll No. 60, incorporating portion of Lot 16 C. C. Seaman's Subdivision and Lots 1-4 inclusive Furlow Heights Unit No. 3 into "R-4" Zone as defined by Section 101.0408 of the San Diego Municipal Code and repealing Ordinance No. 184 (New Series) 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. Nays--Councilmen None. Absent--Councilman Godfrey, Mayor Butler.

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 Butler.

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

Petition of residents for passage of an ordinance requiring that any public utility or quasi-public utility which finds it necessary to remove part or parts of a sidewalk in an R-1 Zoned Residential Area be required to remove the entire sidewalk and replace it in a condition as good as that which existed prior to the beginning of the installation of the utility, was presented.

Richard G. Finch, one of the signers of the petition, said that it might be too late to accomplish what is desired, inasmuch as damage had already been done to the sidewalks in the College Avenue area by the Telephone Company.

Councilman Dail left the meeting while Mr. Finch was talking, and returned during his talk to the Council.

Councilman Godfrey entered the meeting at this time.

It was Mr. Finch's contention that as a result of construction, the area should be put back in as good shape as before utilities were removed. He spoke about sidewalk and curb having been chipped, and storm drains broken, although they were in good shape before construction started.

Mrs. Glen Koppenhaver spoke on the subject. She said that there had been underground wiring at the time she bought her property. She said that wires were installed in the sidewalks - on the inside 1/2 of the walk, near improvements. She told the Council that portion of the sidewalk had been put back in, but not all of it. Mrs. Koppenhaver told the Council that if anyone were to get hurt as a result of the condition, property owners would be held responsible.

Mr. Finch spoke again, and said that the Telephone Company states that it cannot put back the full walk which has been torn out. He said that the way the thing is being put in, it will settle and break again. He told about heavy equipment being used breaking the sidewalk and curb.

Mrs. Koppenhaver spoke again, and told of easement at the back of the property for just such use for utilities purposes, and pointed out that the easements are not being used.

Mr. H. Depert, of the Telephone Company addressed the Council and said that it is regretted that inconvenience has been caused, but assured all that the matter will be followed up and corrected. He assured the Council that he is familiar with the situation, and knows of the property owners' rights. He said that the Company will take care of the problem.

Mayor Butler entered the meeting at this point, and assumed the duties of Chairman.

Councilman Schneider asked Mr. Depert to have the Telephone Company look into use of the easements, heretofore referred to, in back of properties instead of putting up their utilities at the front, breaking sidewalks, etc.

RESOLUTION NO. 110529, recorded on Microfilm Roll No. 60, referring to the City Manager the petition of residents requesting passage of an ordinance requiring that any public utility or quasi-public utility which finds it necessary to remove part or parts of a sidewalk in an R-1 Zoned Residential area be required to remove the entire sidewalk and replace it in a condition as good as it was prior to the beginning of the installation of the utility, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

At this point Councilman Dail said that it had been planned to refer the matter to the City Attorney for clarification.

RESOLUTION NO. 110530, recorded on Microfilm Roll No. 60, requesting the City Attorney to report to the Council, for the purpose of clarifying the City's position, the request of property owners under petition bearing Document No. 463591 - which had been referred to the City Manager at this meeting - in connection with repair of sidewalks and curbs torn up by utilities companies and the placing of utilities at the rear of properties where easements therefor exist instead of at the fronts of properties, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received from 4 bidders, recommending award to Southern Equipment & Supply Company of San Diego, the low bidder, was presented.

RESOLUTION NO. 110531, recorded on Microfilm Roll No. 60, accepting bid of Southern Equipment & Supply Company for the furnishing of one Owens Grapple Rock Bucket; awarding contract, authorizing and instructing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent reporting on bids for improvement of the Police Station Parking Lot at Market Street and Pacific Highway, from 5 bidders; recommending award to Daley Corporation, the low bidder, was presented. The report states that the low bid is 3.2% below the estimate.

RESOLUTION NO. 110532, recorded on Microfilm Roll No. 60, accepting bid of Daley Corporation for the improvement of the Police Station Parking Lot at Market Street and Pacific Highway (including grading, paving, construction of curbs, berms, island and ramps and painting of parking strips); awarding contract and authorizing and instructing the City Manager to execute the same, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent, reporting on bids for construction of Drucker's Subdivision Sewage Pump Station, Pressure Line and appurtenances, from 6 bidders; recommending award to Johnson Western Constructors, the low bidder, was presented. The report states that the low bid is 35.0% above the estimate.

RESOLUTION NO. 110533, recorded on Microfilm Roll No. 60, accepting bid of Johnson Western Constructors for the construction of Drucker's Subdivision Sewage Pump Station, Pressure Line and appurtenances; 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, reporting on bids for construction of culvert in the Alley in Block 240 Mission Beach, Lot A Braemar and Mission Bay Park, from 5 bidders; recommending award to John B. Henry the low bidder - 9.3% above the estimate, was presented.

RESOLUTION NO. 110534, recorded on Microfilm Roll No. 60, accepting bid of John B. Henry for construction of Culvert in the Alley in Block 240 Mission Beach, Lot A Braemar, and Mission Bay Park; 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 presenting Resolution authorizing the advertising of bids for Sectional Cement Burial Boxes for a period of one year beginning March 1, 1953, as per specifications on file in the Office of the City Clerk bearing Document No. 463719, was presented.

RESOLUTION NO. 110535, recorded on Microfilm Roll No. 60, authorizing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing to the City of San Diego of Sectional Cement Burial Bxes, for a period of one year beginning March 1, 1953 and ending February 28, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent presenting Resolution authorizing the advertising for bids for Rental of Excavating and Grading Equipment for the Harbor Department, as per specifications on file in the office of the City Clerk bearing Document No. 463722, was presented.

RESOLUTION NO. 110536, recorded on Microfilm Roll No. 60, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of the Rental and Excavating and Grading Equipment, was on motion of Councilman Swan, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent presenting Resolution authorizing the advertising for bids for Fire Hydrants, as per specifications on file in the office of the City Clerk bearing Document No. 463723, was presented.

RESOLUTION NO. 110537, recorded on Microfilm Roll No. 60, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of 75 6" 2-way fire hydrants, and 25 6" 3-way fire hydrants, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent presenting Resolution authorizing the advertising for bids for 4500 feet of 2-1/2" Fire Hose, for the Fire Department, as per specifications on file in the office of the City Clerk bearing Document No. 463724, was presented.

RESOLUTION NO. 110538, recorded on Microfilm Roll No. 60, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing 4500 feet of 2-1/2" fire hose, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Purchasing Agent presenting Resolution authorizing the advertising for bids for furnishing one 36" Venturi type water meter for Sutherland-San Vicente Conduit, as per specifications on file in the office of the City Clerk bearing Document No. 463725, was presented.

RESOLUTION NO. 110539, recorded on Microfilm Roll No. 60, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for the furnishing of one 36" Venturi type water meter for Sutherland-San Vicente Conduit, was on motion of Councilman Schneider, seconded by Councilman Swan, adopted.

Communication from the City Attorney, signed by Alan M. Firestone, Deputy City Attorney, and approved by Shelley J. Higgins, Assistant City Attorney, dated February 4, 1953, giving opinion concerning the regulation of construction and in certain cases the prohibition of construction in areas subject to flooding, was presented. The detailed opinion was not read.

RESOLUTION NO. 110540, recorded on Microfilm Roll No. 60, referring to Council Conference the City Attorney's communication concerning the regulation of construction, and in certain cases, the prohibition of construction in areas subject to flooding, bearing Document No. 463430, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent, approved by the Assistant City Manager, recommending denial of petition for the closing of Clayton Street between Kurtz Street and Hancock Street, was presented. The communication states that portion of the street proposed to be closed is unimproved, does not contain sewer or water mains, and is 80 feet wide. It refers to plans for extension of Hancock Street (Morena Boulevard) over Washington Street and portions of Clayton Street which may be required. The communication says that until the adjacent area is developed and the ultimate interchanges between Washington Street, Pacific Highway and Hancock Street are planned and constructed, no streets should be closed.

RESOLUTION NO. 110541, recorded on Microfilm Roll No. 60, denying petition for the closing of portion of Clayton Street, between Kurtz Street and Hancock Street, as recommended by the Street Superintendent, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, stating that Resolution No. 105938 granted petition and ordered district formed for installation of sewers in portions of Paradise Hills, Tres Lomas and La Huerta, was presented, together with recommendation that proceedings be amended to include portion of Huntington Park Unit No. 1.

RESOLUTION NO. 110542, recorded on Microfilm Roll No. 60, adopting the recommendation of the City Engineer, dated February 5, 1953, that Resolution No. 105938 granting petition and ordering district formed for installation of sewers in portions of Paradise Hills, Tres Lomas and La Huerta be amended to include portion of Huntington Park No. 1, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, stating that the Council should order a 1911 Improvement Act district formed for installation of a storm drainage system for the Las Paletas Creek-Nordica Heights Area, a cost thereof to be assessed against the property owners, and the balance to be paid from the 1952 Storm Drain Bond Fund, was presented.

RESOLUTION NO. 110543, recorded on Microfilm Roll No. 60, adopting the recommendation of the City Engineer, dated February 4, 1953, initiating a 1911 Improvement Act District to be formed for the installation of a storm drainage system for the Las Paletas

Creek-Nordica Heights Area, part of the cost to be assessed against the property owners, and the balance to be paid from the 1952-Storm Drain Bond Fund; 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 Schneider, seconded by Councilman Godfrey, adopted.

Assistant

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that the Council order a 1911 Improvement Act district formed for the installation of a storm drainage system for the South Chollas Creek area, south to Ocean View Boulevard; and that part of the cost be assessed against the property owners, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund, was presented.

RESOLUTION NO. 110544, recorded on Microfilm Roll No. 60, initiating a 1911 Improvement Act district for the installation of a storm drainage system for the South Chollas Creek area, south to Ocean View Boulevard - a part of the cost to be assessed against the property owners, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund - was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the City Engineer, bearing the Assistant City Manager's stamp of approval, recommending that the Council order a 1911 Improvement Act district formed for the installation of a storm drainage system for the Switzer Creek area, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund, was presented.

RESOLUTION NO. 110545, recorded on Microfilm Roll No. 60, initiating a 1911 Improvement Act district for the installation of a storm drain system for the installation of a storm drainage system for the Switzer Creek area; a part of the cost to be assessed against the property owners, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund - 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 that the Council order a 1911 Improvement Act district formed for the installation of a storm drainage system for the Tecolote Creek area, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund, was presented.

RESOLUTION NO. 110546, recorded on Microfilm Roll No. 60, initiating a 1911 Improvement Act district for the installation of a storm drainage system for the Tecolote Creek area - a part of the cost to be assessed against the property owners, and the balance of the cost to be paid from the 1952 Storm Drain Bond Fund - was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

Communication from San Diego City School, dated February 4, 1953, signed by R. C. Dailard, Associate Superintendent attaching Resolution passed by the Board on February 3, 1953, requesting that the City submit request of the Board to the Council that the limited consolidation of the school bond election with the Municipal General Election be approved, was presented.

On motion of Councilman Schneider, seconded by Councilman Swan, said matter was referred to the City Attorney for preparation and presentation of the necessary Resolution.

In connection with the next matter, O. W. Todd Jr., spoke relative to meeting held by San Diego County Traffic Safety Council for adoption of an ordinance appropriating \$5,000.00 from the Unappropriated Balance Fund for the City's contribution for expenses of said Council. (Although this matter was listed under "communications" on the agenda, no communication existed.)

Mr. Todd told about the Committee's Meeting which had been held, and said that the committee is functioning, and that progress is well under way. He said that it is the hope that a Board of Directors and Safety Committee be formed. He told the Council that there would be need for a budget for at least 6 months. The public, Mr. Todd said, should finance the operation. He said, also, that there is need to set up machinery, and told of quarters, etc., furnished free of charge by the Chamber of Commerce. He said that there is need for a program director for the project, and \$15,000.00. Of that amount he said, \$5,000.00 should come from the Council; the County has agreed to set up \$5,000.00; \$5,000.00 should come from other cities. He commended O. W. Campbell, City Manager, for his attendance at the meeting held in Balboa Park, and for his interest which is appreciated by the Citizens Committee. Mr. Emmett McCabe and Admiral Wilder D. Baker are interested, the speaker said, and said that all are trying to do what should be done. Also, Mr. Todd told the Council that all are encouraged over the possibility of improving the traffic situation. He made a request for an appropriation of \$5,000.00 by the City.

(The Ordinance appropriating that fund was available and before the Council, but no motion was forthcoming to adopt it.) Instead, the following took place:

RESOLUTION NO. 110547, recorded on Microfilm Roll No. 60, referring to Council Conference for study, and for an opinion from the City Attorney whether the City can appropriate funds, request of the San Diego County Traffic Safety Council for an appropriation by the City of San Diego and contribution toward the expenses of said Council in connection with study work to be undertaken by the San Diego County Traffic Safety Council, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Mrs. E. H. Dowell, 1453 Second Avenue, dated February 5, 1953, relative to the City Attorney's opinion on transfer of operation and supervision of the City Pound under the Police Department, challenging the action of the legality under the Charter, was presented.

Mrs. Dowell spoke relative to putting the Pound under the Department of Police. She said that no department can be put under the Police and Fire Departments, under

provisions of the Charter.

The Mayor told Mrs. Dowell that the Council has an opinion from the City Attorney to the effect that the action is legal.

Mrs. Dowell spoke about the will of the people relative to provisions of Charter. The Fire and Police Departments, she said, have their specified functions, and that they should be left alone.

The Mayor said, again, that the City Attorney holds that the action taken is proper. He told Mrs. Dowell that she can take the matter to Court for clarification and determination of the action, if she wishes.

Mrs. Dowell said that the Charter means something, as stated. She wondered if the Council thought she would have to spend \$1,500.00 to go into court for such a determination. She pointed out that, instead, she can go to the Attorney General.

The Mayor agreed with Mrs. Dowell that she could do so - or that she could go to the Grand Jury.

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

Communication from Yelvington & Dwyer, furniture manufacturers, 1878 Main Street, San Diego 13, signed by W. N. Dwyer, dated February 5, 1953, asking if the City can do anything to assist in the problem of drainage from the alley adjoining the shop, was presented.

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

Communication from Howard Field, Jr., Engineering Consultant, 5959 So. Hoover Street, Los Angeles 44, dated February 3 1953 - San Diego address 811 Yarmouth Court - was presented. Said communication objected to installation of a storm sewer running from Mission Boulevard to Mission Bay in the alley between Windemere Court and Yarmouth Court, in Block 240 Mission Beach, and stated various reasons for objecting thereto. The writer offered to appear at any Council meeting, or elsewhere, to explain the situation at any time.

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

Communication bearing several signatures, requesting favorable consideration to an ordinance relative to the raising of fowls in the City of San Diego, was presented. It outlined wishes in connection therewith.

On motion of Councilman Schneider, seconded by Councilman Godfrey, a hearing was set for the hour of 2:00 o'clock P.M., on Thursday, March 12, 1953.

Another communication on the same subject, which had been referred to Council Conference on August 26, 1952 by Resolution No. 108124, had been returned to the City Clerk for inclusion with the file for said hearing.

The next 3 matters were brought up at this time, out of order, in case the Council would wish to hear Carl Reupsch of the Harbor Department. Inasmuch as the Council was satisfied with the proposed leases, as presented, Mr. Reupsch was not asked to speak.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of lease with San Diego Commercial Fishing Boat Owners, Inc., covering commercial fishing piers #1 and #2 located at the Foot of Emerson Street, Point Loma, was presented. It states that the lease is for 5 years at \$4,416.00 per year; rental subject to review at the end of the first 2-1/2 year period; premises to be used for mooring small commercial fishing boats at berths not to exceed \$5.00 per boat per month.

RESOLUTION NO. 110548, recorded on Microfilm Roll No. 60, ratifying, confirming and approving Document No. 463742 between The City of San Diego acting by and through the Harbor Commission as Lessor, and San Diego Commercial Fishing Boat Owners Association, Inc., as Lessor, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of lease with San Diego Commercial Fishing Boat Owners, Inc., covering small boat commercial fishing piers #5, 6, 7 and 8 located behind the Sonar School on Harbor Drive, together with area of land containing 3,333 square feet to be used for erection of an office building, was presented. It states that the lease is for 5 years; at \$5,688.00 per year, subject to review at the end of the first 2-1/2 years; to be used for mooring of commercial fishing vessels at not to exceed \$5.00 per month. It states that the Department has agreed to relocate a surplus building approximately 15'x30' on Parcel 1 and install sewers and water lines to the property; the Lessee has agreed to stucco both the interior and exterior of the building, installing plumbing fixtures and utilities at its own expense. Other terms and provisions conform to established policy.

RESOLUTION NO. 110549, recorded on Microfilm Roll No. 60, ratifying, confirming and approving lease, a copy of which is on file in the Office of the City Clerk as Document No. 463727, between the City of San Diego acting by and through the Harbor Commission, as Lessor, and San Diego Commercial Fishing Boat Owners Association, Inc., as Lessee, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, submitting form of lease with Shell Oil Company, covering premises at the intersection of Pacific Highway and Grape Street, for operation of service station, was presented. It states that the lease is for 5 years with 3 5-year options to renew, at a rental 1-1/4¢ per gallon of gasoline, or \$220.00 per month, whichever is greater; subject to review every 5 years during the terms of the lease; the Lessee to expend not less than \$18,000.00 in

improving the premises. Other terms and provisions conform to established policy.

RESOLUTION NO. 110550, recorded on Microfilm Roll No. 60, ratifying, confirming and approving lease, a copy of which is on file in the Office of the City Clerk as Document No. 463750, between The City of San Diego acting by and through the Harbor Commission as Lessee, and Shell Oil Company as Lessor, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The Mayor announced that the Council had agreed to conduct a hearing at this time relating to the Civil Service matter and Charter Review Committee action in connection therewith, although it was not listed on the agenda for this meeting.

Jean F. DuPaul, City Attorney, recommended that a hearing be conducted, and that the legal status could be determined later.

At the invitation of the Mayor, Ellen Murray, President of San Diego Municipal Employees' Association, was heard. Miss Murray referred to letter of February 5, on the subject. One was not available, but was secured by the Clerk.

Miss Murray spoke about 11. (a), relating to proposed repeal of Section 37 Article V, in connection with the Personnel Director. She contended that the wording was not adequate as proposed, and said that personnel duty would be little. 11 (d) she said should be "temporary appointment". She said that it was felt the matter should be reviewed. She said that under the proposal, individuals could come into the City service as trainees and then be appointed over persons already established in their positions. Reviewing 11 (e) Miss Murray referred to written statement relative to the Personnel Director. If the Commission is not able to act properly, she contended, a different Commission should be appointed with new Rules.

Councilman Dail wondered if the Civil Service Rules should not be approved by the Council.

Miss Murray referred to Mr. Donovan's (J. J. Donovan, Associate Director of the Civil Service Assembly), and said that the Employees' Association does not want the Charter change - and re-iterated that if the employee situation is administered properly the change is not wanted. She said that there is forward thinking in connection with future of the City employees. She said that she could see no improvement over the existing situation, as proposed. Some things have to be worked out, the speaker told the Council. Again she said that she does not want the Charter change. She said that it is all right as of now. She said that it would be possible to amend and initiate rules by Councilmen who are not familiar with Civil Service.

11 (f) was referred to next by Miss Murray. She said that there are lots of records kept which should be thrown out as useless. No change is needed, she said.

11 (g) meets no objection, Miss Murray told the Council, except that she felt that there is no need to put in more reasons for removal of employees.

11 (h) should provide for giving credit; it is not clear now, Miss Murray said. She pointed out that there is a difference of opinion. There is a question if that should be in the Rules or in the Charter.

11 (i) met with objection on the part of Miss Murray relative to the system for rating procedure. She pointed out that markings had been changed before employees had seen papers. She said that the matter could be worse. She said that the Commission already has the duty. Miss Murray indicated that each employee could have a different rating; that views varied in departments, and that individuals who do the marking could provide for favoritism or spite. Don't change, she said.

11 (j) eliminates important parts, Miss Murray said.

11 (k) procedures followed now are good, the speaker told the Council. She opposed the proposed elimination of salaries being fixed by Civil Service. Under another system, she said that each department can set up its own pay. She said that she doubts that the recommendation could be followed. Miss Murray stressed that there would be a removal of Civil Service review in relation to increases.

New Section (b) was brought up next by Miss Murray. She said that she does not understand the proposal relative to transfer of County employees. They could come over to take City jobs, she pointed out. She declared that City employees are not authorized to go to the County for the same purpose. She said that an examination should be required.

Next the summary read. It said that little or no valid justification can be found for most of the proposals, and that serious questions of validity and application are raised by the Municipal Employees. It says that since time is short it is believed that the basic law of the City should not be revised under the pressure of time. It said that it appears that the single point of authority, the Civil Service Commission, has been seriously weakened and hampered in its functions under the proposals; that the result would probably be that departments under the City Manager would be operating under one set of rules, and the five independent departments would be under five other sets of rules, that inequality of treatment of employees would result. It states that nothing can be seen to be gained by recommendations, and that it is not seen why most of the results which were apparently the goal of the Charter Committee cannot be attained by the efficient and cooperative use of existing administrative channels.

Councilman Schneider said that the Charter Review Committee was not prone to take up the Civil Service question, and that it could be excused on account of haste.

Miss Murray pointed out that effects of an amendment in line with the matter would be upon many people.

Sgt. David N. Allsbrook, Jr., of the Police Department, speaking for the Police Relief Association, was heard next. He said that the Association objections closely parallel those of the Municipal Employees' Association. The speaker said that it is a package deal, and that the Association he represented opposes the changes as proposed. He stressed that there had been no consultation by the Committee with the Civil Service. Sgt. Allsbrook stated that the proposal practically strips the Civil Service of some of its broad powers. He said he wondered what is behind the proposed changes, and what is wrong, to prompt their submission. He spoke about the money which had gone into the Kroeger report (adopted by the Council as a basis for establishing classifications and salaries schedule). He declared that the Donovan plan under the proposal would amount to "dog eat dog", concerning pay. He said that the City Manager could control Civil Service but that he should not have as much power as proposed. He asked why all this change is necessary. He said that the affected individuals are satisfied now, with sufficient check on the Civil Service. He said that this, too, would be wasted. He said that in the main what exists is better than what is proposed.

Councilman Dail left the meeting at this time.

The Mayor asked Sergeant Allsbrook for a written statement. Sgt. Allsbrook agreed to furnish one. (Such a statement was filed with the City Clerk on February 13, 1953, signed by W. D. Gore, President, San Diego Police Relief Association).

Councilman Dail returned to the meeting.

Sgt. Allsbrook continued speaking by saying that the proposal would cause nothing but chaos and loss of morale.

Marie Herney, attorney, former member of the City Civil Service Commission, and a majority member of the Charter Review Committee, spoke next, at the invitation of Mayor Butler. In opening, Miss Herney thanked the Council for the courtesy of being permitted to appear at this meeting. She stated that she appeared as an individual, and that she had not been retained by anyone to speak on the question. She objected to several of the proposals, and in saying so told the Council she did not represent any organization, or by anyone interested in the matter. She said that Judge Higgins (Shelley J. Higgins, Assistant City Attorney) was not responsible for the proposals contained in the recommendation. She told of citizens' interest in the Civil Service and civil service system. Miss Herney said that it is known that San Diego does not have a true form of City Manager type of government. She referred to a declaration of independence in the Charter. She pointed out that the City Manager has no jurisdiction over independent departments, and Charter framers knew that when the Charter was written. A balance is needed, Miss Herney told the Council. She declared that a strong independent Civil Service is needed. She told of the Manager's support philosophy by professional organizations, and need for a strong Civil Service. The Merit System, Miss Herney contended, can be distorted. There is a balance in the Civil Service Commission, she said, which commission is appointed by the Mayor and confirmed by the Council. She declared that the proposal to put Civil Service under the City Manager is not new. The speaker said that J. J. Donovan had reported a good merit system and that what is needed is common sense, and a few changes. She said that limited study had been made. Miss Herney said that she would not protest if the Committee had studied the best merit system. She re-iterated that sufficient study has not been given. She referred to integration as recommended by Mr. Donovan is not correct. The Personnel Director has been written out, Miss Herney contended. Overlapping functions were referred to, with no central administration. Centralization in the City Manager or Civil Service should be effected, Miss Herney said. She said that there cannot be a delegation of Personnel administration in 6 or 7 department heads. The Commission is trying to achieve cooperation, but that cannot be accomplished by law, the speaker told the Council. She contended that cooperation cannot be legislated, and that it should not be in the Charter, but should be written into an Ordinance. All was opposed, as proposed, except Sections 117, 119, 120, 120.1, and that they are procedural. Section 119 should be deleted in accordance with the Donovan report, the speaker declared.

Next, Mayor Butler recognized William P. Elser, president of the Civil Service Commission.

Mr. Elser told the Council that the Civil Service Commission had been left out of the picture entirely. He said that the entire matter is important to the Council, the Commission and to the citizens of San Diego. He told about the origination of the proposal in connection with the Charter Review Committee's suggestion.

The Mayor reported that the Committee has asked the Council if authority is granted to choose someone to review the recommendations. He said that the Committee was to look at the Charter for review.

Councilman Wincote said that the Council has stayed out of the matter. Councilman Schneider and Miss Ellen Murray spoke relative to the Civil Service matter which had been before the Review Committee.

Councilman Wincote said that he had attended only one meeting, and that had to do with revenue bonds.

The Mayor said that he felt that now is the time to consider the entire picture.

Councilman Wincote said that if the Council does not have time to deliberate entirely, the matter will not get on the April ballot.

Mr. Elser, who had remained at the microphone during the discussion, spoke again. He spoke about a meeting to select an agency to study the Civil Service matter. He said that the whole thing is quite confusing. He objected to the intent of selecting someone to come to San Diego. He read from a letter relative to conversations by Civil Service Assembly representative with O. W. Campbell, City Manager. He also told of a letter sent by the Chairman of the Charter Review asking for comment. Mr. Elser read the letter from the Committee. He referred to reason for not having invited the Civil Service, although the City Manager had been invited.

The City Manager said that he had not been there, and that he had not discussed the matter with Don Leiffer, secretary of the Committee. He said that he was "there", but not on the Civil Service subject.

Mr. Elser said that he has heard said that the City Manager's hands are tied by the Civil Service. He said that it would be the Council's duty to remove the Civil Service Commission members if they are hard to work with. He said that Civil Service cooperation is easy to get. Mr. Elser said that the City has not asked for anything that the Civil Service cannot do. He maintained that there are capable people in the Civil Service Department. He said that before changes are made in the Charter, attempt should be made to work out matters on a cooperative basis. He said that the Civil Service Commission feels that it has a duty to do, and that it tries to do it.

Councilman Wincote spoke about cooperation, and said that there has not been proper cooperation in all matters. He said that he knows little about Civil Service matters, but that there is a better way to handle things.

Mayor Butler asked Mr. Elser about a conference with the City Manager.

Mr. Elser spoke about the City Manager's office having been in touch with Mr. Donovan.

The Mayor said that the Council had directed the City Manager to go into the matter of seeing who would be available to make a study of Civil Service matters.

There was discussion between Mayor Butler and Mr. Elser at this point about taking part in the selecting of someone to make a study.

The Mayor said that there is a challenge involved; that he would like to get away without "chit chat".

Councilman Kerrigan referred to a motion in connection with meeting with the Civil Service Commission last year, on setting appropriations.

The Mayor said that the Charter Review came out of an idea of his, as a "Little Hoover" look into municipal administration.

The Mayor closed the hearing at this point, and said that the Council will continue study of the question. He thanked all present who were interested and who had participated.

Although the Charter Review question regarding Civil Service was completed, Councilman Dail spoke about the Charter amendment recommendations. He said he wondered if the Charter Review representative should not be present at discussions.

The Mayor said that he thought the Civil Service Commission should be present.

Councilman Dail said that any future conferences on the subject should be attended by Mr. Don Leiffer, executive secretary of the Charter Review Commission.

J. F. DuPaul, City Attorney, spoke about the Charter Review Committee's recommendations relative to J. J. Donovan, except in 2 instances. He referred to the Civil Service Rules and to Section 119 - brought up in the previous hearing - relative to Mr. Donovan's thinking, and that they should be repealed. He said he thought that records should be retained by the Civil Service Commission. He went into Mr. Donovan's thinking in connection with Veterans' 5% preference being not clear. He said that there is room for argument. Mr. DuPaul spoke about trainees being outside Civil Service relative to compensation. He said that Judge Shelley J. Higgins can defend each issue.

Councilman Wincote spoke about Mr. Elser's thinking, and read from a letter which he said he thought was bitter. He expressed the belief that there is a contradiction.

Councilman Dail said that he thinks Mr. Elser believes that there are contradictions.

Councilman Dail moved that Mr. Leiffer meet with the Council in Conference before a hearing on the Charter amendments.

The motion was not seconded.

Councilman Wincote wanted to have the matter continued until Friday.

Mayor Butler said that the entire matter should be aired thoroughly, and that the Council should proceed slowly.

There was no action.

At this time Mayor Butler announced that he had to leave the meeting.

As he did, all in the Council arose and sang For He's a Jolly Good Fellow, giving the Mayor a send off preceding his marriage to take place the following day, and in connection with Mayor Butler's taking an extended trip in behalf of the League of California Cities to Mexico City and to South America.

When Mayor Butler left the meeting, Vice Mayor Franklin Swan assumed the duties of Chairman.

RESOLUTION NO. 110551, recorded on Microfilm Roll No. 60, directing notice of filing of the Street Superintendent's Assessment No. 2110 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alleys in Blocks 207 and 206 Mission Beach, within the limits and as particularly described in Resolution of Intention, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110552, recorded on Microfilm Roll No. 60, directing notice of filing of the Street Superintendent's Assessment No. 2109 made to cover the costs and expenses of the paving and otherwise improving of Reed Avenue and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 105452, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 110553, recorded on Microfilm Roll No. 60, 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 the Alleys in Blocks 246, 243, 244, 242, 241 and 238 Mission Beach, and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 109436, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

A written report from the City Engineer stated that the low bid is 5.7% above the estimate.

RESOLUTION OF AWARD NO. 110554, recorded on Microfilm Roll No. 60, accepting bid of Daley Corporation for the paving and otherwise improving of Arista Street, within the limits and as particularly described in Resolution of Intention No. 109438, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer reported, in writing, that the low bid is 2.3% below the estimate.

RESOLUTION OF AWARD NO. 110555, recorded on Microfilm Roll No. 60, accepting the bid of Griffith Company for the paving and otherwise improving of Birch Street, within the limits and as particularly described in Resolution of Intention No. 109439, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 110556, 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, 1952 to and including November 30, 1953, in accordance with the Engineer's Report and Assessment for El Cajon Boulevard Lighting District No. 1 filed November 21, 1952 in the office of the City Clerk, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110557, recorded on Microfilm Roll No. 60, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Keats Street, Scott Street, under Document No. 463415; approving Plat No. 2410 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. 110558, recorded on Microfilm Roll No. 60, for the closing of portion of La Jolla Shores Drive in Lot I Pueblo Lot 1312, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION CHANGING GRADE NO. 110559, recorded on Microfilm Roll No. 60, on portion of Dawes Street, in accordance with Map signed by A. K. Fogg, City Engineer, and filed under Document No. 458505 in the office of the City Clerk November 6, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 110560, recorded on Microfilm Roll No. 60, for the furnishing of electric current for the lighting of the ornamental street lights located in Crown Point Lighting District Number One, for a period of one year from and including February 15, 1953, to and including February 14, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 110561, recorded on Microfilm Roll No. 60, 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, 1953 to and including January 29, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 110562, recorded on Microfilm Roll No. 60, 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, 1953 to and including January 31, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF INTENTION NO. 110563, recorded on Microfilm Roll No. 60, 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, 1953 to and including January 14, 1954, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110564, recorded on Microfilm Roll No. 60, for the paving and otherwise improving of Keats Street and Scott Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110565, recorded on Microfilm Roll No. 60, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 7 Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110566, recorded on Microfilm Roll No. 60, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alley in Block 17 Ocean Beach, within the limits and as particularly described in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110567, recorded on Microfilm Roll No. 60, 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 E Street, west of 30th Street, within the limits and as particularly described in Resolution of Intention No. 108555 and to be assessed to pay the expenses thereof, was on motion of Councilman Wincote, seconded by

Councilman Godfrey, adopted.

RESOLUTION NO. 110568, recorded on Microfilm Roll No. 60, granting petition contained in Document No. 462956 for the paving and otherwise improving of Catoctin Drive; directing the City Engineer to furnish 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 assessment district heretofore ordered by Resolution No. 107504 for the improvement of portions of Hobart Street, Rose Street, 63rd Street, Millar Street and Stewart Street, in accordance with recommendation of said City Engineer filed in the office of the City Clerk under Document No. 463037, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110569, recorded on Microfilm Roll No. 60, granting petition contained in Document No. 462725 for the paving and otherwise improving of Catoctin Drive from Montezuma Road to Dennstedt Point No. 1; directing the City Engineer to furnish 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 said improvement, including items if required, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110570, recorded on Microfilm Roll No. 60, granting petition contained in Document No. 462881, for installation of sewers and water mains in Blocks 13, 14, 15, 18 and 19 Swan's Addition; directing the City Engineer to furnish 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 Wincote, seconded by Councilman Godfrey, adopted.

Communication from the City Treasurer, bearing the City Manager's stamp of approval, recommending that the Council authorize the exchange of 1-7/8% United States Certificates of Indebtedness due February 15, 1953, for the 2-1/4" one-year issue offered by the United States Treasury Department, was presented. Said communication makes a detailed report and recommendation in connection therewith.

RESOLUTION NO. 110571, recorded on Microfilm Roll No. 60, authorizing and directing the City Treasurer to exchange \$2,000,000 par value of 1-7/8% United States Certificates of Indebtedness purchased from inactive funds in the City Treasury, due February 15, 1953, for \$2,000,000 2-1/4% United States Certificates of Indebtedness, maturing in one year; 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 Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110572, recorded on Microfilm Roll No. 60, authorizing and empowering the City Manager to do all the work in connection with the activation of a secondary channel of 37.02 M.C., for City police cars, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has recommended said activation, that he 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. 110573, recorded on Microfilm Roll No. 60, authorizing and empowering the City Manager to do all the work in connection with the construction of an extension to the 36-inch concrete pipe storm drain across Lots 37, 38 and 39 Block 1 Sub-division of Lots 7 to 17 Block N Teralta, as shown on City Engineer's Drawing No. 4731-B, by appropriate City forces, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110574, recorded on Microfilm Roll No. 60, authorizing and empowering the City Manager to execute for and on behalf of the City a lease with Fred Koch and Calvin Redden, Joint Lessees, of portion of Lots 1 to 4 Block 16 Bayside, for a term of 1 year at a monthly rental of \$20.00 plus taxes; description of property and terms and conditions set forth in form of lease filed in the office of the City Clerk under Document No. 463756, real property value \$1,000.00 as disclosed by the report of the last appraisal made by the Auditor and Comptroller, being leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110575, recorded on Microfilm Roll No. 60, approving Change Order No. 1, dated January 23, 1953, heretofore filed with the City Clerk as Document No. 463758, issued in connection with contract between The City of San Diego and Walter Barber for construction of De Anza Point Drain, contract contained in Document No. 456376 on file in the office of the City Clerk, changes amounting to increase in the contract price of approximately \$1,778.40, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110576, recorded on Microfilm Roll No. 60, approving Change Order No. 8 dated January 26, 1953, heretofore filed with the City Clerk as Document No. 463760, issued in connection with contract between The City of San Diego and Cox Bros. Construction Co., for construction of the Morena Bridge approaches, contract contained in Document No. 450409 on file in the office of the City Clerk, changes amounting to increase in the contract price of \$129.95, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110577, recorded on Microfilm Roll No. 60, approving Change Order No. 2 dated January 22, 1953, heretofore filed with the City Clerk as Document No. 463762, issued in connection with contract between The City of San Diego and V. R. Dennis Construction Co. for improvement of Imperial Avenue, contract contained in Document No. 456996 on file in the office of the City Clerk, changes amounting to increase in the contract price of approximately \$35.00, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110578, recorded on Microfilm Roll No. 60, approving request of Johnson-Western Constructors, contained in Change Order No. 2, for extension of 30 days, to and including January 12, 1953, heretofore filed with the City Clerk as Document No. 463764, to complete contract for construction of Azure Vista Sewage Pump Station, contract contained in Document No. 448958 on file in the office of the City Clerk, to January 12, 1953; waiving provisions of the specifications with respect to liquidated damages, until the termination of the contract as extended, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110579, recorded on Microfilm Roll No. 60, approving claim of S. R. Frazee Co., on file in the office of the City Clerk as Document No. 463102, in the sum of \$3.07; directing the City Auditor to draw his warrant in favor of said S. R. Frazee Co. in said sum, was on motion of Councilman Godfrey, adopted by Councilman Wincote, adopted.

RESOLUTION NO. 110580, recorded on Microfilm Roll No. 60, approving claim of John J. Gordon on file in the office of the City Clerk under Document No. 462995, in the sum of \$112.14; directing the City Auditor to draw his warrant in favor of said John J. Gordon in said amount in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110581, recorded on Microfilm Roll No. 60, approving claim of Charles R. Hillary, on file in the office of the City Clerk under Document No. 461474, in the sum of \$15.00; directing the City Auditor to draw warrant in favor of said Charles Hillary in said sum, in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110582, recorded on Microfilm Roll No. 60, granting claim of Bart "T" Piantes, on file in the office of the City Clerk under Document No. 462122, in the sum of \$104.54; directing the City Auditor to draw his warrant in favor of said Bart "T" Piantes in said sum in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110583, recorded on Microfilm Roll No. 60, authorizing the City Attorney to compromise claim of Mrs. Richard H. Lehner for \$103.13, Document No. 460319 in the amount of \$88.36; authorizing and directing the City Auditor to draw his warrant in favor of Mrs. Lehner in the amount of \$88.36 in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110584, recorded on Microfilm Roll No. 60, authorizing the City Attorney to compromise claim of Richard Smith for \$58.15, Document No. 461468, in the amount of \$33.07; directing the City Auditor to draw his warrant in favor of Richard Smith in the sum of \$33.07 in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110585, recorded on Microfilm Roll No. 60, denying claim of Ambrose Erwin, on file in the office of the City Clerk under Document No. 462185, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110586, recorded on Microfilm Roll No. 60, denying claim of John Martinico, on file in the office of the City Clerk as Document No. 462172, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110587, recorded on Microfilm Roll No. 60, denying claim of Louis Shinafelt, on file in the office of the City Clerk under Document No. 461970, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted:

RESOLUTION NO. 110588, recorded on Microfilm Roll No. 60, authorizing Clara E. Breed, City Librarian, to attend a Workshop on California Public Library Standards, to be held at the California State Library, between March 28 and April 2, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

ORDINANCE NO. 5483 (New Series), recorded on Microfilm Roll No. 60, appropriating the sum of \$32,400.00 from the Capital Outlay Fund, for the purpose of providing funds for construction of Drucker's Subdivision Sewage Pump Station, Pressure Line and appurtenances, 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 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.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5484 (New Series), recorded on Microfilm Roll No. 60, appropriating the sum of \$7,600.00 from the Unappropriated Balance Fund, for the purpose of providing funds for the construction of a Police Station parking lot at Market Street and Pacific Highway, 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 Butler.

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 Butler.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5485 (New Series), recorded on Microfilm Roll No. 60, appropriating \$2,100.00 from the Capital Outlay Fund, for the purpose of providing funds for the construction of a culvert in the Alley in Block 240 Mission Beach, Lot A Braemar, and Mission Bay Park, 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, Godfrey. Nays--Councilmen None. Absent--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, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5486 (New Series), recorded on Microfilm Roll No. 60, amending Chapter IV of the San Diego Municipal Code Regulating Health and Sanitation Matters; revoking all health permits heretofore issued, and repealing City Ordinances, and Sections of the San Diego Municipal Code, 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. Nays--Councilmen None. Absent--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, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

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

(Said Ordinance goes into detail on each phase of the Health Question, heretofore regulated by the City Health Department, which department functions are now being conducted by the County Health Department under a Charter amendment turning over the same to the County).

ORDINANCE NO. 5487 (New Series), recorded on Microfilm Roll No. 60, amending Article 3 Chapter IX of The San Diego Municipal Code, by amending Division 14 Regulating Cesspools and Septic Tanks, by adding to Division 15 Sections 93.1511, 93.1512, 93.1513, 93.1514 and 93.1515 Regulating Gas Appliances; and repealing portion of Ordinance No. 11648 and certain sections of The San Diego Municipal Code, 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 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 Butler.

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

The City Manager told the Council that the Ordinance was necessitated by the County assuming Health activities.

A proposed Ordinance amending the San Diego Municipal Code, by amending Section 64.07 thereof and by adding 4 new Sections thereto to be known as and numbered Sections 102.30, 102.31, 102.32 and 102.33, which amendment and additions concern the construction of Subdivision Sewer Systems, was presented.

The Clerk was requested to furnish copies of said Proposed Ordinance.

Said proposed Ordinance was continued for one week - and the Clerk directed to place it on the agenda for the Council meeting of February 17, 1953.

ORDINANCE NO. 5488 (New Series), recorded on Microfilm Roll No. 60, changing the name of Arroyo Avenue to Cervantes Avenue - between the easterly line of Euclid Avenue and the northeasterly boundary line of The City of San Diego at Lot 73 Las Alturas Villa Sites - repealing all ordinances or parts of ordinances in conflict, 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 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.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5489 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of the Alley in Block 55 City Heights, between the southerly line of University Avenue and the northerly line of Wightman Street, 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 Butler.

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. Nays--Councilmen None. Absent--Mayor Butler.

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. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 5490 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of Chalcedony Street, between the easterly line of Pendleton Street and the westerly line of Randall 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 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.

ORDINANCE NO. 5491 (New Series), recorded on Microfilm Roll No. 60, establishing the grade of Plover Street, between the southeasterly line of Klauber Avenue and the northwesterly line of Gibson Street, 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, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

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. Nays--Councilmen None. Absent--Mayor Butler.

The City Manager requested, and was granted unanimous permission to present the next matter not listed on the agenda, which he explained to the Council:

RESOLUTION NO. 110589, recorded on Microfilm Roll No. 60, granting permission to Howerton Plumbing Co. to connect the sewer lines of two houses numbered 5030 and 5040 Gardena Street, and hook onto existing sewer line presently serving houses located on lot adjoining to the southwest (Charles A. Isham, M.D., owner); subject to approval by the Engineering Department, Sewer Department, and recommendation by the City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Wincote, adopted.

At this time the City Manager requested, and was granted, unanimous consent to present the matter of the proposed Evans lease on Gleason Point, Mission Bay.

Douglas Deaper, representing the City Attorney's office, reviewed a change relative to consent or not consent for assignment, and relative to the lease's termination if operated in an improper manner.

Councilman Dail said that the Council should be in on any assignment.

Mr. Deaper said that the matter of consent for assignment can be included.

Councilman declared that there is a tendency to take away the duties of the Council.

Mr. Deaper told the Council that a portion of the proposed lease has been scratched out (presumably by the Lessee).

The City Manager spoke about Section 11 of the Lease.

No action was taken.

At this time Councilman Godfrey proposed a Council Resolution relative to assignment of City leases. His suggestion follows, in the form of a motion.

Councilman Godfrey moved that all lease assignments, and subletting of City leases require Council approval by Resolution, which motion was seconded by Councilman Schneider.

Carl Reupsch, representing the Harbor Commission, asked to be heard. His request was granted, and Mr. Reupsch told the Council that in connection with harbor leases all are studied by the Harbor Commission, and stressed that no assignments are permitted without authorization.

Councilman Godfrey asked that all leases be included in his proposed order - including Harbor leases.

Councilman Dail said that the Council could lose control if only the Harbor Commission approves the Harbor leases.

Mr. Reupsch said that the Harbor Commission cannot control the personnel of corporations who become lessees of Harbor property.

Councilman Godfrey said that perhaps the Charter should be changed.

Mr. Reupsch, asked about the number of assignments per months, told the Council that there are 2 or 3.

The roll was called at this time, resulting in RESOLUTION NO. 110590, recorded on Microfilm Roll No. 60, determining that all lease assignments, and subletting of City leases shall be approved by the Council by Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

At this time Carl Reupsch said to the Council that there is a difference between assignment and submitting of leases.

No action was taken on that comment.

The following matters were withdrawn from Council Conference, and filed:

The matter of furnishing of improvements, particularly where services are already in. (No communication was filed).

The matter of possible revisions to the Subdivision Ordinance relative to suspension of various sections. (No communication was filed).

Communication from the City Attorney, being opinion on legality of use of City streets by the San Diego Arizona & Eastern Railway Company.

Communication from Joseph E. Padgett relative to architectural control - Mr. Padgett being a member of the City Planning Commission.

Communication from Lions Club of San Diego offering full support and cooperation in any safety program which may be developed by the City.

Proposed Ordinance amending the San Diego Municipal Code relative to sight seeing bus loading zones, license fee for bus. (Ordinance No. 5473 N.S. on this subject was adopted 2/5/53).

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 4:21 o'clock P.M.

ATTEST:
FRED W. SICK, City Clerk

Franklin F. Swan
Vice Mayor of The City of San Diego, California

By *August M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of the City of San Diego, California,
Friday, February 13, 1953 (inlieu of
February 12, 1953)

A Regular meeting of the Council was held this time, and was called to order by Vice Mayor Franklin F. Swan, at the hour of 10:06 o'clock A.M.

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

In the absence of Mayor Butler, Vice Mayor Swan acted as Chairman

Councilman Kerrigan requested, and was granted, unanimous consent the next matter, not listed on the Council's Agenda, and mentioned that Dr. E. W. Barringer and Mr. Willard Brasch were present to be heard:

Dr. Barringer spoke about Crime Prevention Week sponsored by the National Exchange Club, of which there are 1500 national clubs. He told about support throughout the nation.

Mr. Brasch told about increase of crime throughout the nation, and told about need to starting its prevention in the home. He mentioned things which are being done in an educational field.

The two men suggested adoption of a Resolution in connection with the matter.

RESOLUTION NO. 110591, recorded on Microfilm Roll No. 60, stating that crime in the United States constitutes an unbearable burden upon law-respecting citizens that can be eased only by public opinion; that the National Exchange Club has initiated National Crime Prevention Week, the sixth annual observance of which is being held this year; that the local observance of National Crime Prevention Week is being sponsored by the Exchange Club of San Diego with the cooperation of law enforcement agencies, schools, churches and other civic groups; memorializing the observance of National Crime Prevention Week, February 15 through 21, 1953, and urging all citizens to support said educational program and fulfill their civic duties to the end that we may eradicate any and all conditions in this community that may tend to breed crime, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Petition of various residents for reserving to the public use all of Bay Park Plaza, requesting that at least part of said area be used to provide additional parking facilities, was presented.

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

RESOLUTION NO. 110592, recorded on Microfilm Roll No. 60, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Sutherland-San Vicente Conduit, Section I and portion of Section III, filed in the office of the City Clerk under Document No. 463828; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids in accordance with the plans and specifications, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110593, recorded on Microfilm Roll No. 60, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for Sutherland-San Vicente Conduit, Section III from Black Canyon Tunnel to southerly end of conduit, filed in the office of the City Clerk under Document No. 463827; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, in accordance with the plans and specifications, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110594, recorded on Microfilm Roll No. 60, adopting Map of Arroyo Park, being subdivision of Lots A to D Block 314 and portion of Lot F Block 320 Horton's Addition, together with portions of Olive Street and east half of Curlew Street as shown on map of Horton's Addition and as vacated and closed to public use; accepting on behalf of the Public portion of North Arroyo Drive and unnamed easements, for public purposes, declaring said portion of street and unnamed easements to be public and dedicating the same to the public use; authorizing and directing the Clerk of the City of San Diego to endorse upon said as and for the act of the Council, that said portion of street and unnamed easements are accepted on behalf of the public; 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 Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Clairemont Unit No. 12, subject to the posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 110595, recorded on Microfilm Roll No. 60, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego a contract with Clairemont Village Inc., a corporation, subdivider, and Union Title Insurance and Trust Company, a corporation, trustee, for installation and completion of unfinished improvements and setting of monuments required for Clairemont Unit No. 12, and for making of a cash deposit in Deposit Trust Fund No. 302; 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.

RESOLUTION NO. 110596, recorded on Microfilm Roll No. 60, adopting Map of Clairemont Unit No. 12, being subdivision of portions of Pueblo Lots 1226, 1238 and 1239; accepting on behalf of the public Clairemont Mesa Boulevard, Jutland Drive, Guilitory Avenue, Guilitory Court, Fawn Avenue, Hidalgo Avenue, Isleta Avenue, Haidas Avenue, Idlewild Way Jemez Drive, Lunda Avenue, Naugatuck Avenue, Massasoit Avenue, Mandan Way, Karok Avenue, Hope Place, Lacrosse Avenue, La Junta Avenue, Moraga Avenue, Kamloop Avenue, Jicarillo Avenue, together with any and all abutters' rights of access in and to Clairemont Mesa Boulevard, and Luna Avenue, adjacent and contiguous to Lots 2406 to 2417 inclusive, alleys and unnamed easements shown thereon for public purposes, declaring the same to be dedicated to the public use; directing the Clerk of the City of San Diego to endorse upon said map, as and for the act of the Council, that said streets, abutters' rights of access in and to Clairemont Mesa Boulevard and Luna Avenue adjacent and contiguous to Lots 2406 to 2417 inclusive as shown on said Map, and alleys 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 Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Final Map of Gordon Villas, subject to the posting of an adequate bond to insure installation of the required improvements, was presented.

RESOLUTION NO. 110597, recorded on Microfilm Roll No. 60, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Carmack Berryman and Shirley G. Berryman, husband and wife, Walter C. Oechel and Gloria D. Oechel, husband and wife and Huntley S. Gorden, a single man, subdividers, and the Security Title Insurance Company, a corporation, as trustee, for installation and completion of unfinished improvements and setting of monuments required for Gordon Villas subdivision; 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.

RESOLUTION NO. 110598, recorded on Microfilm Roll No. 60, adopting map of Gordon Villas, a portion of Pueblo Lot 164, together with portion of the easterly 25 feet of San Antonio Avenue, lying westerly of and adjoining said portion of said Pueblo Lot 164 as vacated and closed to public use on May 25, 1914 by Resolution of the Common Council; accepting on behalf of the public Noren Court and unnamed easements for public purposes; declaring said street and unnamed easements to be public street and unnamed 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 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 Godfrey, seconded by Councilman Wincote, adopted.

Communication from O. D. Arnold, 6122 El Cajon Boulevard, San Diego, dated February 9, 1953, offering to deed property at the corner of Euclid Avenue and Elm Street, under the conditions set forth therein, covering withdrawal by the City Manager of a Court appeal in connection with suit - Lots 1 to 5 Block 2 College Park Unit #1, being the N/W corner of Montezuma and College Ave. - was presented.

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

Copy of "an open letter", addressed to the President of the United States, members of Congress, Secretary of State, et al - the same persons to whom another petition had been addressed - favoring certain measures to improve control of the narcotic problem, signed by Mrs. Louis Sopkin, in behalf of Central Republic Women of San Diego, California, and approving efforts of Walter A. Zitlau which had been before the Council previously, was presented. Said communication was read by the Clerk.

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

Communication from Leila L. Lawrence, 3927 - 8th Avenue, dated February 9, 1953 - addressed Pay-As-You-Go plan versus present social security, and endorsing the Townsend Plan as a fair, equitable, uniform, and sound program with a pay-as-we-go plan for financing, was presented.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said petition or communication was ordered filed.

Communications from Delma McFarland (Mrs. D. C. McFarland), Leah B. McEuen (Mrs. W. W.), Mr. and Mrs. E. G. Gue, Don Hyder, all having to do with locating a baseball park in Balboa Park - some in favor and some opposing the same - were presented.

On motion of Councilman Godfrey, seconded by Councilman Schneider, said communications were referred to the Planning Commission's file on the same subject - for reference back to the Council.

Before said communications were referred to the Planning Commission, the City Manager said that he had learned of the proposal on an informal basis, only.

Communication from C. M. Cavenee, 625 Broadway, dated February 10, 1953, protesting the location, as petitioned for, of a Jewish Boys' Day Camp, or other similar club in Balboa Park, was presented. The writer states that his home has been at 1010 Myrtle Way - not far from the Boy Scout Camp which lies immediately south across the canyon.

RESOLUTION NO. 110599, recorded on Microfilm Roll No. 60, referring said communication to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Daniel D. Tronjec, 5314 East Falls View Drive, San Diego 15, dated February 9, 1953, concerning defective furnace installations on Falls View Drive in the Collwood area, was presented.

The City Manager reported verbally that the status is the same as what was reported to the Council last week.

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

Communication from the Acting city Engineer, bearing the Acting City Manager, recommending granting petition bearing Document No. 459207, for the paving and otherwise improving of Dawes Street between Emerald Street and Felspar Street, and the Alley in Block 189 Pacific Beach, by private contract, under City inspection, according to plans and specifications filed in the office of the City Clerk November 21, 1952, under Document No. 459208 - at no cost to the City of San Diego, was presented.

RESOLUTION NO. 110600, recorded on Microfilm Roll No. 60, granting permission to Emerald Gardens Apartments, Inc., for the paving and otherwise improving of Dawes Street and the Alley in Block 189 Pacific Beach, by private contract, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Proposed Resolution authorizing the Purchasing Agent to cancel the present fiduciary bond for all officers and employees issued by the Peerless Casualty Company and expiring May 15, 1953, and to purchase a new fiduciary from the same company on like terms and conditions for a period of 5 years commencing on February 15, 1953, at a rate not in excess of that currently being paid by the City, was presented.

On motion of Councilman Godfrey, seconded by Councilman Wincote, said proposed Resolution was referred to the City Manager for report.

RESOLUTION NO. 110601, recorded on Microfilm Roll No. 60, authorizing and empowering the City Manager to enter into contract for and on behalf of The City of San Diego with Brown and Caldwell, for professional services consisting in part of problems concerned with the operation and design of sewage systems and sewage treatment works in accordance with terms and conditions as set forth in Document No. 463962 on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110602, recorded on Microfilm Roll No. 60, granting to Buckley M. Duane, Master Plumber, to install a private sewer line with a fall of 1/8" per foot (instead of 1/4" fall as required by regulation) at dwelling being constructed for J. C. Warrick, 5341 Imperial Avenue; in order to avoid digging up approximately 100 feet of sewer already laid to serve house in front of lot, and to avoid digging trench in Imperial Avenue to drop house sewer connection; subject to approval by Inspection Department and Sewer Department and recommendation by the City Manager, and upon conditions set forth in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110603, recorded on Microfilm Roll No. 60, allowing bill of San Diego-California Club, bearing date February 10, 1953, in the sum of \$4,613.92 for expenses incurred; authorizing requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1952-53 in said sum, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110604, recorded on Microfilm Roll No. 60, granting permission, pursuant to the recommendation of the City Manager to girls from the Hoover High School, to solicit funds on the streets of The City of San Diego February 14, 1953, on behalf of the San Diego County Heart Association, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110605, recorded on Microfilm Roll No. 60, accepting subordination agreement, executed by Edward Thomas Dembinski and Lucille Dembinski, beneficiaries, The Mutual Life Insurance Company of New York, beneficiary, and Southern Title and Trust Company, trustee, bearing date November 4, 1952, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 16 Imig Park No. 2, to the right of

way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110606, recorded on Microfilm Roll No. 60, accepting subordination agreement, executed by Albert W. Gallucci and Elizabeth M. Gallucci, beneficiaries and Security Trust and Savings Bank of San Diego, trustee, bearing date January 22, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 38 Block 3 Corella Tract, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110607, recorded on Microfilm Roll No. 60, accepting subordination agreement, executed by Philip S. Thacher, Jr., beneficiary, and Cuyamaca Markets, trustee, bearing date January 7, 1953, wherein said parties subordinate all their rights, title and interest in and to a portion of Lot 41 Block 2 Overlook Heights, 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110608, recorded on Microfilm Roll No. 60, accepting subordination agreement, executed by Edgar B. Hervey, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date January 28, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 38 Block 3 Corella Tract, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110609, recorded on Microfilm Roll No. 60, accepting Consent to Easement, executed by Northwestern Mutual Life Insurance Company, bearing date January 20, 1953, wherein said parties consent to easement and right of way for street purposes heretofore conveyed to The City of San Diego in portion of Lot 82 Las Alturas Villa Sites; authorizing and directing the City Clerk to file said Consent to Easement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110610, recorded on Microfilm Roll No. 60, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, State of California, bearing date January 13, 1953, conveying portion of Lot 23 Rancho Ex-Mission Partition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110611, recorded on Microfilm Roll No. 60, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, State of California, bearing date January 13, 1953, conveying portion of Lot 23 Rancho Ex-Mission Partition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110612, recorded on Microfilm Roll No. 60, accepting deed of Raymond B. Talbot, as Tax Collector of the County of San Diego, State of California, bearing date January 13, 1953, conveying portion of Lot 23 Rancho Ex-Mission Partition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110613, recorded on Microfilm Roll No. 60, 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 13, 1953, conveying Lot A Talmadge Park Unit No. 3; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110614, recorded on Microfilm Roll No. 60, accepting deed of J. H. Walker, bearing date February 2, 1953, conveying portion of Lot 15 and all of Lots 16 and 17 Block 8 Spring Valley Tract; authorizing and directing the City Clerk to transmit said deed, together with 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. 110615, recorded on Microfilm Roll No. 60, accepting deed of Republic Development Co., bearing date January 27, 1953, conveying easement and right of way for public street purposes in portion of Lot 5 Block "F" Narragansett Heights, and portions of Lots 37, 38, 39, 56, 57, 58, 59, 60 and 67, if any, including portions of Alley contiguous thereto and a portion of San Vicente Street, formerly Pennsylvania Avenue, Beacon Hill, in the City of San Diego; setting aside and dedicating the same to the public use as and for a public street, and naming the same San Vicente Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110616, recorded on Microfilm Roll No. 60, accepting deed of Curtis Jackson and Genevieve B. Jackson, bearing date January 26, 1953, conveying portions of Lots 1 and 2 Block "I" El Cerrito Heights Unit No. 3, setting aside and dedicating the same to the public use as and for a public street, and naming the same University Avenue; authorizing and directing the City Clerk to transmit said deed, together with 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. 110617, recorded on Microfilm Roll No. 60, accepting deed of Union Title Insurance and Trust Co., bearing date January 16, 1953, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 1226; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110618, recorded on Microfilm Roll No. 60, accepting deed of Union Title Insurance and Trust Company, bearing date January 16, 1953, conveying easement and right of way for public sewer purposes in portion of Pueblo Lot 1227; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110619, recorded on Microfilm Roll No. 60, accepting deed of George M. Washington and Geraldine T. Washington, bearing date December 24, 1952, conveying easement and right of way for storm drain in portion of Lot 41 Block 2 Overlook Heights; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110620, recorded on Microfilm Roll No. 60, accepting deed of John Basilio Tolmasoff, Basilio B. Tolmasoff and Hazel Tolmasoff, bearing date January 26, 1953, conveying easement and right of way for water pipe line purposes in portion of Section 28 Township 13 South, Range 1 East, S.B.B.&M. in Rancho Santa Maria; authorizing and directing the City Clerk to transmit said deed, together with 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.

ORDINANCE NO. 5492 (New Series), recorded on Microfilm Roll No. 60, appropriating the sum of \$3,000.00 from the Unappropriated Balance, for the purpose of providing funds to pay for professional services concerned with the problems of operation and design of sewerage systems and sewage treatment works in the City of 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 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.

The final reading of such Ordinance was in full.

A proposed Ordinance incorporating portions of Section 33 T. 16 S., R2W., S.B.M., into "R-2" Zone, and repealing Ordinance No. 184 (New Series) insofar as the same conflicts, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, a hearing was set on said proposed Ordinance, for the hour of 10:00 o'clock A.M., Tuesday, March 3, 1953.

The City Manager spoke regarding the Gleason Point, Mission Bay, lease. He said that the Council might want to act upon the matter today. He spoke regarding the assignment question which is in dispute. He said that the City Attorney has worked out the point, which is agreed to by the Lessor.

No action was taken by the Council at this time.

At the hour of 10:18 o'clock A.M., the Council took a Recess to the hour of 2:00 o'clock P.M., this date, on motion of Councilman Schneider, seconded by Councilman Godfrey.

Upon reconvening, at the hour of 4:40 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey

Absent--Councilman Dail, Mayor Butler.

(Councilman Swan was shown present. He was absent when the roll was called, but came into the meeting while the first matter was under consideration.)

Councilman Godfrey took the Chair as presiding officer, and he retained the chair when the Vice Mayor entered.

RESOLUTION NO. 110621, recorded on Microfilm Roll No. 60, authorizing and empowering the City Manager to execute for and on behalf of the City, a lease agreement between The City and William D. Evans and Lucy E. Cooper, of Gleason Point in Mission Bay for the operation of a motel and cottage type resort area, for a term of ten years, with 4 successive options to renew; the more particular terms and conditions are set forth in form of lease filed in the office of the City Clerk as Document No. 464010, which said real property has a real value of \$120,000.00 as disclosed by report of the last appraisal made by the Auditor and comptroller and which is being leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The next Resolution was brought up at the request of the City Manager, who made a brief explanation of its contents:

RESOLUTION NO. 110622, recorded on Microfilm Roll No. 60, recognizing the need of the people of The Kingdom of The Netherlands, supporting the principle of the Netherlands flood relief committee now being formed, and recommending to the citizens that they give like recognition and support thereto, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

The agenda listed the following items as having ^{been} referred to the City Manager by the Clerk:

Petition of Property Owners for storm sewer at the intersection of 37th Street and University Avenue;

Petition of Robot Manufacturing Co. for grade elevations on portions of Soledad Road and Soledad Way.

The next matter was withdrawn from Council Conference, to which it had been referred on February 5, 1953, and filed:

Copy of Open Letter (unsigned) addressed to The President, the Governor, et al., relative to the narcotics problem, and requesting various regulations and remedial means - which copy was filed with the Council by Walter A. Zitlau at the time he addressed the Council on the subject.

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 4:44 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

Franklin F. Swan
Vice Mayor of The City of San Diego, California

By

August M. Hadstein
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego, Calif-
ornia, Tuesday, February 17, 1953

A Regular meeting of the Council was held this date, and was called to order by Vice Mayor Franklin F. Swan, at the hour of 10:05 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 from the City, Vice Mayor Franklin F. Swan acted as Chairman.

The Minutes of the Regular Meetings of Tuesday, February 10, 1953 and of Thursday February 13 (in lieu of February 12, which was a holiday), 1953, were presented to the Council. On motion of Councilman Dail, 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 construction of sewer main and appurtenances, water main etc., within the limits and as particularly described in the limits and as particularly set forth in Resolution of Intention No. 109064, the Clerk reported that 5 bids had been received, which bids were presented to the Council. (Kearny Mesa Improvement District).

The bid of L. B. Butterfield and Harry L. Foster, a joint venture, accompanied by bond written by Maryland Casualty Company in the sum of \$100,000.00, which bid was given Document No. 464118;

The bid of Charles J. Dorfman, accompanied by bond written by General Casualty Company of America in the sum of \$100,000.00, which bid was given Document No. 464119;

The bid of Matt J. Zaich, accompanied by bond written by Great American Indemnity Company in the sum of \$105,000.00, which bid was given Document No. 464120;

The bid of P. & J. Artukovich, Inc. and M. Miller Company, a joint venture, accompanied by bond written by Great American Indemnity Company in the sum of \$100,000.00, which bid was given Document No. 464121;

The bid of Taylor, Sloan and Solomon, a joint venture, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$90,000.00.

The above-mentioned bids were opened on motion and second and were publicly declared.

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 44th Street and C Street, within the limits and as particularly described in Resolution of Intention No. 109663, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Company in the sum of \$500.00, which bid was given Document No. 464096;

The bid of Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of \$600.00, which bid was given Document No. 464097;

The bid of V. R. Dennis, an individual doing business as V. R. Dennis Construction Co. in the sum of \$500.00, which bid was given Document No. 464096.

The above-mentioned bids were opened on motion and second, and were publicly declared.

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 Montemar Lighting District No. 1, the Clerk reported that one bid had been received, which bid was presented to the Council.

On motion 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. 464095.

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, the time set for hearing on Resolution of Intention No. 110070 for the paving and otherwise improving of Date Street, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received from Willit J. Davenport and Dorothea Davenport, which protest was presented to the Council.

The City Engineer made a verbal report on the protest, and said that it would be for an area assessment. He said that there is a 3.7% protest.

RESOLUTION NO. 110623, recorded on Microfilm Roll No. 60, overruling and denying the protest of Dorothea Davenport and Willit J. Davenport, on the proposed improvement of Date Street, within the limits and as particularly described in Resolution of Intention No. 110070, overruling and denying all other protests thereon, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

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 Resolution of Intention No. 110071 for the paving and otherwise improving of 55th Street, within the limits and as particularly described, the Clerk reported that a written protest had been received, which protest had been received, signed by a large number of property owners, headed by Mrs. Rosella Byrnes, which protest was presented to the Council. At the request of the Council, the protest was read by the Clerk.

The City Engineer made a verbal report in which he said that the protestants feel that the City should pay a portion of the assessment. He showed a map of the area, and said that the State owns much of the area - San Diego State College - and that it would be for its assessment.

A conference took place over the map.

The Engineer said that there was a 31.8% protest.

Mr. Byrne, 5548 Hardy, said that he wants the street paved, but he suggested that there be a larger assessment area.

Councilman Wincote spoke about the district.

Mr. Byrne said that the area does not have a normal circumstance, and spoke of the many uses of the street on account of State College and Aztec Bowl.

There was discussion between Councilman Schneider and Mr. Byrne regarding the improvement and subsequent assessment.

The City Engineer said that have of the Street and the curb would be assessed to the State.

Councilman Wincote told of the waste land in connection with houses which are located on canyon property. He wondered if the Council should look at the area.

The City Engineer said that State law requires the assessment to go back 1/2 block.

Mr. Byrne came up to the Council tables and looked at the map, regarding the assessment district.

Councilman Wincote asked for the total estimated cost of the job.

The City Engineer answered that it would be \$20,579.20, on which the State would pay \$8,500.55, figured as if it were on private property. He had stated, the City

Councilman Dail was excused from the meeting at this time.

Mr. Byrne said that if figures as if private property, it might be satisfactory.

Mrs. Byrne referred to the notice which had been received, in connection with the assessment area, and said she understood that this was the time to object.

Councilman Godfrey said that protestants are correct in assuming that this was the day for protest. He pointed out that the City puts in what the majority wants - not what the Council wants.

Mrs. Byrne said that she has 90% of the property owners on her protest.

Councilman Wincote said that she had not taken into consideration the State property in figuring the protest.

Councilman Schneider moved to overrule the protests.

The motion was not seconded at this time.

Councilman Wincote said he thought that the State would pay over \$10,000.00, instead of the amount mentioned by the City Engineer.

Councilman Dail returned to the meeting at this time.

Mrs. W. M. Lewis, 5524 Hardy, spoke about the hundreds of cars which use the street. She declared that it is not an ordinary street, but that it receives heavy use.

The City Engineer, in answering Councilman Kerrigan said that if the City is to contribute toward the cost of the project, the proceedings would have to be abandoned and started over - with the appropriation.

Councilman Schneider referred to stores using the streets. He told about the unusual thickness of pavement used, at another location, to which the City had contributed.

Councilman Wincote reviewed the proposed assessment spread.

Philip Martin spoke next, and referred to the circulated original petition. He pointed out money could have been saved on a private contract basis, but that there were a few who would not put up the necessary. He said that the protestants are not on the improvement, but that some are assessed.

The City Engineer said, in answer to Councilman Wincote, agreed on the price as stated. Mr. Olsen, of the City Engineer's office, said that it might be necessary for the City to pay a portion of the cost inasmuch as the State's estimated amount was based on the former private contract plan.

J. F. DuPaul said, also, that the agreement made by the State might have been based on the original estimate.

The City Engineer read the State's agreement to pay a portion of the expenses, relative the figure used.

Mr. Martin told the Council that property owners would get a heavier pavement under the former plan than under the 1911 Act specifications.

Councilman Wincote said that the City is doing something for the State that it would not do for a private individual.

Mr. DuPaul referred to the State's appropriation for the payment of the improvement, and said that it was based on an estimate made 2 years ago.

The City Manager said that the people originally intended to go into the improvement under a private contract.

Mr. Martin told the Council that the pavement as now proposed might not hold up.

Mr. Byrne spoke again, and said that if the City pays the difference, he would agree.

Councilman Godfrey said that the State might agree to pay its fair share - and that property owners would not be hurt in any instance. He said that it is based on the same formula, which is equitable. He said that the State may agree to increase its share of the cost. He referred to his guessing both ways regarding the estimate and the share of payment. He said that the bids might not be as high as supposed, and as indicated by the Engineer's estimate.

Councilman Wincote said that the Council's action should be to overrule the protests.

RESOLUTION NO. 110624, recorded on Microfilm Roll No. 60, overruling and denying the protest of property owners filed in the office of the City Clerk on February 16, 1953, under Document No. 464068 against the proposed improvement of 55th Street between Montezuma Road and College Park Unit No. 3, under Resolution of Intention No. 110071; overruling and denying all other protests thereon, was on motion of Councilman Wincote, 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 Resolution of Intention No. 110072 for the paving and otherwise improving of La Paz Drive and San Bernardo Terrace, within the limits and as particularly described in said Resolution, the Clerk reported that a written protest had been received from Earl H. Young - together with statement thereon that it constitutes 100% of property owners fronting on the street in question, which was presented.

The Clerk reported that the protest asked for deletion from the proposed improvement of the portion pertaining to construction of sidewalks on the westerly line of La Paz Dr. to the westerly boundary of Valencia Park Unit No. 2 on San Bernardo Terrace.

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

Mrs. Richard Budvarson spoke. She said that one block does not want sidewalks. She said that if the sidewalks are installed in her block, it would be necessary to cut back the property bank, which would be expensive work.

The City Engineer said that sidewalks are not included in the area where protestants had requested that they be eliminated.

Mrs. Budvardson said that she understood from the notice that they were to be installed.

RESOLUTION NO. 110625, recorded on Microfilm Roll No. 60, overruling and denying the protest of Earl H. Young and others filed under Document No. 464123 against the proposed improvement of La Paz Drive and San Bernardo Terrace, as provided in Resolution of Intention No. 110072, overruling and denying all other protests, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

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. 110073 for the paving and otherwise improving of Manzanita Drive, Heather Street and Glenfield Street, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Josephine Power and others, and from Anne K. Klamt, which protests were presented to the Council.

The City Engineer reported a 18.5% protest.

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

Morgan Beatty said that he understood that there is a greater protest. He talked about the need for greater things, and that they are more serious than the question under consideration. He said that he was protesting against "things behind others' backs."

It was pointed out by the vice mayor that what was being heard at this time, was not views on situations generally, but the proposed improvement project.

RESOLUTION NO. 110626, recorded on Microfilm Roll No. 60, overruling and denying the protests of Anne I. Klamt filed in the office of the City Clerk under Document No. 463951 and of Property Owners filed in the office of the City Clerk under Document No. 464074, against the Resolution of Intention No. 110073 for improvement of Manzanita Drive, Heather Street and Glenfield Street; overruling and denying all other protests thereon, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

On motion of Councilman Godfrey, seconded by Councilman Wincote, the proceedings for said proposed 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. 110074 for the paving and otherwise improving of Tulip Street, within the limits and as particularly described in said Resolution, the Clerk reported that no protests had been received.

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

Laurence Goodman came forward, and asked if there were any protests.

Mr. Goodman was informed that none had been filed.

On motion of Councilman Godfrey, seconded by Councilman Kerrigan, the proceedings for said proposed 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. 110075 for construction of sewers in 48th Street, Duval Street, 49th Street, Mary Lou Street, 50th Street and public rights of way - in Imig Park

No. 2 - 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 the hearing which had been conducted on Resolution of Intention No. 109911 on February 10, 1953, and continued to this time - the Vice Mayor invited any interested affected property owners to be heard.

Councilman Kerrigan left the meeting at this time,

Otto A. Hirr spoke in favor of the improvement of the area by the Street Lights

Councilman Kerrigan returned while Mr. Hirr was speaking.

Mr. Hirr said that when the circulator had got to the point where the petition ended she quit, because she believed that she had enough of the affected property owners signing in favor of the improvement. She could have continued, the speaker said, but did not.

There was discussion between Councilmen Wincote and Dail relative to the hearing - about its having been closed, or if property owners were still to be heard.

Mr. Hirr continued speaking after the Councilmen's discussion was completed. He made specific reference to the letter which had been circulated in protest of the proposed improvement. He spoke about there being fewer lights, under an alternate proposal, from the existing poles. Mr. Hirr reviewed the protest. He told about the Navy Chief - who had been heard in protest last week - who had spoken against all of the utilities being put on the Chief's lot. Mr. Hirr said that he has learned that would be changed, after having talked over the matter with the Traffic Engineer who also deals with street lights. He said that the driveways would not be torn up as charged in the protest, and told of the proposals to put the conduits under the driveways without tearing them up. He said that he went around in his area and interviewed people, and stressed the point that it is dark there. He said that many have changed their minds after having already signed the protests. He pointed out that if the City-wide plan is followed, lights would go on poles only at certain intersections, and not from the existing poles as mentioned in the new protest. He said that he has 40 signatures in favor of the improvement. He said that if they don't get the lights in, he doesn't know who is going to knock down the poles. He told the Council that he can get more signature, if necessary. Mr. Hirr said that there are two definite issues; that reference should not be made to the existence of too many poles, inasmuch as that is not one of the issues.

Jos. J. Marciano spoke in favor of the lights, with a reservation. He told of 3 petitions which had been circulated in the district. He stated that it is not fair to make the Council make up its minds, if the neighbors affected cannot agree. Mr. Marciano asked for a continuance to allow the affected property owners to hold a meeting, made a form decision to be presented to the Council.

W. S. Brown was heard next. He told the Council that the situation is cloudy, that there are too many petitions, and that signers had signed both ways after hearing each side of the proposal. He, too, asked for a continuance - for 4 weeks. Mr. Brown said that at this time, there are just guesses.

Joseph D'Adairio spoke in protest against the Resolution of Intention, and the lights on the existing utility poles. He said that he has more than a majority of the property owners who are protesting.

Councilman Schneider addressed questions to Mr. D'Adairio.

Mr. D'Adairio said that reference is being made to lights on existing poles.

James Reading, Traffic Engineer, said that if the plan were followed to use existing poles there would be only 9 lights - that all the existing poles in the area would not be used.

Councilman Dail said that the protestants did not have a majority protest on protest day, which was Tuesday of last week. He said that was the last day to protest - the dead line - that a continuance has been given, but that did not mean that additional protests could be acquired and presented at this time. He referred to a dangerous precedent being established.

Douglas Deaper, of the City Attorney's office, pointed out that the dead-line to protest has passed, and that protests as of now would be advisory only.

Councilman Kerrigan wondered if there would be a penalty involved in considering 3 types of lights, instead of the proposal for installation of the ornamental system as proposed in the Resolution of Intention.

Councilman Dail insisted that the matter considered today should be on the basis of the protest of last week.

Councilman Godfrey spoke about last week's action, and pointed out that the continuance to this meeting was as a courtesy only. He advocated following the plan proposed by Mr. Marciano and Mr. Brown, and suggested a continuance. He asked that the Council continue the hearing - 1 week at the time - for 4 weeks - at which the final hearing would be held. He stated that the Council has been advised that if it desires to continue the hearings, it should be done on a week-to-week basis, rather than for several weeks.

Councilman Dail said that continuance of the hearing would be to the advantage of the protestants.

Councilman Godfrey said that Mr. Dail's point is well taken, but said that he felt that further consideration is needed.

Councilman Schneider said that it would be well if the community can get together, as had been suggested, and that the result presented to the Council would make things easier.

Councilman Wincote that the matter has become embarrassing to the Council. He, also, emphasized the point that the community should make the decision. He said that he was not sure that the Council is acting legally in this manner.

Councilman Dail told again of setting a bad and dangerous precedent, and said that the situation can result in taking advantage of the position.

Mr. D'Adairio pointed out that protests had been brought back to the Council, containing 77 signatures.

Martin Miller said he was speaking in regard to 2 signatures obtained by Mr. D'Adairio, and that he was responsible for at least 1/3 of the signatures. He said

he made no misrepresentations. He showed a map, relating to the views of the property owners, and told of the alternatives.

Councilman Schneider, at this point, read the heading on the protest petition, which he received from the City Clerk.

Mr. Hammon (whose first name and initials were not obtained) said that the 2nd paragraph of protest is not a part of the petition. (The second paragraph reads "we do desire the installation of a street lighting system which will utilize the existing utility poles in Plumosa Manor Unit No. 2)."

Councilman Schneider pointed out that, nevertheless, that paragraph is on the petition of protest.

Councilman Godfrey spoke about a community meeting and decision, and said that the Council "should not have the town meeting here."

Councilman Schneider seconded the motion to continue the hearing - from week to week, for 4 weeks.

Councilman Godfrey said that the legal status of the original petition would be in good force in 4 weeks from this date.

Mr. Hirr said that action is wanted now, so that if the original request is turned down, property owners can start over.

Mr. Marciano spoke again, and said that the petition of protest is of dubious legality.

The roll was called on the motion, resulting in

RESOLUTION NO. 110627, recorded on Microfilm Roll No. 60, continuing the hearing on Resolution of Intention No. 109911 for installation of ornamental lighting standards on Kingsley Street, James Street, Oleander Drive, and other streets in Plumosa Manor Unit No. 2 until the hour of 10:00 o'clock A.M. -(with the understanding that the hearing shall be continued from week-to-week for 4 weeks, at which time action is to be taken), 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. 2106 for the paving and otherwise improving of the Alley in Block 20 Fairmount Addition to City Heights, within the limits and as particularly described in Resolution of Intention No. 105352, the Clerk reported that written protest had been received from Mrs. Paul Clausius, which protest was presented.

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

Mrs. Paul Clausius told the Council that although she is assessed, she has no use of the alley, inasmuch as the property has been divided and her driveway faces on the street. She said that there are 3 houses on 1 lot, and that neither do the other owners have access to the alley.

The City Engineer pointed out that Mrs. Paul Clausius has property fronting the alley, and that it is being assessed accordingly.

Councilman Dail was excused from the meeting at this time.

Councilman Wincote said that there is not much that can be done for Mrs. Clausius.

Councilman Schneider pointed out that the work is done, and that it has to be paid for - also that Mrs. Clausius' property is right on the alley.

Councilman Wincote told the protestant that the City does not start the petition; the request comes from the property owners.

RESOLUTION NO. 110628, recorded on Microfilm Roll No. 60, overruling and denying the appeal of Mrs. Paul Clausius from the Street Superintendent's Assessment No. 2106 made to cover the costs and expenses of the work of paving and otherwise improving of the Alley in Block 20 Fairmount Addition to City Heights, within the limits and as particularly described in Resolution of Intention No. 105352, overruling and denying all other appeals thereon; confirming and approving said assessment, authorizing and directing the Street Superintendent to attach his warrant 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 Resolution of Preliminary Determination No. 110166, for the paving and otherwise improving of portions of 41st Street and Broadway, 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.

It was announced by the Vice Mayor that it would be necessary to consider said matter in the afternoon, when 6 members of the Council would probably be present to adopt the necessary Resolution of Feasibility.

On motion of Councilman Wincote, seconded by Councilman Godfrey, said hearing was closed, and the matter continued until this afternoon session, which motion was seconded by Councilman Godfrey.

At the hour of 12:15 o'clock Noon, the Council took a recess until the hour of 2:00 o'clock P.M., this date.

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, Godfrey.

Absent---Mayor Butler.

Clerk----Fred W. Sick

Vice Mayor Franklin F. Swan acted as Chairman again, in the absence of the Mayor.

Councilman Wincote requested, and was granted unanimous consent to present the next matter, heretofore referred to Council Conference, and withdrawn from Conference for consideration at this time (Ordinance appropriating \$5,000.00 from the Unappropriated Balance Fund for City's contribution for expenses of the San Diego County Traffic Safety Council).

O. W. Todd, Jr., who had talked to the Council last week, spoke to the Council again, in behalf of the San Diego County Traffic Safety Council, requesting the appropriation, in order to carry on the safety work.

Councilman Schneider said he wanted to know what the set-up would be, and how extensive. He wondered if it would be extensive, or for 1 or 2 persons to set up a program. He said that he has received telephone calls on the subject, some of which had objected to the appropriation for the purpose. Councilman Schneider said that the City Manager had reported relative to the organization set up and its continuing to operate. He wondered if the matter of the Council's contribution would be continued until a later time, rather than being made now.

Mr. Todd told the Council that the original meeting had originated on call of citizens in the interest of public safety. He told about the steering committee, which had been set up on appointment of Admiral Wilder D. Baker, chairman. He told the Council that the City is represented on said steering committee. Mr. Todd told about 2 things needed: a citizens group which is well known and well respected persons. Those appointed, he said are all busy, but willing to work for the common good. He told the Council that the machinery has been set up for administration of the plan. Next, he told of representation of the committee, and what is needed in connection with its functioning. An executive committee is needed, Mr. Todd, of 7 to 10 persons, augmented with one all safety board of 20 to 30 persons. The people are vitally interested, Mr. Todd said, plus experts who would bring in needed advice. He said that to start, people have to be on the job. He said that it is necessary to sell the general public on the problem, and for the need of raising funds. He said that if the committee has to go out in the beginning to raise funds, the situation is put that much behind. He said that it is necessary to have a Director who has entree where finance can come from, and needs to be one who is a public speaker and can prepare proper copy of publicity. He said that the matter will be determined by public subscription, but that funds for the first 6 months for the Director and stenographer to bring the plan before the public are needed. He pointed out that it is the intent that the matter shall be self-supporting when it gets under way.

Councilman Schneider spoke about the amount of money requested, and the amount of time. He wondered if the committee needs that amount of money, as asked for, at this time.

Councilman Wincote /if the money matter is delayed 2 or 3 months, if it would be possible to appropriate a portion of the funds at this time.

Mr. Todd said that in order to get the plan going, the committee cannot wait; the funds are needed in the beginning.

Councilman Wincote asked if \$2,500.00 could not be set up instead of \$5,000.00. He said that the plan has been sold to the public as being not not financed with tax money. Then, he said, more might come at a later date.

Mr. Todd told the Council that he does not know if 3 months will do it. He said he would rather see a 6 months' operation, and pointed out that if the funds are not needed, they will not be drawn.

Councilman Wincote declared if the Council pledges the money and that the committee does not need it all, it will please the Council.

Mr. Todd stated that assurance is needed that the money is available as a guarantee. He said, again, that it will not be used if not needed.

Councilman Wincote said that the Council is enthusiastic about the idea, but that there are questions which have been raised.

Mr. Todd said he has been told that the plan is a racket. Once again, he said that if the money is not needed it will not be used. He said that it is the desire to "get on their feet"; that a personnel of 2 will start things, according to the present plan.

Councilman Swan observed that a portion would be used for setting up the final machinery.

It was moved by Councilman Godfrey, seconded by Councilman Kerrigan, for the final reading of the ordinance on its first presentation (without the addition of its not being used if not needed).

Before the roll was called on the motion, Council Wincote said that it is understood that the funds are to be paid out as needed, also that the money will not be used unless needed. He stated that this would be the last tax funds appropriated for the purpose. Also, he said, it is often represented that in the beginning of a project funds are set up and declared to be not needed in future, then calls come in for further appropriation.

Councilman Dail wondered if the Council would be empowered to lend the money, instead of appropriating it.

J. F. DuPaul, City Attorney, said "no" to Councilman's question. He said that the Ordinance is plain enough, and he read it to the Council. He pointed out that it reads "that the sum of \$5,000.00 or so much thereof as may be necessary"...is set aside and appropriated.

Mr. Todd said that 6 months to a year should show results, in reply to a question from Councilman Schneider in connection with time for effectiveness of the campaign for traffic safety. He told of the improvement in Denver resulting from a similar plan. He said that the top field people are wanted on the Board, and that there will be no difficulty in getting going.

The City Manager said that there is a need for an agreement in connection with the plan, and that details regarding use of funds will be set up as terms of the agreement.

Once again Mr. Todd said that the plan will be self-sustaining. He said that terms should be in the contract, and the matter carried by the Press. He said that the plan will be for 2 years.

ORDINANCE NO. 5493 (New Series), appropriating the sum of \$5,000.00 from the Unappropriated Balance of The City of San Diego, for the purpose of providing funds for the City's contribution for expenses of the San Diego County Traffic Safety Council, 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. Nays--Councilmen None. Absent--Mayor Butler. 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 Butler.
Prior to the adoption of said Ordinance, a written or printed copy was furnished to each member of the Council.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the Street Superintendent's Assessment No. 2105 made to cover the costs and expenses of the work of paving and otherwise improving of the East and West and the North and South Alleys in Block 32 Normal Heights, within the limits and as particularly set forth in Resolution of Intention No. 106665, the Clerk reported that written appeals had been received from Roy Yost and from Leo and Ray Rosenzweig, which appeals were presented to the Council.

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

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

Willard Olson, representing the City Engineer said that the 2 appellants have no frontage on the work, and that they constituted 3.1%.

RESOLUTION NO. 110629, recorded on Microfilm Roll No. 60, overruling and denying the appeals of Roy Yost, Leo and Ray Rosenzweig, under the Street Superintendent's Assessment No. 2105 made to cover the costs and expenses of the paving and otherwise improving the East and West and the North and South Alleys in Block 32 Normal Heights, overruling and denying all other appeals thereon; approving and confirming 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 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 Street Superintendent's Assessment No. 2107 made to cover the cost and expenses of the paving and otherwise improving of the Alleys in Block 44 W.P. Herbert's Subdivision, within the limits and as particularly described in Resolution of Intention No. 106558; 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. 110630, recorded on Microfilm Roll No. 60, confirming and approving the Street Superintendent's Assessment No. 2107 made to cover the cost and expenses of the paving and otherwise improving of the Alleys in Block 44 W.P. Herbert's Subdivision, within the limits and as particularly described in Resolution of Intention No. 106558; 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 Schneider, seconded by Councilman Kerrigan, adopted.

The matter of Preliminary Determination No. 110166 considered at the morning session for the proposed improvement of 41st Street and Broadway, and continued until this time awaiting 6 votes of the Council, was brought up again.

RESOLUTION NO. 110631, recorded on Microfilm Roll No. 60, determining that the improvement of 41st Street and Broadway, within the limits and as particularly described in Resolution No. 110166 of Preliminary Determination for the paving and otherwise improving of 41st Street and Broadway, within the limits and as particularly described in said Resolution is 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 Wincote, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 110167 of Preliminary Determination for improvement of Moana Drive, 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. 110632, recorded on Microfilm Roll No. 60, determining that the proposed improvement of Moana Drive, within the limits and as particularly described in Resolution No. 110167 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 Schneider, seconded by Councilman Godfrey, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on application of Margaret T. Gregory, for denial under Ordinance No. 3820 (New Series) by the Psychology Commission, and for permission to engage in the counseling and guiding of people with mental, emotional, marital and employment problems, which matter had been before the Council several times previously on set hearings and continued each time at the request of her attorney, the Clerk reported that Charles Elwin Karpinski had filed a request to withdraw said hearing.

The request for withdrawal was noted by the Council, and on motion of Councilman Schneider, seconded by Councilman Godfrey, the matter was ordered filed.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the proposed Ordinance incorporating portion of the N.E. 1/4 Lot 16 Ex Mission Lands into CP and C Zones (Segel property), the Clerk reported that no written protests had been received.

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

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

ORDINANCE NO. 5494 (New Series), recorded on Microfilm Roll No. 60, incorporating portion of N.E. 1/4 of Lot 16 Ex Mission Lands into "CP" and "C" Zones as defined by Section 101.0410 and Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 35 (New Series) adopted September 12, 1932, insofar as the same conflicts, 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. Nays--Councilmen None. Absent--Mayor Butler.

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 Butler.

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

Petition for annexation of uninhabited territory under the Act of 1939 as amended, of portion of Lot 47 Rancho Mission in accordance with description attached thereto and plat bearing Drawing Number 4753-B prepared by the Acting City Engineer also attached, was presented.

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

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received from 4 bidders for remodeling of the lighting system in the Bail Clerk's Office, Police Headquarters and Courts Building, received February 5, 1953, recommending award to Pacific Electric Electric Company, the low bidder - 40.2% below the estimate - was presented.

RESOLUTION NO. 110633, recorded on Microfilm Roll No. 60, accepting bid of Pacific Electric Company for remodeling lighting system in the Bail Clerk's Offices in the Police Headquarters and Courts Building; awarding contract, 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 furnishine 1 Post Hole Digger for the Public Works Department - received October 17, 1952 from 4 bidders - recommending award to American Equipment & Body Company, the low bidder meeting specifications, was presented.

RESOLUTION NO. 110634, recorded on Microfilm Roll No. 60, accepting bid of American Equipment & Body Company for the furnishing of 1 Post Hole Digger; awarding contract, authorizing and instructing the City Manager to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, stating that by requisition the Superintendent, Division of Water Accounting, has requested procurement of 2 Steel Kardex cabinets Model F to be utilized in the customer service of the Water Accounting Department, was presented. It states that they are intermembering with existing equipment supplied by Remington Rand Corporation, and there is no other source of supply - cost of cabinets \$2,935.00 plus Taxes, and that no benefit to the City can be obtained by advertising for bids, was recommended.

RESOLUTION NO. 110635, recorded on Microfilm Roll No. 60, authorizing and directing the Purchasing Agent to purchase 2 Steel Kardex cabinets, Model F in the open market without advertising for bids, at a cost of \$2,935.00 plus State Sales Tax, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on Resolution No. 110339 adopted January 27, 1953 directing the City Engineer to furnish description of assessment district and granting petition for closing portions of Pala Street, Beacon Drive, San Vicente Street and San Felipe Street, was presented. The report states that on January 30, 1953, Superior Court Decree No. 178181 vacated and quieted title to said portions of streets, and recommends that proceedings be abandoned.

RESOLUTION NO. 110636, recorded on Microfilm Roll No. 60, abandoning proceedings heretofore taken for closing of portions of Pala Street, Beacon Drive, San Vicente Street and San Felipe Street, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition for closing Reed Avenue, Bond Street, Dalton Street, Pacific Beach Drive in Blocks B, C, D and E Mission Bay Park Tract resubdivision; Rosewood Street in Blocks 38 and 39 Mission Bay Park Tract, and Alley Block 39 Mission Bay Tract, was presented. The communication that all of the streets and the alley are improved and are adjacent to property owned by the City of San Diego, for use in the Mission Bay development. It states that in its proposed use the property is being

developed in tracts not related to the original subdivision, and it will be to the interest of the City to close the streets even though portions may be developed as roads or used for location of sewers, water mains or utility services.

RESOLUTION NO. 110637, recorded on Microfilm Roll No. 60, granting petition for closing portions of Bond Street, Dalton Street, Reed Street, Pacific Beach Drive, Rosewood Street and the Alley in Block 39 Mission Bay Park Tract; 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 Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from Local Number 127 San Diego County and Municipal Employees, dated February 10, 1953, signed by Otto W. Hahn, business representative, was presented. Said communication states that the Local urges the Council to approve recommendation of the Charter Review Committee pertaining to health plan for City employees and place the important Charter change on the ballot. It outlines the views of the Local in the matter, and states that it would appear reasonable to request the Council to act favorably on the Charter amendment.

The Vice Mayor recognized Mr. Hahn, and asked if he wished to be heard.

Mr. Hahn spoke regarding the plan for City employees, and regarding coverage. He told of the Charter Review Committee's recommending favorable regarding insurance - Section 70 of the Charter.

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At this time Councilman Godfrey spoke about other Charter amendments, and commented that no recommendation had been received from Local 127.

Mr. Hahn replied that he had been instructed by the Local to enter no objections in the matter of proposal in connection with Civil Service and Personnel Director in connection with Charter amendments. He said that it is his desire not to enter into political arguments.

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RESOLUTION NO. 110638, recorded on Microfilm Roll No. 60, referring communication from San Diego County and Municipal Employees, Local Number 127, requesting Charter amendment to allow certain health plans for City employees, to Council Conference Document No. 463997 - was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communications from Philip Steinman and from Albert B. and Evelyn L. Harden, expressing their view relative to the keeping of poultry, were presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communications were referred to the file for the hearing, and the Clerk instructed to notify the writers of the hearing date - Thursday, March 12, 1953 - 2:00 o'clock P.M.

Communication from San Diego County Chapter, National Electrical Contractors Association, Inc., signed by Joe Bollinger, Secretary-Manager, urging consideration to the placing of the baseball park - request of San Diego Baseball Club - in Balboa Park, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the City Planning Commission, for its hearing.

Communication from Mrs. G. A. Cookson, 3428 Florida Street, San Diego 4, dated Jan. 30, 1953, opposing placing of the base ball park in Balboa Park, for the various reasons stated therein, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the City Planning Commission, for its hearing.

Communication from Mrs. A. B. Elder, 1348 - 47th Street, San Diego 2, dated Feb. 10, 1953, objecting for various reasons, the placing of the Padre Ball Park in Balboa Park, was presented.

On motion of Councilman Schneider, seconded by Councilman Godfrey, said communication was referred to the City Planning Commission, for its hearing.

Communication from M. E. Fisher, Lt., U.S. Navy, Elliott Annex, USNTC, San Diego 44, Calif. objecting to the placing of the Jewish Community Center on a 2-acres site in Balboa Park, adjacent to the Boy Scout Camp, and objecting to the placing of a commercial ball park in Balboa Park in Balboa Park, was presented. In addition to outlining the objections, the communication states that the writer has just been notified of a tax raise on his San Diego property, and that he is taking steps to join others in a vigorous action on that score also.

RESOLUTION NO. 110639, recorded on Microfilm Roll No. 60, referring communication from M. E. Fisher, bearing Document No. 463938 objecting to Jewish Day Camp and Commercial Baseball Park in Balboa Park, to Council Conference, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Pacific Indemnity Company, dated February 11, 1953, signed by J. M. MacConnell, advising that the case of W. W. Miller (claim) was closed by cancellation on February 10, 1953, was presented.

RESOLUTION NO. 110640, recorded on Microfilm Roll No. 60, denying claim of W. W. Miller, c/o Gray, Ames & Frye, 1410 Bank of America Building, filed in the office of the City Clerk under Document No. 447814, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110641, recorded on Microfilm Roll No. 60, directing notice of filing of the Street Superintendent's Assessment No. 2111, made to cover the costs and expenses of the work on the paving and otherwise improving of Langley Street, within the limits and as particularly described in Resolution of Intention No. 106559, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 110642, recorded on Microfilm Roll No. 60, accepting bid of John B. Henry, and awarding contract for the paving and otherwise improving of the Alleys in Blocks 103 and 104 University Heights, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Engineer reported that the low bid is 13.1% below the estimate.

RESOLUTION OF AWARD NO. 110643, recorded on Microfilm Roll No. 60, accepting the bid of Griffith Company, a corporation, and awarding contract, for the paving and otherwise improving of Thor Street, within the limits and as particularly described in Resolution of Intention No. 109440, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Engineer reported that the low bid is 0.1% above the estimate.

RESOLUTION NO. 110644, recorded on Microfilm Roll No. 60, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Rose Street, Hobart Street, Stewart Street, Millar Street, Catoctin Drive, 63rd Street, Pembroke Drive, and Public Right of Way; approving Plat No. 2395 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110645, recorded on Microfilm Roll No. 60, approving plans, drawings, typical cross-sections, profiles and specifications for the installation of sewers in Winchester Street, Calle Serena, Calle Aguadulce, Calle Tocon, Cumberland Street, Roanoke Street, Albemarle Street; approving Plat No. 2381 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110646, recorded on Microfilm Roll No. 60, for installation of sewers in the Alley lying northerly of and contiguous to Lots 26 to 36 Resubdivision of Block H and Lots 26 to 38 Block G Encanto Heights, and 63rd Street, within the limits and as particularly described in Resolution of Intention No. 109910, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 110647, recorded on Microfilm Roll No. 60, for the paving and otherwise improving of Steel Street, Gillette Street, 33rd Street and Imperial Avenue, within the limits and as particularly described in Resolution of Intention No. 109909, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110648, recorded on Microfilm Roll No. 60, 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 Lighting District No. 1, for a period of one year from and including January 1, 1953, to and including December 31, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110649, recorded on Microfilm Roll No. 60, 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 Seventh Avenue Lighting District No. 1, for a period of one year from and including January 1, 1953, to and including December 31, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

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RESOLUTION NO. 110650, recorded on Microfilm Roll No. 60, 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 Eighth Avenue Lighting District No. 1, for a period of one year from and including January 1, 1953, and including December 31, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 110651, recorded on Microfilm Roll No. 60, for the paving and otherwise improving of portion of the Alley in Block 7 Ocean Beach, 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. 110652, recorded on Microfilm Roll No. 60, for the paving and otherwise improving of portion of the Alley in Block 17 Ocean Beach, 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. 110653, recorded on Microfilm Roll No. 60, for changing the grade of Scott Street and Harbor Drive, in accordance with map signed by A. K. Fogg, City Engineer, and filed under Document No. 462789 in the office of the City Clerk January 27, 1953, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110654, recorded on Microfilm Roll No. 60, for the paving and otherwise improving of Rose Street, Hobart Street, Stewart Street, Millar Street, Catoctin Drive, 63rd Street, Pembroke Drive, and Public Rights of Way, within the limits and otherwise improving said streets, drive and right of way, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110655, recorded on Microfilm Roll No. 60, for the installation on Winchester Street, Calle Serena, Calle Aguadulce, Calle Tocon, Cumberland Street, Roanoke Street, and Albermarle Street, of sewer mains and appurtenances, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110656, recorded on Microfilm Roll No. 60, authorizing the Street Superintendent to grant Daley Corporation an 120-day extension of time for the completion of the contract for the improvement of portions of Gamma Street, 42nd Street and Beta Street, in accordance with his recommendation filed in the office of the City Clerk under Document No. 463708, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110657, recorded on Microfilm Roll No. 60, granting permission to Carlos Tavares to install a water main in La Jolla Scenic Drive by private contract, in accordance with plans, drawings, typical cross-sections and specifications therefor furnished by the City Engineer and filed in the office of the City Clerk under Document No. 463729, under the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110658, recorded on Microfilm Roll No. 60, granting permission to Rancho del Charro to install sanitary sewers in Paseo Dorado and Public Rights of Way in Pueblo Lots 1280 and 1286 by private contract, in accordance with plans, drawings, typical cross sections and specifications therefor furnished by the City Engineer and filed in the office of the City Clerk under Document No. 463709, under the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110659, recorded on Microfilm Roll No. 60, granting permission to M. H. Golden Construction Company, Sunshine Biscuits, Inc., and Safeway Stores, Incorporated, to paving and otherwise improve Sutherland Street northeasterly of Pacific Highway, 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. 463737, under the conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110660, recorded on Microfilm Roll No. 60, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego an agreement with Earl F. Giberson, Architect, for professional services, to prepare and deliver to the City plans, studies, drawings, specifications and cost estimates in connection with the acquisition, construction and completion of a Branch Library Building on College Avenue on the City-Owned property just north of the fire station, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110661, recorded on Microfilm Roll No. 60, authorizing and empowering the City Manager to execute for and on behalf of The City of San Diego a Second Amendment to Concession Agreement, whereby Agreement dated September 26, 1926 and First Amendment to Concession Agreement dated June 8, 1951, are amended to provide that City may cancel agreement in the event of violation of ordinance and to extend the term of said agreement to and including September 19, 1955, all in accordance with form of Second Amendment to Concession Agreement on file in the office of the City Clerk as Document No. 464026, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

(Although said Resolution does not so state, the matter covers agreement with C. S. Johnson and Wallace G. Johnson, re trash cans on the streets).

RESOLUTION NO. 110662, recorded on Microfilm Roll No. 60, authorizing the City Manager to issue requisition in the amount of \$8,500.00 against the funds heretofore appropriated by Ordinance No. 5465 (New Series), for the purchase of Lots 649, 650, 651, 652 and 653 of Lomita Village No. 4, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110663, recorded on Microfilm Roll No. 60, authorizing the Property Supervisor to file petitions with the County Board of Supervisors requesting that all taxes, penalties and deeds against certain City-owned property be cancelled - being in Marilou Park, San Diego Homestead Union, Cave and McHattin Subdivision - in accordance with said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110664, recorded on Microfilm Roll No. 60, authorizing the Property Supervisor to file petitions with the County Board of Supervisors, etc., re cancellation of taxes, penalties and deeds against property listed in said Resolution - being portion of property listed in Resolution No. 110663 - was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110665, recorded on Microfilm Roll No. 60, authorizing the Property Supervisor to file petitions with the County Board of Supervisors, etc., re cancellation of taxes, penalties and deeds against property listed in said Resolution - being portion of property listed in Resolution No. 110663 - was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110666, recorded on Microfilm Roll No. 60, authorizing the Property Supervisor to file petitions with the County Board of Supervisors, etc., re cancellation of taxes, penalties and deeds against property listed in said Resolution - being portion of property listed in Resolution No. 110663 - was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110667, recorded on Microfilm Roll No. 60, approving request of M. H. Golden Construction Company contained in Change Order No. 6, for extension of 120 days, to and including May 30, 1953, heretofore filed in the office of the City Clerk as Document No. 464033, in which to complete contract for construction of University Heights North Reservoir, Specification No. 7, contract contained in Document No. 446643 on file in the office of the City Clerk, extending said time to May 30, 1953, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

The proposed Resolution approving Change Order No. 2 filed in the office of the City Clerk as Document No. 464035 issued in connection with contract between The City of San Diego and R. E. Hazard Contracting Co. for widening Park Boulevard adjacent to San Diego High School, contract contained in Document No. 455487 - changes amounting to increase in the contract price of approximately \$3,250.00 - was presented.

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

RESOLUTION NO. 110668, recorded on Microfilm Roll No. 60, vacating unnamed easements, pursuant to Section 50433 of the Government Code of the State of California, being as shown and dedicated on Map No. 2189, in C.C.C. Tatum's Bay Hills Mesa Subdivision - Easterly & Southerly 6 ft of Lot 14 Block 14; Southerly 6 ft of Lot 1 Block 9 - title to said easements to revert to the owner free from the rights of the public; directing the City Clerk to cause a certified copy of said Resolution, attested by him under seal, to be recorded in the office of the County Recorder of San Diego County, California, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that Burgener-Tavares and the Union Title Insurance and Trust Company, a corporation (through their Civil Engineer, Freeland, Peterson & Evenson) have filed a petition - City Clerk's Document No. 462128, for said vacation. The Resolution states, further, that the easements are entirely unimproved and have not been used for the purpose for which dedicated for the last 5 consecutive years, that they are in the area being resubdivided as Clairemont Manor Unit No. 2 and Clairemont Manor Unit No. 3; that the vacating has been approved by the City Manager, Planning Director and City Property Supervisor; that the easements are not necessary for present or prospective public use, and the public interest will be served by vacation thereof.

RESOLUTION NO. 110669, recorded on Microfilm Roll No. 60, approving Change Order No. 2, dated January 21, 1953, heretofore filed with the City Clerk as Document No. 464037, issued in connection with contract between The City of San Diego and Rogers Construction Co. for construction of DeAnza Point Sewage Pump Station, contract contained in Document No. 460140 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$295.00, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110670, recorded on Microfilm Roll No. 60, granting permission to Gus C. Klindt to install a soil line with 1/8" per foot fall, in lieu of the 1/4" fall per foot required by City regulation, at construction at 328 Maple Street; granting the variance because of elevation of City sewer prohibiting greater grade; subject to approval of the Chief Inspector and City Manager; upon conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110671, recorded on Microfilm Roll No. 60, granting permission to H. Melvin Hudson, Inc., contractor, 2627 Boston Avenue, San Diego, to install a 35 foot driveway measured at the top of the full-height curb, on the west side of Estrella Avenue, approximately between points 56 feet and 91 south of the south line of Polk Avenue, adjacent to Lots 45 and 46 Block 22 Fairmount Addition, to accommodate apartment being constructed at 4082 Estrella Street, Edward E. Currier, owner; upon conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110672, recorded on Microfilm Roll No. 60, granting permission to Joseph C. Kelley, Star Route, Jamul, California, to install 43-foot driveway as measured at the top of the full-height curb on the south side of Hayes Avenue, approximately between points 210 and 253 feet west of the west line of Vermont Street, adjacent to Lots 11, 12, 13 Block 137 University Heights, to provide 4 garages for 4-unit apartment being constructed at 1061, 1061-1/2-1063 and 1063-1/2 Hayes Street, for Mrs. A. V. Mayrhofer, 1572 Second Avenue, San Diego; upon conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110673, recorded on Microfilm Roll No. 60, granting permission to Standard Oil Company of California, P.O. Box 2437 Terminal Annex, Los Angeles 54, California, to install 2 35-foot driveways on the easterly side of Mission Boulevard between points 6 and 41 feet and 78 and 113 feet north of the northerly line of Felspar Street, and to install 1 25-foot driveway on the northerly side of Felspar Street between points 12 and 37 feet east of the easterly line of Mission Boulevard, adjacent to Lots 39 and 40 Block 191 Pacific Beach, to serve service station being constructed at the north-easterly corner of Mission Boulevard and Felspar Street, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110674, recorded on Microfilm Roll No. 60, vacating easement for sewer purposes in portion of Lots 1 and 2 Block 36 Point Loma Heights, more particularly described in said Resolution, easement having been acquired by deed dated November 3, 1925, recorded in Book 1127 page 275 of Deeds - which has been re-subdivided and the property has become Lot 102 Catalina Villas - for the reason that since the acquisition of the easement it has not been used, nor has it been used for the purpose for which acquired for 5 consecutive years next preceding the proposed vacation, that it is unnecessary for the purpose for which it was acquired - was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

ORDINANCE NO. 5495 (New Series), recorded on Microfilm Roll No. 60, appropriating \$3,300.00 from the Unappropriated Balance for the purpose of providing funds for remodeling the lighting system in the Bail Clerk's Offices, in the Police Headquarters and Courts Building, was on motion of Councilman Dail, 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, a written or printed copy was furnished to each member of the Council.

Proposed Ordinance, appropriating the sum of \$1,000.00 from the Capital Outlay Fund, for the purpose of providing additional funds for widening and improvement of Park Boulevard, was presented.

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

(The proposed Resolution approving Change Order in connection with contract with R. E. Hazard Contracting Co. for said widening and improving - in the estimated sum of \$3,250.00 increase, was referred to the City Manager earlier in this meeting).

ORDINANCE NO. 5496 (New Series), recorded on Microfilm Roll No. 60, adding recently-annexed territories to the City of San Diego, to various Councilmanic Districts,

pursuant to the provisions of Section 5, Article II of the Charter:

Odum Tract, Ordinance No. 4557 New Series, added to Councilmanic District No. 4;
 Torrens Tract, Ordinance No. 4592 New Series, added to Councilmanic District No. 5;
 "Mission Bay" - Resolution of Board of Supervisors of County of San Diego, adopted April 23, 1951, added to Councilmanic District No. 1;
 West Coast Tract, Ordinance No. 4795 (New Series), added to Councilmanic District No. 5;
 Fletcher Tract, Ordinance No. 4813 (New Series), added to Councilmanic District No. 6;
 Southern Title & Trust Company Tract, Ordinance No. 4897 (New Series), added to Councilmanic District No. 4;
 Torgerson-Platner Tract, Ordinance No. 4928 (New Series), added to Councilmanic District No. 1;
 Donna Estates Tract, Ordinance No. 4944 (New Series), added to Councilmanic District No. 5;
 "City of San Diego Catholic Station Tract" - Resolution of Board of Supervisors of the County of San Diego, adopted May 6, 1952, added to Councilmanic District No. 5;
 Murphy Canyon Road Tract, Ordinance No. 5161 (New Series), added to Councilmanic District No. 1;
 Alvarado Unit No. 2 Tract, Ordinance No. 5218 (New Series), added to Councilmanic District No. 4;
 Las Alturas Villa Sites Tract No. 2, Ordinance No. 5361 (New Series), added to Councilmanic District No. 5;
 La Mesa Colony No. 4, Ordinance No. 5421 (New Series), added to Councilmanic District No. 4;
 Logan Tract, Ordinance No. 5436 (New Series), added to Councilmanic District No. 5. -
 heretofore shown and delineated on that certain map showing the boundary lines of said districts, contained in Document No. 424186 on file in the office of the City Clerk, which districts were defined and which said map was approved by Ordinance No. 1012 (New Series) - 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 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 was furnished to each member of the Council.

Proposed Ordinance - which had been before the Council on February 5, 1953, and continued until this date - creating position of Assistant Golf Course Manager in the Classified Service, and establishing a schedule of compensation therefor, was presented again.

The City Manager made a verbal report in which he referred to the gentleman in question assuming operation of the Driving Range at the Golf Course.

RESOLUTION NO. 110675, recorded on Microfilm Roll No. 60, referring the proposed Ordinance creating the position of Assistant Golf Course Manager in the Classified Service, and establishing a schedule of compensation therefor, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

At this time Councilman Schneider complimented the City Engineer's office for having prepared a comprehensive sheet for use of the Council in listing the complex bids in connection with Kearny Mesa Improvement District, received at the beginning of this meeting.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 2:55 o'clock P.M.

ATTEST:
 FRED W. SICK, City Clerk

Franklin F. Swan
 Vice Mayor of The City of San Diego, California

By *August M. Hadstrom*
 Deputy

REGULAR MEETING

Chamber of the Council of the City of San Diego, California,
Thursday, February 19, 1953

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

In the absence of Mayor Butler, Vice Mayor Franklin F. Swan acted as Chairman. He called the meeting to order at the hour of 10:05 o'clock A.M.

Vice Mayor Swan introduced Mr. C. A. Winder, Vice Mayor of the City of Pasadena, who is also the City of San Diego's utilities rate consultant.

Georgia Welty, who had a communication listed on the agenda, and who had asked to be heard at this meeting, expressing her views in connection with the proposed Ordinance regulating the keeping of fowls, asked to be heard at this time. Although her communication was listed at a later point on the agenda, she asked to be heard now, inasmuch as she would be in Pasadena on March 12, 1953, the date previously set by the Council for a formal hearing.

Mrs. Welty was told that other matters were set for hearing at this time, and that they would be heard first, after which she would be given an opportunity to be heard.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the appeal of I. E. Bramlett, owner, from the decision of the Zoning Committee in denying variance to the provisions of Ordinance No. 85 New Series to permit Lots 13 and 14 Block 35 Morena to be redivided into two parcels, one parcel 60 feet by 60 feet and the other parcel 60 feet by 65 feet, and erect a single family residence on each parcel, at the northeast corner of Chicago Avenue and Kane Street, in Zone R-1, a report from said Commission, signed by D. E. South, was presented.

At the request of the Council, Harry C. Haelsig, Assistant Planning Director, was heard. He showed a map of the area to the Council, and explained the situation. He spoke of lots having been combined into building site, and stated that there are no variances in the area now. He reviewed the application, relative to its date and the Commission's action, at the request of Councilman Wincote.

Mr. Bramlett appeared, and said that he would like to be represented by John J. Sherman, who would speak for him.

Mr. Sherman said that Mr. Bramlett wants to build nice houses, instead of little "ding bat" houses, which would be allowed and could only be constructed under the ordinance at it exists. He said that the owner had gone ahead and built one house, thinking that he would have a chance to divide the lots.

Mr. Sherman pointed out that there would be about 3,000 square feet in each parcel - but with the division it would make a larger area and better for building. He stated that he was a former employee of the Planning Department, and that he is aware of the situation and that he knows the requirements.

Mr. Haelsig said that while they are authorized to do so, very few individuals have used the existing 25-foot lots for buildings. He said that although owners can build legally on 25x125 foot lots it is not feasible and economical to do so.

Councilman Godfrey reviewed the present construction, and said that Mr. Bramlett should not have sold the property "while in the mill", referring to the present to split. He told about the owner having sold a portion of the property before there was a legal basis for doing so. He said that it looks to him like an unorthodox way of doing it.

Mr. Haelsig said that the parcel of land left is in the rear, without legal right to build thereon, answering a question put by Councilman Godfrey.

Councilman Godfrey followed up Mr. Haelsig's remark by saying that there is no division of property for building purposes.

Mr. Haelsig said that Mr. Bramlett was aware of the situation when he had taken out a building permit.

Mr. Bramlett told the Council that he wants to have a building on the property at the rear, instead of having a big undeveloped back yard.

Councilman Wincote told of cases similar to the condition being discussed.

Mr. Bramlett said that 10 feet have been added to the property, due to the street having been closed.

Councilman Godfrey said that Mr. Bramlett has used the wrong judgment, and that the Council does not want to correct the mistakes of others.

Councilman Wincote said that if the proposed building of Mr. Bramlett would improve the neighborhood, if was in favor of granting the request.

Mr. Sherman said that one block away a lady had been permitted to move in a second residence on a lot.

Mr. Haelsig answered Mr. Sherman by saying that the block referred to is about 3/4 mile away, and that the property in question is a larger lot. He said that a variance had been granted last October, but corrected the statement by saying about 1 year.

Mr. Bramlett told about another variance, in Corella Tract.

Mr. Sherman told the Council that Mr. Bramlett would put in a better house than many others.

Councilman Schneider said that it changes the Council's thinking when it is found that several requests for zone variances to permit splitting of lots comes from the same owner (referring to the next item on the agenda, for another variance denial reversal on another parcel).

Dewey Herndon, who stated that he has lived in the area 15 years, stated that he believed Mr. Bramlett should have the variance, and that it would be better than the present situation. He told of other nearby split for 3 houses. He concluded by saying that he is in favor of the variance.

Mr. Haelsig agreed, relative to division on another property.

Councilman Wincote, referring to a statement read by Mr. Bramlett that the Zoning Committee contended that a precedent would be established by granting his request, stated that a precedent has already been established.

Councilman Schneider said that the City has an obligation to protect people who have built.

Mr. Haelsig said that Mr. Bramlett has already built on a corner - on the front of the property - and that the split would be for building on the rear portion.

Mr. Bramlett said that 1/2 the lot has been built on, and that he has sold that portion, that he has retained the back 1/2 which he proposed to develop.

Mr. Bonnema (who did not give his first name or initials, which were not asked), stated that he owns the property across the street, and that granting the appeal would improve the neighborhood. He said that he likes the Bramlett houses.

Councilman Swan, who acted as Vice Mayor referred to petitions which are in opposition to the granting.

Mrs. A. K. Burpee, who stated that she resides next door to the Bramlett property - Lots 11 and 12 - told the Council that she had bought property in an R-1 Zone, for the space that such zone affords. She said that she does not want anyone right next to the property, and spoke for keeping away from small nearby buildings.

Councilman Wincote said that according to the small lots in the subdivision, it would be possible to build on each 25-foot lot, and to crowd the property. Also, he said, owners could build 2 houses on 25-foot lots.

Councilman Kerrigan said that Mr. Bramlett is in the same condition as Mrs. Burpee, but that she does not have as advantageous position, because she does not have property on the corner.

Councilman Wincote said that if the variance is granted to Mr. Bramlett, the same thing should apply to everyone, in the district.

Mrs. Burpee contended that Mr. Bramlett should have sold the whole corner lot a portion, being the front half, as he did.

Councilman Schneider moved to deny the appeal of I. E. Bramlett and sustain the Zoning Committee in denying application for variance to permit division of Lots 13 and 14 Block 35 Morena, which would allow a residence on a portion 60x60 feet and one 60x65 feet, which motion was seconded by Councilman Dail.

The Vice Mayor asked if other persons were present in the Council Chambers who opposed the request for variance. A show of hands indicated that many more were present in opposition.

Councilman Godfrey pointed out that the City is not trying to make it difficult for Mr. Bramlett, but that if this appeal is granted others would follow with similar request, which would result in breaking down the neighborhood.

The roll was called on the motion, resulting in the following vote, to deny the appeal and sustain the Zoning Committee: Yeas--Councilmen Swan, Schneider, Kerrigan, Dail, Godfrey. Nays--Councilman Wincote. Absent--Mayor Butler.

Mr. Sherman said that there would be nothing to prevent effort on the part of property owners to rezone the property. He said that many people in the area would just as soon see an R-4 Zone, especially inasmuch as there is a C Zone across the alley.

A Resolution was not numbered at this point, in view of the following situation which arose.

Considerable discussion was entered into in connection with the intent of the motion. Councilman Schneider who had made the motion stated that it was his intention that the variance covering the hearing listed just above was to consider 2 items listed on the agenda under Items 1 (a) and (b) - (b) covering another parcel under ownership of the same I. E. Bramlett. Councilman Godfrey said that he had the same intention, that both be covered in the motion.

Discussion, taken part in by various members of the Council, ensued.

The Clerk was asked how the record read. The reply was that the motion as made covered denial of the appeal and sustaining of the Zoning Committee's action - with nothing added as to the hearing or parcel covered.

Douglas Deaper, Assistant City Attorney, was asked for a ruling.

Mr. Deaper replied that the motion was ambiguous, and that it needed to be clarified through reconsideration, and a new action.

The motion was reconsidered, and the following action was taken:

RESOLUTION NO. 110676, recorded on Microfilm Roll No. 60, denying the appeal of I. E. Bramlett, 1032-1/2 Hornblend Street, from the decision of the Zoning Committee's Resolution No. 7099, application No. 11004, for variance to the provisions of Ordinance No. 85 New Series, to permit Mr. Bramlett to divide lots 13 and 14 Block 35 Morena into 2 parcels - with a single family residence on each of 2 parcels consisting of 60x60 feet and 60x65 feet at the northeast corner; sustaining said Zoning Committee action, 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 appeal of I. E. Bramlett, 1032-1/2 Hornblend Street, from action of the Zoning Committee in denying by Resolution No. 7100 variance to the provisions of Ordinance No. 85 New Series, to redivide Lots 31 and 14 Block A Turner & Barr, into 2 parcels, each 50 feet by 70 feet, and erect a single family residence on each parcel, at the northwest corner Orten and Galveston Streets, in Zone R-1, no one was heard, inasmuch as the matter had been covered in connection with the first hearing.

Councilman Schneider moved that the appeal be denied and the Zoning Committee action be sustained.

Mr. Haelsig, of the Planning Department, reported. He told the Council that there is a difference between Mr. Bramlett's first appeal, and this one, in that this particular lot is 50ft x 140 ft - and that there are more protests on this item than on the other one. He said that if granted, the variance would provide for 2 50x70 ft lots.

It was at this point that Council Schneider said that his first motion had included both items - the one for the Morena property and this one.

There was discussion as to various individuals being out of order.

John J. Sherman spoke again, relative to division of property within the next block on another parcel. He spoke of similar splits, and of buildings having been made on them.

Councilman Godfrey spoke about the relation of 1 block and about others being scattered around within 3 or 4 blocks. He wondered if it would be well to hold the matter over for study.

Mr. Sherman said that he does not want the hearing held over. If protests were present at this meeting Mr. Sherman wondered why they had not protested on other variances.

There was discussion about other situations covering variances on other parcels.

Earl E. Gossard, who stated that he is next door to the proposed variance, protested, and stated that he objected to the proposed variance. He said that the only ones in favor of the variance are absent owners who are interested only in the income which could be derived through splits of property provided through variances. He said that most people had moved to the outlying area, to have open residential area. He told the Council that Mrs. Goodwin has lived 27 or 30 years in the district, and that she is not aware of a variance. He did mention one situation, in which the owners had originally lived in a garage, that they had built a new house, but that the old house had not been torn down. He told of variances referred to being at least 3 or 4 blocks away, account of the large blocks in the area, when reference was made to blocks. He said that he represented 5 owners.

RESOLUTION NO. 110677, recorded on Microfilm Roll No. 60, overruling and denying the appeal of I. E. Bramlett, 1032-1/2 Hornblend Street, from the decision of the Zoning Committee in denying by its Resolution No. 7100 his application No. 11005 denying permission to redivide Lots 13 and 14 Block A Turner & Barr Subdivision of South Orchard Tract into 2 parcels, each 50 x 70 feet, at the northeast corner of Orten and Galveston Streets, in Zone R-1; sustaining said Zoning Committee decision, 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 incorporation of portions of Pueblo Lot 1226, 1238 and 1239 into "R-2" Zone, and repealing Ordinance No. 13456 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, and no written protests were presented.

Harry C. Haelsig, Assistant Planning Director reported verbally, and told the Council that the proposed Zoning is in the far reaches of Clairemont - the north end, and said that it covers the duplex rentals area.

ORDINANCE NO. 5497 (New Series), recorded on Microfilm Roll No. 60, incorporating portions of Pueblo Lots 1226, 1238 and 1239 in the City of San Diego into "R-2" Zone as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 13456 adopted February 15, 1932, insofar as the same conflicts, 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 Butler.

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 Butler.

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

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the final map of Chester Square, subject to the posting of an adequate bond to insure installation of the required improvements, was presented.

In connection with the recommendation, Mr. Haelsig asked the Council to consider another item listed on the agenda under Resolutions, having to do with acceptance of deed for street purposes, in the area affected by the subdivision.

The Clerk informed Mr. Haelsig that acceptance of the map would not be affected by listing of the deed elsewhere, inasmuch as its acceptance at this meeting would comply with terms of the Zoning Committee's requirements.

RESOLUTION NO. 110678, recorded on Microfilm Roll No. 60, authorizing and directing the City Manager to execute for and on behalf of The City of San Diego a contract with Lowell A. DeWeese and Bernardine A. DeWeese, husband and wife, subdividers on Chester Square, for installation and completion of the unfinished improvements and the setting of monuments required for Chester Square Subdivision; 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. 110679, recorded on Microfilm Roll No. 60, adopting map of Chester Square - all of portion of Lot 16 Horton's Purchase in the Ex-Mission Lands of San Diego, more particularly described in said Resolution; accepting on behalf of the public Altadena Avenue, Mary Lou Street, 50th Street, portion of Beech Street, portion of Euclid Avenue, portion of Federal Boulevard, portion of Lyon Street and unnamed easements and dedicated to the public use; authorizing and directing the City of the City of San Diego to endorse upon said map, as and for the act of the Council, that said streets, portions of streets 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 Godfrey, adopted.

In connection with the next matter, the City Manager made a brief verbal report in which he said that the proposed Resolution submitted has to do with a right of way for access.

Communication from the Planning Commission, signed by Harry C. Haelsig, submitting communication from Beryl D. Phelps, engineer for the subdivider of Lomita Village Unit No. 5, requesting change in Resolution No. 109532 which approved the subdivision. It states that due to a misunderstanding of the intent of the subdivider, improvements

were required the entire length of Glencoe Drive, as it was thought the adjacent property was to be subdivided; instead, it is now included in one large lot. It recommended detailed changes in Sections 1 and 6 of Resolution No. 109532.

RESOLUTION NO. 110680, recorded on Microfilm Roll No. 60, amending Sections 1 and 6 of Resolution No. 109532 approving Tentative Map of Lomita Village Unit No. 5, relative to streets, as set out in detail in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending that portion of the San Diego Electric Railway right of way be dedicated as Electric Avenue, was presented. The communication states that the matter refers to request from Andrew Andeck, Executive Manager of the La Jolla Town Council, for dedication of portion of said right of way in La Jolla-Hermosa, between Camino de la Costa and the northerly line of Bird Rock City by the City. It states that the 50-foot strip of land is owned by the City having been acquired at the time of the abandonment of the street car line to La Jolla.

On motion of Councilman Kerrigan, seconded by Councilman Godfrey, said communication was referred to the City Attorney for preparation and presentation of the necessary Ordinance dedicating the same for street purposes.

Communication from the City Treasurer, addressed to the City Manager and forwarded to the Council with the City Manager's stamp of approval, recommending granting application of Martin N. Sousa, et al for a Class A Dine and Dance License at 455 16th Street, known as "Carl's", was presented.

RESOLUTION NO. 110681, recorded on Microfilm Roll No. 60, approving application of Martin N. Sousa, et al, for a class "A" license to conduct public dance at 455 16th Street, known as "Carl's", on premises where intoxicating liquor is sold, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from the City Treasurer, addressed to the City Manager and forwarded to the Council with the City Manager's stamp of approval, recommending granting Cabaret License at 524 "B" Street and known as "Brass Rail", was presented.

RESOLUTION NO. 110682, recorded on Microfilm Roll No. 60, granting permission to Dell Thurber to conduct a cabaret with paid entertainment at "Brass Rail", 524 "B" 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 Godfrey, adopted.

Communication from San Diego Taxpayers' Association, dated February 13, 1953, signed by Edward C. Hall, President, making detailed recommendations which are urged upon all San Diego local governments for adoption of a fiscal policy for 1953, was presented. It deals with recommendations for increase in valuation of buildings; 1953-54 Budgets to be based on a policy providing for justifiable needs of the year, with no additional non-mandatory positions, expanded services, new facilities, etc; reduction of 1953 tax rates by an amount at least in proportion to the amount of increase in assessed valuation; stating that increases in state or federal apportionments which result from changes in the basis of such apportionments should also produce a reduction in local property tax rates; that only urgent capital projects should be undertaken in 1953; reserves should not be increased over present levels; that there should be no blanket wage increases based on the cost-of-living factor, unless the present static condition changes materially in the coming months; that the government should not consider the fiscal year 1953-54 the time to undertake new programs or to expand existing ones; was presented.

RESOLUTION NO. 110683, recorded on Microfilm Roll No. 60, referring to Budget Conference for the fiscal year 1953-1954, communication from San Diego Taxpayers' Association, bearing Document No. 464067, making detailed recommendations in connection with the forthcoming Budget, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from San Diego-California Club, dated February 17, 1953, signed by H. G. Dillin, President, requesting inclusion in the 1953-54 budget of an item of \$30,000 to be used by said Club in advertising and publicizing the San Diego area as a vacationland and a place of residence, was presented. In addition to the request, the communication outlined results of the Club's promotional efforts, needed further developments, and plans for future advertising and publicity.

RESOLUTION NO. 110684, recorded on Microfilm Roll No. 60, referring to Budget Conference for the fiscal year 1953-1954, communication from San Diego-California Club requesting an item of \$30,000.00 for advertising and publicizing the San Diego area as a vacationland and a place of residence, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Mary Miller, 4251 Hortensia Street, San Diego 3, dated Feb. 15, 1953, expressing her views in favor of a more stringent ordinance relative to the keeping of chickens, rabbits, etc., was presented.

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

In connection with the next matter, Councilman Godfrey said that Mr. Winder (Clarence A. Winder - introduced in the beginning of the meeting by Vice Mayor Swan, was present, and that there was a need for the Council to hurry along in order to go into conference with him relative to the telephone rates matter.

Communication from Georgie Ragland Welty, dated Feb. 16, 1953, requesting permission to be heard at this time in connection with the proposed ordinance on fowls, etc., Mrs. Welty appeared. She read a letter relative to chickens, and quoted from regulations insofar as they exist under present ordinance. (Mrs. Welty, at the request of the Vice Mayor said that she would file a copy of her letter, from which she read; but she did not file it.) She told of several friends who have had difficulty in selling houses on account of chickens which existed in their neighborhoods. She said that she has respect for the Council, that she had covered its meetings for the University Women's Club, although she had not spoken at that time. Again, she expressed admiration for the Council.

The Vice Mayor told Mrs. Welty that a hearing has been set on the subject, for March 12, 1953.

Mrs. Welty replied that she is aware of that, but said, as she had in the beginning of the meeting that she will be out of town and wished to express herself at this time in lieu of the later hearing.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said communication was filed with the "chicken file".

Communication from Jack Tenbroek and Myrtle Tenbroek, 6720 Springfield St., San Diego 14, dated February 7, 1953, expressing opposition to proposed ordinance relative to the keeping of chickens, was presented.

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

Communication from Jerry A. Smokik, 5004 - 35th St., San Diego 16, Calif., dated Feb. 14, 1953, protesting and opposing installation of new type of parking meters and card from James P. Thomas protesting new type of parking meters, were presented.

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

Communication from Elmer G. Gui, 3738 Florida St., San Diego 4, dated Feb. 12, 1953, objecting to placing the Padre base ball field in Balboa Park was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, said communication was referred to the Planning Commission's file on the subject.

Communications from George E. Storey, 1414 Upas Street, dated Feb. 16, 1953; Norman L. White, 3422 Richmond St., dated Jan. 16, 1953; Wm. L. Briggs, 1290 Upas Street, dated February 16, 1953; M. Carr, 1428 Upas St., dated Feb. 17, 1953; Henry C. Johnson, 1512 Upas Street, dated Feb. 17, 1953; Dale Harlan, 1420 Upas Street, dated February 17, 1953; Paul Metts, 1270 Upas Street, dated February 17, 1953 - all of which opposed the request of placing a Jewish Welfare Community Center in Balboa Park - were presented, including one from Osen S. Olds, 3443 Albert S. St., dated 15 Feb. 1952.

RESOLUTION NO. 110685, recorded on Microfilm Roll No. 60, referring communications listed above, in connection with Jewish Welfare Community Center in Balboa Park, to Council Conference, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110686, recorded on Microfilm Roll No. 60, determining and declaring that the public interest, convenience and necessity require construction, operation and maintenance of a public street to be known as Market Street, and a public freeway I.E. a limited access highway, to be known as Wabash Boulevard, across portions of Lots 5, 6, 7, 15, 16, 29, 30, 31, 32 and 33 Block 3; Lots 8, 9, 10, 11 to 18 Block 4; Lots 12, 13, 14 Block 7; all in McLarens "H" Street Addition; Lots 17 to 20 Block 7, Lots 13, 14, 15 Block 8 all in Spring Garden Tract; Lots 46, 47 and 48 Block 289, Lots 3 to 14 Block 290, Lots 33, 34 and 35 Block 291-1/2 all in Seaman and Choates Addition; Lot 12 Block 84 San Diego Homestead Union; Lot 8 Block 4 Dells Park; stating that public interest, convenience and necessity demand acquisition of the land to be used by the City for construction of said public street and Freeway within the area aforesaid; declaring the intention of The City of San Diego to acquire said lands under Eminent Domain Proceedings; 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 Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110687, recorded on Microfilm Roll No. 60, authorizing the expenditure of \$3,516.00 from funds heretofore appropriated by Ordinance No. 5465 (New Series) for purchase of portion of Lot 72 Rancho Mission, and Lot 1 Block 1 Rosedale, for playground purposes; authorizing the City Manager to issue requisition for said amount, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110688, recorded on Microfilm Roll No. 60, authorizing and directing the City Manager to enter into contract for and on behalf of The City of San Diego with Quinton Engineers, Ltd., a corporation, whereby in consideration of the sum of \$2,975.00 said Engineers will conduct a downtown traffic survey, in accordance with terms and conditions contained in copy of contract on file in the office of the City Clerk under Document No. 464243; rescinding Resolution No. 109625 on file in the office of the City Clerk, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110689, recorded on Microfilm Roll No. 60, authorizing the City Manager to execute agreement with The Clairemont Company, whereby and in connection with development of subdivisions known as Clairemont Units Nos. 5, 6, 7 and 8, if certain additional paving of Clairemont Drive and Huxley Street is performed by said Company, reimbursement by the City will be made at the rate of 16¢ per square foot, all in accordance with form of agreement heretofore filed in the office of the City Clerk, being Document No. 464247, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110690, recorded on Microfilm Roll No. 60, authorizing and directing San Diego Gas & Electric Company to install a 600 candle power overhead street at each of the following locations, in the City of San Diego:
 Olivewood Terrace, at Florence Street;
 Modesto Street, at Juniper and Sumac Streets;
 Sumac Drive, at Juniper and Laurel Streets;
 Locust Street, at Oliphant Street;
 Willow Street, at Ingelow Street;
 Clove Street, at Newell Street;
 Tustin Street, at Oliphant Street;
 Capistrano Street, at Oliphant Street;
 Mendota Street, at Oliphant Street,
 was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110691, recorded on Microfilm Roll No. 60, approving request of Johnson-Western Constructors, contained in Change Order No. 6, for extension of 30 days to and including December 7, 1952, heretofore filed with the City Clerk as Document No. 464212, in which to complete contract for construction of the Witherby Street Pressure Sewer, contract contained in Document No. 449230 on file in the office of the City Clerk; time extended to December 7, 1952; waiving provisions of the specifications for said work with respect to liquidated damages, until termination of the contract as extended, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110692, recorded on Microfilm Roll No. 60, granting permission to George Crawford Plumbing Co., plumbers, for Darnall Elementary School, 6020 Hughes Street, San Diego, to install 2 1-1/2" red brass plumbing vents from sinks located in the Kindergarden area instead of cast iron pipe (as presently required by Plumbing Code); said variance requested for architectural reasons inasmuch as vents, being exposed, require a metal that will withstand corrosive action and at the same time present a more pleasing appearance, upon condition that the City of San Diego shall be held free and clear of any claim for damages by reason thereof, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110693, recorded on Microfilm Roll No. 60, accepting subordination agreement, executed by Marie B. Murphy, beneficiary, and Southern Title and Trust Company, trustee, bearing date January 20, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 16 Partition of Rancho Mission of San Diego, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110694, recorded on Microfilm Roll No. 60, accepting subordination agreement, executed by Leonard Schaeffer and Marie Schaeffer, beneficiaries, and Security Title Insurance Company, trustee, bearing date January 2, 1953, wherein said parties subordinate all their right, title and interest in and to portion of Lots 31, 32, 33, 34 Block 12 Loma Alta No. 1, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110695, recorded on Microfilm Roll No. 60, accepting subordination agreement, executed by Southern California-Annual Conference of the Methodist Church, beneficiary, and Land Title Insurance Company, trustee, bearing date January 6, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 36 and 37 Block 12 Loma Alta No. 1, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110696, recorded on Microfilm Roll No. 60, accepting subordination agreement, executed by Mrs. Eleanor S. Wespiesser, beneficiary, and Land Title Insurance Company, bearing date January 27, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 36 and 37 Block 12 Loma Alta No. 1, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110697, recorded on Microfilm Roll No. 60, accepting quitclaim deed executed on the 15th day of August, 1952, by Birmingham Development Company, a corporation, quitclaiming to The City of San Diego, all water mains and appurtenant structures constructed for its use, located in public streets, rights of way, highways and public places, either within or without, subdivision named "Fairmount Park", being all of Lot 6 and portions of Lots 7, 9 and 10 Horton's Purchase in San Diego; authorizing and directing the City Clerk to file said deed, together with certified copy of said Resolution, for record in the office of the County Recorder, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted by Councilman Godfrey, adopted by Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110698, recorded on Microfilm Roll No. 60, accepting deed of Helen M. Curtis, bearing date February 6, 1953, conveying portions of Lots 31 and 32 Block 291-1/2 Seaman and Choate's Addition; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110699, recorded on Microfilm Roll No. 60, accepting deed of C. Frederick Rabell and Dorothy Johnson, bearing date January 20, 1953, conveying portion of Lot 45 Block 289 Seaman and Choate's Addition; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110700, recorded on Microfilm Roll No. 60, accepting deed of Webster W. Smith and Olive E. Smith, bearing date January 14, 1953, conveying portions of Lots 12, 13 and 14 Block 291 Seaman and Choate's Addition; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110701, recorded on Microfilm Roll No. 60, accepting deed of Sweetwater Homes, Inc., bearing date February 6, 1953, conveying Lot 729 Lomita Village Unit No. 4; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with; rescinding Resolution No. 109320, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110702, recorded on Microfilm Roll No. 60, accepting deed of Union Title Insurance and Trust Company, bearing date February 3, 1953, conveying portion of Lot 72 Rancho Mission of San Diego, together with portion of Lot 1 Block 1 Rosedale and portion of First Street adjoining said Lot 1; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110703, recorded on Microfilm Roll No. 60, accepting deed of Russell H. Segel and Stephanie Segel, bearing date February 11, 1953, conveying easement and right of way for public street purposes in portion of Lot 16 Ex-Mission Lands, setting aside and dedicating to the public use as and for a public street, and naming the same Lyon Street; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110704, recorded on Microfilm Roll No. 60, accepting deed of Robert H. Lawson and Alta Odle Lawson, bearing date January 14, 1953, conveying portions of Lots 8 to 14 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 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 Godfrey, adopted.

RESOLUTION NO. 110705, recorded on Microfilm Roll No. 60, accepting deed of James J. Walsh and Bess B. Walsh, bearing date January 16, 1953, conveying easement and right of way for public street purposes in portion of Lot 16 Partition of Rancho Mission of San Diego, setting aside and dedicating the same to the public use as for a public street, and naming the same Radio Drive; authorizing and directing the City Clerk to file said deed for 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 Godfrey, adopted.

RESOLUTION NO. 110706, recorded on Microfilm Roll No. 60, accepting deed of O. B. Davey, Charles E. Kolb, Frances E. Kolb, John A. Wright and Vera M. Wright, bearing date January 14, 1953, conveying easement and right of way for public sewer purposes in portion of Lot 67 Horton's Purchase; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110707, recorded on Microfilm Roll No. 60, accepting deed of Thomas D. Drake, Quincy Neil Drake and Thomas D. Drake II, bearing date December 22, 1952, conveying easement and right of way for public sewer purposes in portion of Lot 35 Block 12 Loma Alta No. 1; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110708, recorded on Microfilm Roll No. 60, accepting deed of Luis G. Jascen and Iona C. Jascen, bearing date February 2, 1953, conveying easement and right of way for public sewer purposes in portion of Lot 29 La Mesa Colony; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110709, recorded on Microfilm Roll No. 60, accepting deed of Ernest H. Purcell, bearing date December 22, 1952, conveying easement and right of way for public sewer purposes in portion of Lots 29 and 30 Block 12 Loma Alta No. 1; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110710, recorded on Microfilm Roll No. 60, accepting deed of George Clarke Rose, Blanche E. Rose, Marguerite B. Rose, Virginia R. Olmstead, and James Rose, bearing date January 29, 1953, conveying easement and right of way for public sewer purposes in portion of Pueblo Lots 1286, 1281 and 1280; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110711, recorded on Microfilm Roll No. 60, accepting deed of Cecil Theral Thrower and Eunice D. Thrower, bearing date December 29, 1952, conveying easement and right of way for public sewer purposes in portion of Lots 36 and 37 Block 12 Loma Alta No. 1; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110712, recorded on Microfilm Roll No. 60, accepting deed of F. W. Wagner and Lucille Wagner, bearing date December 22, 1952, conveying easement and right of way for public sewer purposes in portion of Lots 31, 32, 33 and 34 Block 12 Loma Alta No. 1; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110713, recorded on Microfilm Roll No. 60, accepting deed of Rufus C. Darrough and Rhea M. Darrough, bearing date February 2, 1953, conveying easement and right of way for water pipe line purposes in portion of Lot 320 Ramona; authorizing and directing the City Clerk to transmit said deed, together with two certified copies of recording when escrow instructions have been complied with, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110714, recorded on Microfilm Roll No. 60, accepting deed of Charles L. Good, Effie A. Good, Hugh D. Good, and Genese O. Good, bearing date February 12, 1953, conveying easement and right of way for water pipe purposes in portion of Section 28 Township 13 South, Range 1 East, S.B.B.M., Rancho Santa Maria; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

In connection with the next matter, the City Manager made a brief verbal report and told the Council that the proposed Ordinance has to do with construction of sewers in connection with Subdivisions:

ORDINANCE NO. 5498 (New Series), recorded on Microfilm Roll No. 60, amending the San Diego Municipal Code by amending Section 64.07 "Sewer Main Extensions - Petitions

For - Payments of Costs"; adding Section 102.30 "Sewer System Required in Subdivision"; Section 102.31 "Construction of System, Division and Payment of Costs"; Section 102.32 relative to Subdivisions, 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 Butler.

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 Butler.

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

ORDINANCE NO. 5499 (New Series), recorded on Microfilm Roll No. 60, creating the position of Assistant Golf Course Manager in the Classified Service of The City of San Diego, and establishing a schedule of compensation therefor (Standard Rate Number 19), 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 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.

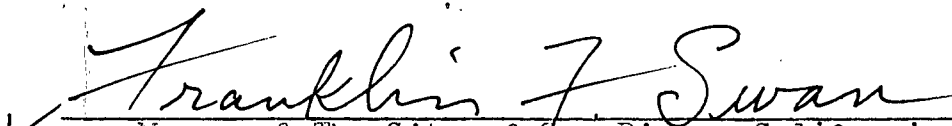
Prior to the final reading of such Ordinance, a written or printed copy was furnished to each member of the Council.

(Said Ordinance had been before the Council, and continued; then it was before the Council again, and referred to Conference, before it was adopted on February 19, 1953.

There being no further business to come before the Council at this time, said meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Wincote, at the hour of 11:27 o'clock A.M.

Upon adjournment, it was announced that the Council would meet with Mr. C. A. Winder, the City's rate consultant.

ATTEST:
FRED W. SICK, City Clerk


VICE Mayor of The City of San Diego, California

By 
Deputy

REGULAR MEETING
Chamber of the Council of The City of San Diego,
Tuesday, February 24,
1953

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

A Regular Meeting of the Council was held this date, and was called to order by the Vice Mayor, in the absence of the Mayor, at the hour of 10:06 o'clock A.M.

At this time Vice Mayor Franklin F. Swan welcomed a large group of visitors to the meeting, being the Senior Problems Classes, Kearny Senior High School, under direction of Mr. Wemple, teacher.

After introducing the visitors, the Vice Mayor asked them to arise, which they did. He told them that their attendance at the meeting was welcome, and it was hoped that the students would learn something from their visit. He explained the Council's procedure.

The Minutes of the Regular Meetings of the Council for Tuesday, February 17, 1953, and Thursday, February 19, 1953, 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 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 Alley in Block 195 City Heights, and Lincoln Avenue, within the limits and as particularly described in Resolution of Intention No. 109805, the Clerk reported that 3 bids had been received, which bids were presented to the Council.

On motion 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 \$1500.00, which bid was given Document No. 464377;

The bid of John B. Henry, accompanied by bond written by The Fidelity and Casualty Company of New York in the sum of \$1600.00, which bid was given Document No. 464378;

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 \$1600.00, which bid was given Document No. 464379.

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

Councilman Kerrigan was excused at this time

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 110163 for the paving and otherwise improving of the Alley in Block 31 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110163, 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 protests were made.

On motion of Councilman Wincote, 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 Resolution of Intention No. 110164 for the paving and otherwise improving of Francis 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 protests were made.

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.

Councilman Kerrigan returned to the meeting.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 110165, for the paving and otherwise improving of 62nd Street and Fergus 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 protests were made.

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.

(See another reference to this same matter, later in these Minutes).

- just below on this page

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution of Intention No. 1109911 for the installation of ornamental light standards on Kingsley Street, James Street, Oleander Drive, et al, in Plumosa Manor Unit No. 2 - which hearing had been continued - the matter was brought up again.

It had previously been determined that the hearing is to be continued from week to week for four weeks, for final action.

RESOLUTION NO. 110715, recorded on Microfilm Roll No. 61, continuing the hearing on Resolution of Intention No. 1109911 for installing ornamental light standards on Kingsley Street, James Street, Oleander Drive, et al, in Plumosa Manor Unit No. 2 until the hour of 10:00 o'clock A.M., Tuesday, March 3, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

At this time the Council referred back to the hearing which had been held for the paving and otherwise improving of 62nd Street and Fergus Street - shown at the beginning of the Minutes on this page.

Councilman Dail, at whose request the Council returned to the proposed improvement, said that the soil is adobe, and wanted to have a soil test made, inasmuch as he is familiar with the area, and thinks that it would be needed.

The City Engineer answered by saying that tests have been made, and that he has them in his office. He said that he would send for them, and bring them up immediately. He pointed out that the specifications for the improvement are in accordance with the tests. The Engineer said that he will report later in the meeting.

(See an additional reference to this matter, later in these Minutes).

Communication from Freeland, Peterson & Evenson, dated February 19, 1953, signed by Wallace E. Boas, requesting extension of time for one year in which to file the Final Map of Belleview Heights Unit No. 7, was presented.

Said communication was read by the Clerk.

On motion of Councilman Schneider, said communication was referred to the Planning Director, and the matter continued until February 26; also The City Clerk was directed to put the matter on the agenda of Thursday, February 26, 1953, which motion was seconded by Councilman Kerrigan.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids for moving Keeper's Residence to Reservoir Roof at University Heights North Reservoir at University Heights North Reservoir, received February 13, 1953, from 2 bidders, was presented.

Said communication recommended award to W. B. Melhorn, the low bidder, in the amount of \$2,975.00 - Water Department estimate for the job was \$3,000.00.

RESOLUTION NO. 110716, recorded on Microfilm Roll No. 61, accepting bid of W. B. Melhorn for moving Keeper's Residence to Reservoir Roof at University Heights North Reservoir; awarding contract, authorizing and instructing the City Manager to enter into and execute a contract therefor, 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 sanitary sewers in Dawes Street between the alleys northerly and southerly of Reed Avenue, received on February 11, 1953, from 7 bidders, was presented.

Said communication recommended award to Pace Construction Company, the low bidder, in the amount of \$1,719 - 25.2% below the estimate.

RESOLUTION NO. 110717, recorded on Microfilm Roll No. 61 accepting bid of Pace Construction Company for construction of sanitary sewers in Dawes Street between the alleys northerly and southerly of Reed Avenue; awarding contract, authorizing and instructing the City Manager to enter into and execute a contract therefor, 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 sanitary sewers in Pueblo Lots 282 and 283, Vernon Park, and in Old San Diego, received February 11, 1953, from 8 bidders, was presented.

Said communication recommended award to Pace Construction Company, the low bidder, in the amount of \$18,004.16 - 21.7% below the estimate.

RESOLUTION NO. 110718, recorded on Microfilm Roll No. 61, accepting bid of Pace Construction Company for the construction of sanitary sewers in Pueblo Lots 282 and 283, Vernon Park, and in Old San Diego; awarding contract, authorizing and instructing the City Manager to enter into and execute a contract therefor, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

Communication from the Purchasing Agent, submitting Resolution authorizing bids for Tapping Valves and Gate Valves for the Storeroom, as per specifications on file in the office of the City Clerk bearing Document No. 464356, was presented.

RESOLUTION NO. 110719, recorded on Microfilm Roll No. 61, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with Tapping Valves and Gate Valves in accordance with Notice to Bidders, Specifications, Bidding Instructions on file in the Office of the City Clerk bearing Document No. 464356, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending that the name be changed of Loma Avenue, between Arroyo Avenue and Santa Isabel Drive, and the name of the street between Santa Isabel and Olvera Avenue, now known as both Bonita Dr. and Loma Ave. be changed, was presented. It states that 2 portions are to be known as Bonita Drive, and the street between Bonita Drive and 58th Street (now known as Both Olvera Avenue and Loma Ave.) is to be known as Olvera Avenue. It states that public notices were mailed to all property owners adjacent to portions of said streets, that public hearing on February 11th no one was present to express an opinion, that the affected City Departments and the Post Office are favorable to the change.

RESOLUTION NO. 110720, recorded on Microfilm Roll No. 61, requesting the City Attorney to prepare and present an Ordinance changing the name of portion of Loma Avenue to Bonita Drive and Olvera Avenue, as contained in communication bearing Document No. 464367 on file in the Office of the City Clerk, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Said report states that in the annexation of Las Alturas Villa Sites Unit No. 2 there are several street name changes to be affected, to correct conflicts existing with street names in the Metropolitan Area.

Communication from the City Attorney, dated February 18, 1953, transmitting opinion prepared by Judge Shelly J. Higgins (Assistant City Attorney) and addressed to the City Attorney, dated February 10, 1953, being an opinion pertaining to the legality of locating a baseball park in Balboa Park, was presented.

Councilman Schneider moved to refer the communication to the Planning Commission, which is to hold a hearing in the matter, and then to Conference. Said motion was not seconded.

RESOLUTION NO. 110721, recorded on Microfilm Roll No. 61, referring to Council Conference the communication from the City Attorney dated February 18, 1953, and bearing Document No. 464224, transmitting opinion prepared by Judge Shelly J. Higgins dated February 10, 1953, being an opinion pertaining to the legality of locating a baseball park in Balboa Park, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from Boyle Engineering, Suite 327 Spurgeon Building, Santa Ana, California, dated February 18, 1953, signed by J. R. Lester Boyle, Engineer of Work, was presented.

Said communication submitted tabulation of bids for the Kearny Mesa Improvement District, and recommended that the low bid of Taylor, Sloan and Solomon - 35.7% above the estimate, including incidentals - be adopted, was presented.

Communication from the same organization making further reference to bids on said project, was presented.

On motion of Councilman Schneider, seconded by Councilman Kerrigan, both communications were referred to the City Manager.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting that the Superior Court by Decree No. 178014 quiet titled the City of San Diego's interests in portions of Quince Street and Baily Street, under which Resolution No. 109046 authorized closing portions of Quince Street from Home Place to Euclid Avenue, and Baily Street north line of Lots 19 and 25 Wadsworth's Olive Grove to Euclid Avenue, and directing the City Engineer to furnish descriptions of the assessment district, etc., was presented. It recommended that the closing proceedings instituted by said Resolution be abandoned.

RESOLUTION NO. 110722, recorded on Microfilm Roll No. 61, abandoning proceedings heretofore taken for the closing of portions of Quince Street and Baily Street, under Resolution No. 109046, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Alfred Abrevaya, 4545 - 59th Street, San Diego 15, dated February 18, 1953, submitting a copy of his letter addressed to the Chief of Police relative to use of the sidewalk at 5051 El Cajon Boulevard by a repair shop, etc., was presented.

Councilman Dail spoke in connection with use of the sidewalks for private purposes. He said that the City should enforce its regulations on the subject. He said that the Council should not have to consider letters of protest week-to-week.

Councilman Wincote said that it could be dangerous to attempt to enforce the regulation, inasmuch as it would affect the public in the produce area.

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

After the vote had been taken, Councilman Dail said that there has been considerable pressure in the matter, and said that enforcement should apply to all. He told of instances where there is violation.

RESOLUTION NO. 110723, recorded on Microfilm Roll No. 61, referring to Council Conference the matter of use of public property for private purpose, which matter

was also referred to the City Manager this date in communication from Alfred Abrevaya which submitted copy of letter addressed to the Chief of Police relative to use of sidewalk at 5051 El Cajon Boulevard by a repair shop, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from J. W. Grosdidier, 3319 Hill St., San Diego, dated February 17, 1953, urging that Harbor Drive south of Ash Street and Laurel Street west of Pacific Blvd. be repaired by the Harbor Department, was presented.

On motion of Councilman Schneider, seconded by Councilman Wincote, said communication was referred to the City Manager, for an answer in 2 weeks.

Communication from Procopio, Price, Cory & Schwartz, attorneys, relative to a former request for zone variance to allow Mrs. Ann Ghio to serve mixed drinks, etc., at 5462 La Jolla Boulevard; requesting a hearing relative to such request, which was not granted, was presented.

At the request of the Council, said communication was read by the Clerk. The matter was held, temporarily, while the Council sent for the Clerk's record on the matter which had been brought before the Council previously.

(The matter will be shown again later in these minutes).

Communication from Pacific Beach Recreation Committee, dated February 18, 1953, signed by (Mrs. W. A.) June V. Sandford, Secretary, 1421 Beryl Street, San Diego 9, was presented. Said communication listed in detail various improvements which were requested, and requested information on whatever current plans the City may have on completing the facilities so as to bring the writer up to date on the City planning in the field. It listed, also, the various representatives of interested organizations who were present at a recent meeting.

At the request of the Council, the communication was read by the Clerk.

RESOLUTION NO. 110724, recorded on Microfilm Roll No. 62, referring to the City Manager for reply, communication from Pacific Beach Recreation Committee, dated February 18, 1953 signed by (Mrs. W. A.) June V. Sanford, Secretary, 1421 Beryl Street, San Diego 9, in connection with various improvements desired and report on current plans of the City for completing the facilities - a copy of letter to be furnished to the Council at a later date - was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

Communication from Pacific Beach Business and Professional Ass'n., signed by Len Lafferty, Secretary, P.O. Box 242 Pacific Beach Station, San Diego 9, California, dated February 17, 1953, was presented.

Said communication announced that the Association at its last business meeting unanimously went on record favoring a Civic Auditorium and a Baseball Stadium to be built in the Mission Bay area. It was read to the Council by the Clerk.

Communication from Veterans of Foreign Wars of The United States, Osmond K. Ingram Ship No. 1774, 914 Seventh Avenue, San Diego 1, dated February 12, 1953, and supporting the Civic Auditorium project for the City of San Diego, was presented.

Councilman Kerrigan said that the Planning Commission is studying the matter.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, both communications were referred to the Planning Commission.

Communication from C. S. Kirchmaier, 4951 Long Branch, San Diego 6, dated Feb. 19, 1953, complaining of rough handling by a Police officer, in connection with a traffic situation, was presented.

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

The matter of 62nd Street, which had been before the Council earlier and shown twice preceding this time in these Minutes, was brought up again.

The City Engineer brought in a report on soil tests, which he showed to members of the Council.

Councilman Dail said that property owners should not be forced to have a higher cost paving than necessary. He said that it is not an area (Encanto) which can afford the high priced improvement. He said that there are elderly people who live there and own property, and he said that the City should not put in long-lasting paving.

The City Engineer said that standards take into consideration the character of the soil. He referred to action of various public agencies which recommend standards for design of streets. He pointed out that the City's design is in accordance with the recommendation. He said that he has made recommendation for reasonable improvement, although it is a little light. He said that it is a matter of policy of the Council as to how far down the line to go. He reviewed bids received for the improvement. The City Engineer cannot answer the question relative to the probable length of time before maintenance needs to start when lighter pavement is used.

Councilman Wincote spoke regarding lasting time and maintenance, and as to what might be economical.

Councilman Dail insisted that property owners should have an opportunity to have a choice of improvements.

Councilman Kerrigan spoke about light weight black stuff on streets which goes out in 3 or 4 years - and also of one which went to pieces in 6 months.

The City Engineer pointed out that some light paving goes to pieces very quickly.

Councilman Dail told the Council that a concrete base is not always applicable.

Councilman Wincote said that it is necessary to have a look at the actual cost - the cost of installation, and the maintenance.

Councilman Kerrigan told about expensive repair problems, and said that he can show examples where it had become necessary to begin maintain pavements not long after installation.

The City Engineer told about paving that is authorized in subdivisions on which the City is going to have to maintain the streets and pay the bill. He referred to a times there being only time enough for subdividers to get out from under, and lease the City to foot the bill. The Engineer said that no protests had been received on the proposal.

Councilman Dail said that property owners don't know what is provided, and therefore do not protest. He commented that concrete bases in garages are breaking.

Councilman Kerrigan pointed out that property owners have the right to go into the debt limitation act, but that it is by-passed regularly.

Councilman Dail spoke regarding experimental paving.

Richard Steck, paving contractors' representative, said that there is always maintenance, no matter what type of pavement is used. He said that the State of California takes out existing adobe, and replaces it with a proper base. He declared that asphaltic paving is the world's oldest type. He referred to El Cajon Boulevard, which had to be surfaced quickly, although a heavy base had been put down. He contended that property owners should not have to pay a premium for improvements. He said that the City needs a State report, as had been said by Councilman Kerrigan. He said that the people cannot afford to put down paving such as the State uses, however.

Councilman Wincote said that the paving has to be done, and done well; but that the State will probably uphold the City Engineer. He said that he wants the facts.

Mr. Steck said that some contractors would be willing to put up a bond to the effect that 4" asphalt will hold up as well as much of expensive paving. He said that the City Engineer is doing a good job, but that he is not going far enough.

Councilman Schneider said that the City Engineer feels that he has an obligation to uphold specifications.

Councilman Dail said that he does not want to vote on something forced on his district.

Councilman Swan, acting as Chairman, said that the Council has already passed the item.

Councilman Wincote asked Mr. Steck for a report from the contractors, and the City Engineer for a report, relative to cost and maintenance.

(There was no motion on Councilman Wincote's request).

The City Engineer was not sure, according to his statement, that he can give a "true" answer. Nobody in the country, he said, can answer the question.

Councilman Kerrigan said that a policy change is needed, where people cannot afford high paving costs. He said that the Engineer is building as good pavement today as at any time. The Engineer does not approve mixed type of pavement, he said.

The City Engineer said that he does not recall a single protest relative to the type of pavement - regarding the mixed types.

Councilman Dail said, again, that people who do not protest do not know what is wanted.

The City Engineer told the Council it is his duty to give sound, conservative advice - and then the Council can do what it wishes.

Mr. Steck said that contractors are not going to protest, that they will build streets according to specifications.

Councilman Dail said he was thinking "about the poor devil who has to pay the bill".

There was no action taken.

The visiting group from Kearny Senior High School left the meeting at this time.

The Council returned to the item on the agenda, which was a communication from Procopio, Price, Cory & Schwartz, attorneys, requesting a hearing relative to requested zone variance for Mrs. Ann Ghio to allow the sale of mixed drinks, etc., at 5462 La Jolla Boulevard at this time.

The Clerk having produced the Minute record of the Council's proceedings on the request, and the resolution resulting from the Council's action, both were read.

Councilman Wincote said that a zone change had been implied, to provide for the liquor service. He said that the applicant should apply for change of zone.

RESOLUTION NO. 110725, recorded on Microfilm Roll No. 61, requesting the City Manager to write to Procopio, Price, Corey and Schwartz, attorneys, 420 San Diego Trust & Savings Building, San Diego 1, California, and inform them, in response to their letter of February 18, 1953, signed by Todd Smith, that the only relief that could be afforded to Mrs. Ann Ghio in her effort to secure permit for the sale of cocktails and mixed drinks in her restaurant located at 5462 La Jolla Boulevard, La Jolla, is to seek a change of zone, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION OF AWARD NO. 110726, recorded on Microfilm Roll No. 61, accepting bid of L. B. Butterfield, and awarding contract for installation of sewer mains in 44th Street and C Street, within the limits and as particularly described in Resolution of Intention No. 109663, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted. (Low bid 19.1% below the estimate).

RESOLUTION OF AWARD NO. 110727, recorded on Microfilm Roll No. 61, 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 Montemar

Lighting District No. 1, for a period of one year from and including December 16, 1952, to and including December 15, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110728, recorded on Microfilm Roll No. 61, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the East and West Alley in Block 43 Normal Heights, and the North and South Alley in Block 43 Normal Heights on file under Document No. 464156; approving Plat No. 2415 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 a 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 Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 110729, recorded on Microfilm Roll No. 61, for installation of sewer mains in 48th Street, Duval Street, 49th Street, Mary Lou Street, 50th Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 110075, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 110730, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of 55th Street, within the limits and as particularly described in Resolution of Intention No. 110071, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 110731, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of La Paz Drive and San Bernardo Terrace; within the limits and as particularly described in Resolution of Intention No. 110072, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 110732, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Manzanita Drive, Heather Street and Glenfield Street, within the limits and as particularly described in Resolution of Intention No. 110073, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 110733, recorded on Microfilm Roll No. 61, for the closing of portions of First Street and Unnamed Streets in Rosedale and in The Highlands, within the limits and as particularly described in said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION ORDERING WORK NO. 110734, recorded on Microfilm Roll No. 61, for the closing of the five-foot path between Lots 61 and 62 of Ludington Heights, 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. 110735, recorded on Microfilm Roll No. 61, for the furnishing of electric current for the lighting of the ornamental street lights located in Talmadge Park Lighting District Number One, for a period of one year from and including March 1, 1953, to and including February 28, 1954, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110736, for the paving and otherwise improving of the Alleys in Block 43 Normal Heights, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110737, recorded on Microfilm Roll No. 61, ascertaining and declaring the wage scale for the paving and otherwise improving of 41st Street and Broadway, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110738, recorded on Microfilm Roll No. 61, ascertaining and declaring the wage scale, for the paving and otherwise improving of Moana Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110739, recorded on Microfilm Roll No. 61, approving the diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of Archer Street, Van Nuys Street, Cass Street, Agate Street,

Dawes Street and the Alley in Lot 2 Map of Pueblo Lot 1783, within the limits and as particularly described in Resolution of Intention No. 106117, 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 of said City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110740, recorded on Microfilm Roll No. 61, approving diagram of the property affected or benefited by the work of improvement to be done on the installing of sewer mains in Nashville Street, Lapwai Street, Western Street, La Salle Street and Jupiter Street, within the limits and as particularly described in Resolution of Intention No. 107941 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 of said City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110741, recorded on Microfilm Roll No. 61, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alley in Block 11 La Jolla Strand, within the limits and as particularly described in Resolution of Intention No. 105800, and to be assessed to pay the expenses thereof, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110742, recorded on Microfilm Roll No. 61, adopting recommendation of the City Engineer filed in the office of the City Clerk on February 16, 1953, under Document No. 464082; authorizing the City Engineer to amend the proceedings for the improvement of portions of Jennings Street and Albion Street in accordance with said recommendation, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110743, recorded on Microfilm Roll No. 61, granting petition contained in Document No. 463825 for the paving and otherwise improving of Poinsettia 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 paving and otherwise improving of said street in accordance with the City Engineer's recommendation filed in the office of the City Clerk under Document No. 463986 - which includes other improvements, if any - directing the City Engineer to consolidate said assessment district with the assessment district heretofore ordered by Resolution No. 107734 for the improvement of Curtis street, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110744, recorded on Microfilm Roll No. 61, granting petition contained in Document No. 464291 for the installation of sewers in Hilger Street northerly from Madera Street to Gibson Street or beyond; and Tarbox Street, between Hilger Street and 69th Street; directing the City Engineer to furnish 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 installation of sewers to serve portions of Blocks 2, 3, 4, 6, 7 and 8 Sunny Slope Addition, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the City Engineer recommends the doing of said work, although the petition is signed by the owners of approximately 46% of the area to be served by the sewer. Attached was a letter from the Director of Public Health recommending that sewers be installed to replace a large number of septic tanks that are expected to give trouble in the near future.

E. W. Blom, Acting City Manager, made a verbal report in which he said that Dr. Askew, Director of Health, said that it is not a problem today, but as the district is built up it will be.

RESOLUTION NO. 110745, recorded on Microfilm Roll No. 61, approving overtime in the construction of the Witherby Street Underpass Pressure Sewer, under the contract between The City of San Diego, contractor Johnson-Western Construction Company - in order to avoid peak load periods of sewage - in accordance with the terms of the City Charter, and copies of reports thereof filed with the City Clerk on January 22, 1953, which should have been filed before November 22, 1952, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110746, recorded on Microfilm Roll No. 61, approving request of California Electric Works contained in Change Order No. 1, for extension of 165 days to and including May 1, 1953, heretofore filed with the City Clerk as Document No. 464371 in which to complete its contract for installation of traffic signals and safety lighting at Harbor Drive and Laurel Street, contract contained in Document No. 452305 on file in the office of the City Clerk; extending time to May 1, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110747, recorded on Microfilm Roll No. 61, approving change order No. 1, dated January 22, 1953, heretofore filed with the City Clerk as Document No. 464371, issued in connection with contract between The City of San Diego and California Electric Works for installation of traffic signals and safety lighting at Harbor Drive and

Laurel Street, contract contained in Document No. 452305 on file in the office of the City Clerk - changes amounting to increase in the contract price of approximately \$2,532, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110748, recorded on Microfilm Roll No. 61, approving change order No. 3, dated January 27, 1953, heretofore filed with the City Clerk as Document No. 464374, issued in connection with the contract between The City of San Diego and Griffith Company for the widening of Sixth Avenue, from Pennsylvania Avenue to University Avenue, contract contained in Document No. 455103 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$572.40, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110749, recorded on Microfilm Roll No. 61, approving and confirming appointment by the Mayor of Arthur Wells Sr., to fill the unexpired term of Walter Whitcomb, as representative of The City of San Diego on the Board of Directors of the San Diego County Water Authority, and the appointment by the Mayor of Paul Beerman, for a full term, as representative of the City on the Board of Directors of said Water Authority; repealing Resolution No. 110395 adopted on January 27, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110750, recorded on Microfilm Roll No. 61, approving request of Griffith Company, contained in Change Order No. 1, for extension of 60 days to and including April 9, 1953, heretofore filed with the City Clerk as Document No. 464389, in which to complete contract for improvement of Afton Road, et al., contract contained in Document No. 459503 on file in the office of the City Clerk; extending time of completion to April 9, 1953, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110751, recorded on Microfilm Roll No. 61, approving change order No. 1, heretofore filed with the City Clerk as Document No. 464391, issued in connection with contract between The City of San Diego and Paul Spencer Construction Company for construction of drainage system in Tierra del Fuego, contract contained in Document No. 464391 on file in the office of the City Clerk; changes amounting to increase in the contract price of approximately \$80.00, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110752, recorded on Microfilm Roll No. 61, authorizing and empowering the City Manager to do all the work in connection with construction of extension to the existing 30-inch concrete pipe culvert a distance of 48 feet, crossing Alley in Block 260 University Heights, between Florida and Alabama Streets, about 50 feet south of Myrtle Avenue, by appropriate City forces, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the Engineering Department has recommended such construction, 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. 110753, recorded on Microfilm Roll No. 61, 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, State of California, and to take all necessary steps to acquire from the State of California the lands set forth in said Resolution - in Bungalow Park, Cafe & McHatton's Sub., Clifton Addition, Montclair - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110754, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against property in said Resolution - being in Montclair, and more particularly described in the Resolution - together with all penalties and other expenses therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled, and that he be authorized and directed to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110755, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against property in said Resolution - being in City, and more particularly described in the Resolution - together with all penalties and other expenses therewith, be cancelled, and that all deeds to The State of California for delinquent taxes be cancelled, and that he be authorized and directed to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110756, accepting bid of A & C Press, Inc., for the sale of City-owned Block 155 Middletown, excepting the South 7.50 feet of Lot 2, all of Lot

3 and the North 15 feet of Lot 4, occupied by Fire Station No. 2, and selling said property to the said A & C Press, Inc., at the price bid at said public auction sale, to-wit: \$50,000.00; authorizing and empowering the Mayor and City Clerk to execute, for and on behalf of the City, a deed quitclaiming said property; authorizing and directing the City Attorney to prepare and present an ordinance authorizing and directing the City Auditor and Comptroller to pay to Fred M. Mitchell Company the real estate broker's commission for the sale of said property at the prevailing rate prescribed and used by the San Diego Realty Board, as provided for by Section 22.0905 of the San Diego Municipal Code, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that Fred M. Mitchell Company, Licensed Real Estate Broker, heretofore requested that said property, belonging to the City, be put up for sale, and accompanied request by deposit of \$100.00 to cover all costs pertaining to such sale as required by the San Diego Municipal Code; that the Property Supervisor advertised said property for sale at public auction; that prior to the date fixed for such said said Broker registered with the Property Supervisor his name and address and the name and address of a client willing and able to make a bona fide bid at such sale at least equal to the minimum amount which the Council fixed in resolution authorizing the sale, and at the time of registration deposited a certified check in an amount equal to 5% of the minimum price fixed in the Resolution; that at said public auction sale held at 10:00 o'clock A.M., February 11, 1953, A&C Press, Inc. submitted the only bid in the sum of \$50,000.00, the minimum amount fixed for the sale, and that the City Manager has recommended that the bid be accepted.

RESOLUTION NO. 110757, recorded on Microfilm Roll No. 61, granting permission to R. J. Hayworth and Phyllis Hayworth, 5138 Cass Street, San Diego 9, to install a 30-foot driveway on the westerly side of Cass Street, approximately between points 44 feet and 74 feet south of the southerly line of Sapphire Street and to install a 94-foot driveway on the southerly side of Sapphire Street, approximately between points 10 and 104 feet west of the westerly line of Cass Street, adjacent to the northerly 100 feet of Lots 12 to 15 inclusive Block 2 Reed's Ocean Front Addition, subject to various conditions contained in said Resolution - to provide access to off-street parking for 14 cars at the location of Sand and Sea Motel, 5138 Cass Street, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110758, recorded on Microfilm Roll No. 61, granting permission to John Holderer & Son (Plumbing Permit No. 75946) to install a 6" house line sewer at 1/8" fall per foot in lieu of required 1/4" fall per foot; variance required because trunk line sewer is too high to make required grade a property connecting 3901 Midway Drive (Shures Theatre Corporation, owner); on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110759, recorded on Microfilm Roll No. 61, granting permission to LaSalle Trucking Company, 2694 Commercial Street, San Diego 13, to remove 16 feet of curb, including the alley return, on the easterly side of Sicard Street, approximately between points 24-1/2 and 140-1/2 feet south of the southerly line of Newton Avenue, for the installation of a driveway adjacent to Lot 48 Block 99 San Diego Land and Town Company's Addition, to provide approach to entrance of new garage building being constructed at 2317 Newton Avenue, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

In connection with the next Ordinance, Carl Reupsch who was questioned by members of the Council, said that funds for the purpose intended in said Ordinance had not been provided in the Budget.

ORDINANCE NO. 5500 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$26,500 from the Harbor Development Trust Fund Unappropriated Surplus Account, for the purpose of providing funds for the improvement of Belt Street from the U.S. Naval Station to 28th 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, Godfrey. Nays--Councilmen None. Absent--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, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

The final reading of such ordinance was in full.

In connection with the next Ordinance, E. W. Blom, Acting City Manager, explained that the appropriation is in connection with 1911 Act proceedings in the development of the area involved - on the north side of Mission Valley which is partially developed.

ORDINANCE NO. 5501 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$19,800.00 from the Sewer Bond Fund (713) of the City of San Diego, for the purpose of providing funds for the construction of sanitary sewers in Pueblo Lots 282 and 283, Vernon Park, and in Old San Diego, 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 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. 5502 (New Series), recorded on Microfilm Roll No. 61, authorizing and directing the City Auditor and Comptroller to pay the sum of \$2,500.00 out of the money received as the purchase price for Block 155 Middletown, excepting the south 7.50 feet of Lot 2, all of Lot 3, and the north 15 feet of Lot 4 occupied by the Fire Station No. 20, to Fred M. Mitchell Company, licensed real estate broker, as real estate broker's commission for the sale of said City-owned property, 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. 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.

Before said Ordinance was adopted, comment was made that the figure seemed high. Councilman Schneider said that the amount was 5% of the sale, as provided for in the San Diego Municipal Code, and the customary percentage for such transactions.

ORDINANCE NO. 5503 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$1,900.00 from the Capital Outlay Fund, for the purpose of providing funds for the construction of sanitary sewers in Dawes Street, between the Alleys northerly and southerly of Reed Avenue, 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, 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. 5504 (New Series), recorded on Microfilm Roll No. 61, authorizing the leasing of Pueblo Lot 1329 of the Pueblo Lands of The City of San Diego to Sawday and Sexson, Incorporated, as set out in the form of lease on file in the office of the City Clerk as Document No. 464510, 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, Godfrey. Nays--Councilmen None. Absent--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, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

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

The Acting City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda. Before action upon the Resolution, he made a brief verbal report.

RESOLUTION NO. 110760, recorded on Microfilm Roll No. 61, permitting the consolidation of a Special Election of the San Diego Unified School District with the Regular Municipal Election of The City of San Diego, to be held on April 21, 1953 - relative to proposition to incur a bonded indebtedness in the sum of \$18,000,000 for public school purposes to be held on April 21, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The Acting City Manager requested, and was granted, unanimous consent to present the next matter, not listed on the Council's agenda. Before action upon the two following Resolutions was taken, he said that action by the Council at this time would save considerable expense on the part of the property owner, including the making of new title searches.

RESOLUTION NO. 110761, recorded on Microfilm Roll No. 61, authorizing and directing the City Manager to execute, for and on behalf of The City of San Diego, a contract with Clairemont Terrace Unit No. 1, a corporation, for the installation and completion of the unfinished improvements and the setting of the monuments required for Clairemont Terrace 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 Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110762, recorded on Microfilm Roll No. 61, adopting Map of Clairemont Terrace Unit No. 1, a subdivision of portion of Pueblo Lot 1191; accepting on behalf of the public July Street and unnamed easements for public purposes, declaring them to be a public street and unnamed easement 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 portion of a street and unnamed easement 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 Wincote, seconded by Councilman Schneider, adopted.

Councilman Kerrigan requested, and was granted, unanimous consent to present the next matter, not listed on the agenda:

Councilman Kerrigan spoke about the possibility of water bills being paid in the same manner as gas bills, particularly at City hall branches, in an envelope and providing for payment of bills being left in a drop box. He said that if such a method is devised it would provide a great convenience to those who pay said bills, and felt that matter might well be studied by the City Manager.

RESOLUTION NO. 110763, recorded on Microfilm Roll No. 61, requesting the City Manager to study and report to the Council the feasibility of devising a system of paying water bills by use of a drop^{box}, particularly in outlying areas, in accordance with a system used by the San Diego Gas & Electric Company for after hours payments, and in accordance with copy of said company's envelope submitted by Councilman Kerrigan, was on motion of Councilman Kerrigan, 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 11:25 o'clock A.M.

ATTEST:
FRED W. SICK, City Clerk

Franklin F. Swan
VICE Mayor of The City of San Diego, California

By

August M. Hadstrom
Deputy

REGULAR MEETING

Chamber of the Council of The City of San Diego,
California, Thursday, February 26, 1953

Present--Councilmen Swan, Winco te, Schneider, Kerrigan, Dail, Godfrey
Absent---Mayor Butler
Clerk----Fred W. Sick

A Regular Meeting of the Council 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 Mayor Butler from the City, Vice Mayor Franklin F. Swan acted as Chairman.

At the request of Councilman Schneider, the sergeant at arms was excused, inasmuch as there appeared to be no need for his presence, due to the small docket.

In connection with the next matter, Orin Cope, Assistant to the City Manager, made a verbal verbal report.

RESOLUTION NO. 110764, recorded on Microfilm Roll No. 61, rejecting all bids received by the Purchasing Agent on October 8, 1952, for installation of a fire sprinkler system in the building located at 1769 Front Street; directing that all checks received with bids be returned, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110765, recorded on Microfilm Roll No. 61, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of a fire sprinkler system in the building located at 1769 Front Street, filed in the office of the City Clerk as Document No. 464512; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110766, recorded on Microfilm Roll No. 61, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the installation of street name signs, filed in the office of the City Clerk as Document No. 464513; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids for the work, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 6 sections of the Municipal Code in connection with the Tentative Map of Collwood Terrace Unit No. 3, was presented.

RESOLUTION NO. 110767, recorded on Microfilm Roll No. 61, suspending Sections 102.09, 102.07-5, 102.11-2, 102.12-8, 102.18, 102.17-C of the Municipal Code, in connection with the Tentative Map of Collwood Terrace Unit No. 3, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Collwood Terrace Unit No. 3, for the subdivision of portion of Lots 4, 5, 6, 11, 12, 13, 17 Marcellena Tract, and Lot 22 Rancho Mission, located southerly of Montezuma Road and westerly of College Park, was presented.

RESOLUTION NO. 110768, recorded on Microfilm Roll No. 61, approving the Tentative Map of Collwood Terrace Unit No. 3, subject to the 10 conditions contained therein, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Several communications from the Public Housing Administration, Housing and Home Finance Agency, suggesting that the City of San Diego submit applications for the relinquishment of housing not later than March 31, 1953. Projects contained in the various communications affected Leila Byrd, Stonington, Riverlawn, Presidio; Frontier Homes, 5 sections; The Dells; Levant, 2 sections; Torrey Pines, and Libertad.

Asked for a report, the City Manager stated that it was a large project, consisting of various housing units, and that he would be in a position to report later.

It was then suggested by Councilman Godfrey that the Manager report on subject at next Tuesday's Council Conference.

RESOLUTION NO. 110769, recorded on Microfilm Roll No. 61, requesting the City Manager to report to the Council's next conference - to be held Tuesday, March 3, 1953, at 2:00 o'clock P.M. - on the various communications from the Public Housing Administration, Housing and Home Finance Agency, relative to applications for relinquishment of housing not later than March 31, 1953, affecting Leila Byrd, Stonington, Riverlawn, Presidio; Frontier Homes, 5 sections; The Dells; Levant, 2 sections; Torrey Pines, and Libertad, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

Communication from Bonded Builders, dated February 20, 1953, signed by Fred Kaufman, requesting early consideration of the Map of College Terrace, and the matter of opening of Arosa Street by easement from the College Baptist Church, was presented. The communication offered compliance with the City's wishes.

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

Communication from Delano Chamber of Commerce, being a printed circular relating to Assembly Bill 2608, having to do with Library and School Building Plans, etc., and endorsing said Bill intended to establish a library of school plans and to eliminate unnecessary costs in school construction projects, was presented.

(Another circular from the same source was received some weeks previously, and was filed by the Council).

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

The next matter, being a communication from Freeland, Peterson & Evenson, engineers, requesting extension of one year in which to file Map of Belleview Heights Unit No. 7 - which had been considered at the meeting of February 24, 1953, and continued to this date, was presented at this time.

Glehn A. Rick, City Planning Director, was heard. He said that the engineers desire the extension, and pointed out that rather than having to go through the procedure of filing a new map, granting the request would save expenses. He said that he agrees with the petitioners and favors granting.

RESOLUTION NO. 110770, recorded on Microfilm Roll No. 61, reapproving Tentative Map of Belleview Heights Unit No. 7, a subdivision of 17 lots located northerly of University Avenue and immediately west of 60th Street, subject to conditions set forth in Resolution No. 105740 dated March 6, 1952 and suspensions granted to the Municipal Code by Resolution No. 105739, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

The next matter, being communication from Jack E. Gainder, dated February 23, 1953, making various suggestions relative to penalties for overtime parking was presented and was read to the Council by the Clerk.

Councilman Wincote said that if the writer's suggestions were followed, relative to granting reductions for payment of fines for overtime promptly, individuals could park all day for thirty cents.

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

In connection with the next matter, Carl Reupsch, representing the Harbor Department, made a verbal report. He said that the reason for the request is that it goes over \$1,000.00. He told the Council that dirt for the filling would be obtained

free of charge. There would, however, be a charge for hauling the dirt in some instances. Communication from the Harbor Department, signed by John Bate, Port Director, requesting the Council to pass a resolution authorizing work to be done by City forces on grading the non-scheduled flight area, Lindbergh Field, at a total estimate of \$6,000.00 was presented. It states that the job has been studied, and it is found that work can be accomplished in said manner to the best advantage of the City of San Diego.

RESOLUTION NO. 110771, recorded on Microfilm Roll No. 61, authorizing and empowering the Port Director to do all the work in connection with the grading of the Non-Scheduled Flight Area, Lindbergh Field, by appropriate City forces, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

In connection with the next matter, having to do with contract for sewer in De Anza Point, et al (Mission Bay), the City Manager made a verbal report to the Council. He said that the reasons for the increase were caused by silting in of the ditch during the rain, which had to be cleaned out. He said that there were also items which had to be added, and substitution of needed items, as well as items which were not in the first specifications. He told the Council that doing the work now would prevent tearing up of the area and work later. The Manager told the Council that the City Engineer has ordered the additional work, which was based on the contractor's unit prices under his original bid. The matter was checked, he said, by the Assistant City Manager, and that it had originated with the City Engineer. He pointed out that further conditions can develop which may require changes as the work goes along.

RESOLUTION NO. 110772, recorded on Microfilm Roll No. 61, approving Change Order No. 2, dated February 13, 1953, heretofore filed with the City Clerk as Document No. 464577, issued in connection with contract between The City of San Diego and Walter H. Barber, for construction of sewer in De Anza Point, et al., contract contained in Document No. 461038 on file in the office of the City Clerk - changes amounting to increase in the contract price of \$5,585.00 - was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110773, recorded on Microfilm Roll No. 61, approving change order No. 2, dated February 10, 1953, heretofore filed with the City Clerk as Document No. 464579, issued in connection with the contract between The City of San Diego and Ets-Hokin & Galvan for installation of safety lights and traffic signals at Sunset Cliffs Boulevard and Midway Drive, contract contained in Document No. 459502 on file in the office of the City Clerk - changes amounting to decrease in the contract price of \$510.00 - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The Vice Mayor called the Council's attention that the change provides for a price decrease.

In connection with the next matter, the City Manager made a verbal report in which he told the Council that extra base is needed in connection with paving, where the buses stop. The Transit System, he said, will meet 50% of the cost.

RESOLUTION NO. 110774, recorded on Microfilm Roll No. 61, approving Change Order No. 2, dated January 22, 1953, heretofore filed with the City Clerk as Document No. 464035, issued in connection with contract between The City of San Diego and R. E. Hazard Contracting Co. for widening of Park Boulevard adjacent to the San Diego High School, which contract is contained in Document No. 455487 on file in the office of the City Clerk - changes amounting to increase in the contract price of approximately \$2,550.00 - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

In addition to the first report, preceding Resolution No. 110774, the City Manager stated that this is the same item that was before the Council previously, which had been withdrawn to permit further study.

RESOLUTION NO. 110775, recorded on Microfilm Roll No. 61, approving request of Al E. Riley, contained in Change Order No. 1, for extension of 120 days, to and including April 23, 1953, heretofore filed with the City Clerk as Document No. 464581, in which to complete contract for improvement of Playa del Norte, contract contained in Document No. 458068 on file in the office of the City Clerk, and extending completion time to April 23, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

In connection with the next item, when the question was asked by the Vice Mayor, Councilman Kerrigan said that item involved had been budgeted, and was not a new item.

RESOLUTION NO. 110776, recorded on Microfilm Roll No. 61, allowing the bill of San Diego City & County Convention Bureau, bearing date February 20, 1953, in the sum of \$438.12 for expenses incurred; authorizing requisition to be drawn on the Advertising and Publicity Fund of The City of San Diego for the fiscal year 1952-53 for said sum, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110777, recorded on Microfilm Roll No. 61, approving claim of Mrs. Cloe M. Daniel, on file in the office of The City Clerk under Document No. 462814 in the amount of \$30.14; authorizing and directing the City Auditor to draw warrant in favor of Mrs. Cloe M. Daniel in said amount in full payment of said claim, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110778, recorded on Microfilm Roll No. 61, denying claims of Price A. Viers, on file in the office of the City Clerk as Documents Nos. 463416 and 463839,

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

RESOLUTION NO. 110779, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by H. S. Berry and Hazel D. Berry, beneficiaries, and Union Title Insurance and Trust Company, trustee, bearing date January 30, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 28 Ex-Mission Lands of San Diego, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego in portion of said property; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110780, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by The Border Bank, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date January 12, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 286, 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110781, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by Central Federal Savings and Loan Association, beneficiary, and Southern Title and Trust Company, trustee, bearing date January 8, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 285 of the Pueblo Lands of San Diego, 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110782, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by Nels T. Christensen and Muriel Christensen, beneficiaries, and Security Title Insurance Company, trustees, bearing date January 14, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 63 Ex-Mission Lands of San Diego, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110783, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by C. W. Johnson, beneficiary, and Bank of America National Trust and Savings Association, trustee, bearing date February 5, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lot 139 National Vista, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110784, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by C. O. Vandenburg and Millie B. Vandenburg, beneficiaries, and Bank of America National Trust and Savings Association, trustee, bearing date February 14, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 319 and 320 Ramona, to the right of way and easement for water pipeline purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to transmit said subordination agreement, together with two certified copies 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 Godfrey, adopted.

RESOLUTION NO. 110785, recorded on Microfilm Roll No. 61, accepting deed of Velma Johnson, bearing date January 15, 1953, conveying Lot 30 Block 7 McLaren's "H" Street Addition; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110786, recorded on Microfilm Roll No. 61, accepting deed of Edmund A. Koterwas and Beulah Eileen Koterwas, bearing date January 30, 1953, conveying Lot 11 Block 7 McLaren's "H" Street Addition; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110787, recorded on Microfilm Roll No. 61, accepting deed of Solon S. Kipp, Della A. Kipp, W. E. Starke, Cecilia G. Starke, K. L. Mark and Sylvia N. Mark, bearing date January 20, 1953, conveying easement and right of way for public street purposes in portion of Block 1 Beverly, 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110788, recorded on Microfilm Roll No. 61, accepting deed of James J. Walsh and Bess B. Walsh, bearing date January 14, 1953, conveying easement and right of way for public street purposes in portion of Lot 63 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110789, recorded on Microfilm Roll No. 61, accepting deed of the San Diego Unified School District of San Diego County, California, bearing date February 3, 1953, conveying easement and right of way for public street purposes in portion of Lot 28 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 Hilltop Drive; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110790, recorded on Microfilm Roll No. 61, accepting deed of James J. Walsh and Bess B. Walsh, bearing date January 14, 1953, conveying easement and right of way for public street purposes in portion of Lot 63 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 Logan Avenue; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110791, recorded on Microfilm Roll No. 61, accepting deed of Alan L. Robbins, bearing date February 14, 1953, conveying portions of Lot 54 Block "H" El Cerrito Heights Unit No. 3, setting aside and dedicating the same to the public use as and for a public street, and naming the same University Avenue; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110792, recorded on Microfilm Roll No. 61, accepting deed of Jamie B. Erickson, Sr. and Louise S. Erickson, bearing date February 6, 1953, conveying easement and right of way for public sewer purposes in portion of Lot 29 La Mesa Colony; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110793, recorded on Microfilm Roll No. 61, accepting deed of Arthur W. Hill and Madeline M. Hill, bearing date February 6, 1953, conveying easement and right of way for public sewer purposes in portion of Lot 29 La Mesa Colony; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110794, recorded on Microfilm Roll No. 61, accepting deed of Cletus L. Kathol and Regina A. Kathol, dated January 30, 1953, conveying easement and right of way for public sewer purposes in portion of Lot 139 National Vista; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110795, recorded on Microfilm Roll No. 61, accepting deed of J. Francis Mergen and Bubbles J. Mergen, bearing date January 9, 1953, conveying easement and right of way for public sewer purposes in portion of Whitman Street; closed to public use by Resolution No. 109168 of the Council of the City of San Diego; authorizing and directing the City Clerk to transmit said deed, together with 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 Godfrey, adopted.

RESOLUTION NO. 110796, recorded on Microfilm Roll No. 61, accepting deed of Thomas A. Bignell and Gladys E. Bignell, bearing date January 13, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 285; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110797, recorded on Microfilm Roll No. 61, accepting deed of Roy F. Clark and Estherbel Clark, bearing date January 8, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 285; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110798, recorded on Microfilm Roll No. 61, accepting deed of Jennie W. Coville, bearing date January 8, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 286; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110799, recorded on Microfilm Roll No. 61, accepting deed of Harbor Finance Corporation, bearing date January 21, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 285; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110800, recorded on Microfilm Roll No. 61, accepting deed of Royal C. Main, Jr. and Geraldine V. Main, bearing date January 9, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 285; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110801, recorded on Microfilm Roll No. 61, accepting deed of Republic Development Company, bearing date January 26, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 59 Beacon Hill; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110802, recorded on Microfilm Roll No. 61, accepting deed of Sweetwater Homes, Inc., executed in favor of The City of San Diego, bearing date January 26, 1953, conveying easement and right of way for storm drain purposes in portion of Lot 66 Beacon Hill; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110803, recorded on Microfilm Roll No. 61, accepting deed of Russell L. Henson and Mayme Ross Henson, bearing date February 3, 1953, conveying easement and right of way for water pipe line purposes in portion of Lots 319 and 320 of Ramona; authorizing and directing the City Clerk to transmit said deed, together with two certified copies 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 Godfrey, adopted.

ORDINANCE NO. 5505 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$1,000.00 from the Capital Outlay Fund, for the purpose of providing additional funds for the widening and improvement of Park Boulevard, 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--Councilmen None; Mayor Butler. 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--Councilmen None; Mayor Butler.

The final reading of such Ordinance was in full.

ORDINANCE NO. 5506 (New Series), recorded on Microfilm Roll No. 61, establishing the grade of the Alley in Block 15 Ocean Beach, between the southeasterly line of Ebers Street and the northwesterly line of Froude Street, was on motion of Councilman Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey. 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. Nays--Councilmen None. Absent--Mayor Butler.

ORDINANCE NO. 5507 (New Series), recorded on Microfilm Roll No. 61, establishing the grade of the Alley in Block 76 Subdivision of Acre Lots 12, 13, 14, 15, 39, 40, 41 and portions of 16, 37, 45, 46 and Blocks 150 and 151 Pacific Beach, 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 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.

ORDINANCE NO. 5508 (New Series), recorded on Microfilm Roll No. 61, establishing the official property line grades on El Paseo Grande between the southerly line of Paseo Dorado and a line parallel to and distant 31.20 feet northerly from the easterly prolongation of the northerly line of Calle Opima; Vallecitos between the westerly line of El Paseo Grande and the westerly line of La Jolla Shores Drive; Calle Clara between the easterly line of El Paseo Grande and the westerly line of La Jolla Shores Drive; Calle Frescota between the southeasterly line of Camino Del Oro and the westerly line of La Jolla Shores Drive; Camino Del Oro between the westerly line of El Paseo Grande and the westerly line of La Jolla Shores Drive, and the Alley in Block 9 La Jolla Shores Unit No. 1 between the northeasterly line of Calle de la Plata and the westerly line of El Paseo Grande; the Alley in Block 12 La Jolla Shores Unit No. 1 between the southeasterly line of Camino del Sol and the southwesterly line of De La Ribera, and the southerly Alley in Block 34 La Jolla Shores Unit No. 6 between the southeasterly line of Camino Del Oro and the westerly line of El Paseo Grande, 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 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.

ORDINANCE NO. 5509 (New Series), recorded on Microfilm Roll No. 61, establishing the grade of Haller Street, between a line parallel to and distant 380.00 feet northerly from the northerly line of Redwood Street and the easterly prolongation of the northerly line of Lot 44 Block B Montclair, 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 Butler.

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. Nays--Councilmen None. Absent--Mayor Butler.

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

The Manager reported, in connection with request made by Magnolia Downs, Inc., signed by John C. Kelly, requesting 30 day extension in connection with improvements in Magnolia Downs Tract No. 2864. Said matter - in which the subject listed 30 days and the body of the letter making request said 60 days, relates to completion of the improvements, and the request was necessitated according to the letter because of difficult soil conditions which were not anticipated. The Manager told the Council that the City is partially responsible for the delay, in connection with the water main installation.

RESOLUTION NO. 110804, recorded on Microfilm Roll No. 69, extending time for the completion of public improvements in Magnolia Downs Subdivision, designated in Document No. 447730 as March 1, 1953, to May 1, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that the City entered into a contract providing that all improvements be completed on or before March 1, 1953; that due to difficult soil conditions which were not anticipated, the subdivider has been unable to complete improvements within the time specified.

The following items were listed on the agenda as having been referred to the City Manager by the City Clerk:

1 Protest of property owners against paving the Alley in Block "A" Cornish Heights, and requesting that the project be stopped;

2 Petition of Gates Towel & Linen Supply Inc. for permission to install a Clarifier at 1155 - 18th Street;

3 Protest of business firms against condition of the building and sidewalks at the southwest corner of India Street and Broadway.

Councilman Schneider requested the City Manager to report to him relative to the items shown as 2 and 3 just above.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 10:23 o'clock A.M., on motion of Councilman Schneider, seconded by Councilman Godfrey.

Upon adjourning, it was announced that the Council would go into Conference immediately.

ATTEST:
FRED W. SICK, City Clerk

Franklin F. Swan
Vice Mayor of The City of San Diego, California

By August M. Hadstrom
Deputy

REGULAR MEETING

Chamber of the Council of the City of San Diego, California,
Tuesday, 10:04 o'clock A.M.,
March 3, 1953

A Regular Meeting of the Council was held this date, and was called to order by Vice Mayor Franklin F. Swan, at the hour of 10:04 o'clock A.M.

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

In the absence of the Mayor from the City, the Vice Mayor acted as Chairman.

The Minutes of the Regular Council Meetings of Tuesday, February 24, 1953, and of Thursday, February 26, 1953, were presented to the Council by the Clerk. On motion of Councilman Godfrey, seconded by Councilman Schneider, said Minutes were approved without reading, after which they were signed by the Vice Mayor.

Councilman Wincote entered 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. 110353 for the paving and otherwise improving of the Alley in Block 136 City Heights; Quince Street, Lexington Avenue and Public Rights of Way, within the limits and as particularly described in said Resolution, the Clerk reported that no written protests were presented.

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 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 Resolution of Intention No. 110354, for the paving and otherwise improving of Addison Street, within the limits and as particularly described in said Resolution, the Clerk reported that written protests had been received from Mrs. Alvin Rodrigues and others, Herbert Sinnhoffer and Alexander Sinnhoffer, Alexandrina Marques, Robert O. Blakeney, which protests were presented.

The City Engineer made a verbal report in which he told the Council that there is a protest of 81.9%.

RESOLUTION NO. 110805, recorded on Microfilm Roll No. 61, sustaining the protests of Robert O. Blakeney, Alexandrina Marques, Herbert Sinnhoffer and others, Mrs. Alvira Rodrigues, et al, against the paving and otherwise improving of Addison Street, within the limits and as particularly described in Resolution of Intention No. 110354, sustaining all other protests thereon; abandoning the proceedings heretofore taken for said proposed improvement, 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 of Intention No. 110355, for the paving and otherwise improving of Vista del Mar 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 persons were present who desired to be heard.

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 the continued hearing on Resolution of Intention No. 109911 for the installation of ornamental light standards on Kingsley Street, James Street, Oleander Drive, et al in Plumosa Manor Unit No. 2, within the limits and as particularly described in Resolution of Intention No. 109911, the following action was taken, inasmuch as it had been agreed previously to continue the hearing week-to-week for 4 weeks :

RESOLUTION NO. 110806, recorded on Microfilm Roll No. 61, continuing the hearing on Resolution of Intention No. 109911 for installation of the ornamental light standards on Kingsley Street, James Street, Oleander Drive, et al, in Plumosa Manor Unit No. 2, until the hour of 10:00 o'clock A.M. of Tuesday, March 10, 1953, 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 of Intention No. 110469 of Preliminary Determination for the paving and otherwise improving of the Alleys in Block 45 Ocean Beach; Public Rights of way in Lots 5 and 6 Block 45 Ocean Beach; and Cable 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. 110807, recorded on Microfilm Roll No. 61, determining that the proposed paving and otherwise improving of the Alleys in Block 45 Ocean Beach; Public Rights of Way in Lots 5 and 6 Block 45 Ocean Beach; and Cable Street, within the limits and as particularly described in Resolution No. 110469 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 Schneider, seconded by Councilman Kerrigan, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 110470 of Preliminary Determination for the paving and otherwise improving of Newton 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. 110808, recorded on Microfilm Roll No. 61, determining that the proposed improvement of Newton Avenue, within the limits and as particularly described in Resolution No. 110470 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 Winote, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Resolution No. 110471 of Preliminary Determination for the paving and otherwise improving of Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street and Morenci 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 pre-

sented.

RESOLUTION NO. 110809, recorded on Microfilm Roll No. 61, determining that the proposed improvement of Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street and Morenci Street, within the limits and as particularly described in Resolution of Preliminary Determination No. 110471 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 Godfrey, seconded by Councilman Schneider, adopted.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in Resolution of Intention No. 103448, the Clerk reported that written protests had been received from Lyman B. Sutton and Jeanette E. Sutton and from Mrs. Cecila M. Nichols and Thomas P. Nichols, which protests were presented.

Thereupon, the Vice Mayor inquired if any persons were present who desired heard on the Street Superintendent's Assessment No. 2108 for said improvement.

Mrs. L. B. Sutton spoke, and told the Council that it is 300 feet from the nearest paving to her property, and told of the excessive cost.

The City Engineer said that there is an area assessment charge for construction of 42nd Street.

A conference was held over a map, relative to distances and charges, by members of the Council and the City Engineer.

Councilmen Schneider and Godfrey explained the matter to Mrs. Sutton, particularly as to how her property is affected, though at some distance from the improvement.

Mrs. Leo Prihoda spoke about a crack in the street.

The City Engineer said that the City will maintain the street after it has been accepted, and that improvements had been accepted in this case.

Mrs. Prihoda asked if she was being charged for sidewalk, not installed, in as much as it was listed.

The City Engineer replied that the sidewalk was not installed at the Prihoda property and that no assessment is made there.

There was another conference over the map, during which the City Engineer explained about the parcels (parcel numbers provided by the Assessor), to Mrs. Prihoda.

Mary Obas spoke about a key lot in the back of her property, and also about a bill for the front lot.

Councilman Wincote told Mrs. Obas she has a lot listed as a "parcel" by the Assessor.

RESOLUTION NO. 110810, recorded on Microfilm Roll No. 61, overruling and denying the verbal appeals of Mrs. Leo Prihoda and Mary Obas, the written appeals of Lyman B. Sutton et ux and of Thomas R. Nichols et ux, from the Street Superintendent's Assessment No. 2108 made to cover the costs and expenses of the paving and otherwise improving of Gamma Street, 42nd Street and Beta Street, within the limits and as particularly described in Resolution of Intention No. 103448, overruling and denying all other appeals; confirming and approving the Street Superintendent's Assessment No. 2108, authorizing and directing him to attach his warrant thereto and issue the same in the form provided by law; also 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.

At this time a majority of the members of the Council executed undertaking with San Diego Gas & Electric Company for El Cajon Boulevard Lighting District No. 1.

The hour of 10:00 o'clock A.M. having arrived, the time set for hearing on Ordinance incorporating portions of Section 33, T.16 S, R2W, S.B.M., into "R-2" Zone, in the vicinity of Altadena Avenue and Sterling Court, Glenn Rick, Planning Director made a verbal report.

Mr. Rick told the Council that the object of the zone change is to permit a school building at the end of Altadena Avenue. He pointed out that there is no road at the end. He said that it is the responsibility of the School Board to provide a street, but that it had not bought enough land to include a road. He said that extension of the road should not be the City's responsibility. He declared that a road has existed, but said that it had not been dedicated.

Councilman Wincote said that he thought the matter should be delayed, and that the road situation be taken up with the School Board.

RESOLUTION NO. 110811, recorded on Microfilm Roll No. 61, continuing the hearing on the proposed Ordinance incorporating portions of Section 33 T. 16S, R2W, S.B.M., into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 184 (New Series) adopted March 20, 1933, insofar as the same conflicts in the vicinity of Altadena Avenue and Sterling Court - to the hour of 10:00 o'clock A.M., Tuesday, March 10, 1953; requesting the City Manager to make a report on the access road in connection therewith, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from Levenson, Levenson & Block, suite 835 Bank of America Building, 625 Broadway, dated February 24, 1953, signed by Morey S. Levenson, was presented. The communication, being petition for amendment to the Municipal Code to allow the tattooing of persons over 18 years of age, without consent of the parent or guardian, and setting forth other matters in that connection, was referred to the City Manager on motion of Councilman Schneider, seconded by Councilman Kerrigan.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received February 25, 1953, for furnishing cement burial

boxes for a period of one year beginning March 1, 1953, was presented. The communication recommended the sole bid of Greenwood Cemetery Association.

A question was asked about the one bid.

The City Manager reported that there is only one manufacturer locally. He said that the price would be the same to purchase the commodity locally, or in Los Angeles and have it shipped. He said, also, that the price is the same as last year's.

RESOLUTION NO. 110812, recorded on Microfilm Roll No. 61, accepting bid of Greenwood Cemetery Association for the furnishing of cement burial boxes for the period of one year beginning March 1, 1953, for prices set forth therein for various boxes; awarding contract, authorizing and instructing the City Manager to enter into and 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 furnishing radio tubes for the Electrical Division for a period of one year beginning March 1, 1953; recommending award to Shanks & Wright of San Diego, the low bidder, was presented.

RESOLUTION NO. 110813, recorded on Microfilm Roll No. 61, accepting bid of Shanks & Wright of San Diego for furnishing Radio Tubes for a period of one year beginning March 1, 1953; awarding contract, authorizing and instructing the City Manager to enter into and 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, presenting Resolution authorizing advertising for bids for furnishing 200 Red Wool Sweaters for the Junior Traffic Patrol, in accordance with specifications on file in the office of the City Clerk, bearing Document No. 464663, was presented.

RESOLUTION NO. 110814, recorded on Microfilm Roll No. 61, authorizing and directing the Purchasing Agent to advertise for sealed proposals for furnishing 200 Red Wool Sweaters, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110815, recorded on Microfilm Roll No. 61, approving all plans and specifications for furnishing labor, material, tools, equipment, transportation and other expense necessary or incidental for alterations to the bulk fertilizer loading facilities at the Sewage Treatment Plant, bearing Document No. 464664; 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 Dail, adopted.

RESOLUTION NO. 110816, recorded on Microfilm Roll No. 61, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the resurfacing of two groups of streets - Group I amounts to approximately 6,400 tons; Group II approximately 4,000 tons - bearing Document No. 464665; authorizing and directing the Purchasing Agent to publish notice calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110817, recorded on Microfilm Roll No. 61, approving plans and specifications for the furnishing of all labor, materials, tools, equipment, transportation and other expense necessary or incidental for the installation of traffic signals and safety lighting at the intersections of E Street and Third Avenue and Fourth Avenue, bearing Document No. 464666; authorizing and directing the Purchasing Agent to publish notice to contractors calling for bids, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 5 sections of the San Diego Municipal Code, in connection with the San Diego Municipal Code, was presented.

RESOLUTION NO. 110818, recorded on Microfilm Roll No. 61, suspending Sections 102.16-8, 102.18, 102.10-3, 102.07-5, 102.17-c, in connection with the Tentative Map of Cliff Heights, subdivision of Lot 48 Normal Heights, insofar as the tentative and final map are concerned, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Cliff Heights, for subdivision of Lot 48 Normal Heights, into 6 small, slightly view lots at the north end of Cliff Place, was presented. It states that because of the narrowness of the promontory and the steep canyon walls, minimum street width has been recommended for the small subdivision. Ten conditions were set forth in the recommendation.

RESOLUTION NO. 110819, recorded on Microfilm Roll No. 61, approving Tentative Map of Cliff Heights, a 6-lot subdivision of Lot 48 Normal Heights, subject to conditions contained in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Communication from the Planning Commission, signed by P. J. Burton, reporting that the Planning Commission on February 25, 1953, considered the matter of approving a tentative lease on Tidelands in the vicinity of Harbor Drive and Jarvis Street to the

Western Lumber Company for use as a retail lumber yard and source of building supplies, was presented. It stated that the Commission looked at the sketch presented, indicating approximately the contemplated use of the property and voted 5 to 1 to indicate approval of the proposed lease under the representation made and with the following conditions:

1. That it will be strictly a retail business.
2. That lumber piles will be below the height of the fence.
3. That no mill work or assembling of products will occur at this location.
4. That a Jarvis-Shafter Street connection be provided with a 40-foot width right of way.
5. That an access road be constructed on Harbor Drive, eventually.
6. That standard curbs be installed along Harbor Drive, except where approved driveways are provided.
7. That solid Redwood decorative fencing enclose the entire open storage area.
8. That the equipment be limited to one cut-off and one table saw.
9. That the hours of operation be limited to between 7:30 A.M. and 6:00 P.M.

It states, further, that the Planning Commission heard Mr. Sullivan's statement that their yard at Muir and Ebers streets, in a residential zone, would be discontinued within a year of the time said lease starts, and that the property on Muir Street would be sold with the representation to the purchaser that it must comply with the then prevailing zoning ordinance.

The Clerk read said recommendation to the Council.

Clark Reupsch, representing the Harbor Department, spoke. He told the Council that Mr. Sullivan had agreed to the conditions incorporated in the recommendation. He pointed out that lumber for construction of an entire home would not be delivered from the yard at that location.

The Planning Director said that adjoining property owners had agreed that the proposed use might be a good one.

RESOLUTION NO. 110820, recorded on Microfilm Roll No. 61, adopting recommendation of the City Planning Commission, indicating approval of the proposed Tidelands Lease, in the vicinity of Harbor Drive and Jarvis Street, with the Western Lumber Company, for use as a retail lumber yard and source of building supplies, subject to the conditions set forth above, as 1 to 9 inclusive - plus the matter of discontinuance of the yard at Muir and Ebers Streets and property on Muir Street to be sold with the representation to the purchaser that it must comply with the then prevailing zoning ordinance, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110821, recorded on Microfilm Roll No. 61, confirming and ratifying tidelands lease with Western Lumber Company upon the terms and conditions contained therein, as outlined above, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the City Manager reporting on bids received February 17, 1953, for installation of a trunk sewer and water main system, including a water tank, in Kearny Mesa Improvement District, was presented. It states that the low bid of Taylor, Sloan & Solomon of \$855,436.08 was 35.7% above the estimate including incidentals. It also states that since the bid was more than 10% above the estimate, the City Engineer's Office sent out 42 post cards to property owners in the district asking them whether they wanted the contract awarded or the job abandoned. The communication reports that post cards were sent out February 20, 1953, and to the date of writing (March 3) replies had been received from 23 owners of which 20 want the contract awarded and 3 want the job abandoned. It states that on an area basis, the results are: 77.7% want the contract awarded; 5.0% want the job abandoned; 17.3% have not replied.

The City Engineer showed to the Council a map for and against the improvement, and gave the figures as quoted above relative to individual owners and percentages. He told the Council that he has not yet worked out a formula for assessment. He said, however, that canyon lands should be considered in levying the assessment, in connection with the sewer. Water, he told the Council, should be assessed on an area basis. He also said that it is desired not to put in pumping stations. He pointed out that the job is the same as any other under the 1911 Act Improvement.

There was discussion between Lynn Platner and the City Engineer regarding the improvement. The Engineer showed the plat of owners wishes to Mr. Platner. He spoke about the estimate, the bid and a possible cash price in lieu of the 1911 improvement bond proceedings. Everyone, he said, in the district understands the proposition. The Engineer said that if necessary, he can make a nominal assessment on the canyon land for the sewer. He pointed out that small owners are equally interested in the improvement. He answered Councilman Kerrigan by saying that small owners had not contributed to the original fund raised for the improvement (The latter statement was Platner's).

Councilman Dail said that a private engineering firm is doing the work on the proceedings.

There was a conference over the map referred to heretofore, between Lynn Platner, R. E. Hazard, ~~(R. E. Hazard)~~ and other unidentified individuals.

Mr. Hazard asked for the reading of his protest, but the letter of protest was not read.

There was discussion between Councilman Dail and the City Engineer relative to the assessment. Willard Olson, of the City Engineer's office joined in the discussion.

Mr. Platner pointed out that the percentage of engineering cost had been agreed to by the City of San Diego at the time that the project was started, and he told about the bonding company discounts in undeveloped property. He agreed that he was not too pleased with the bid, but said that without the improvement there will be only raw undeveloped land, and emphasized that the bond commitment might be lost. Mr. Platner told the Council that the size of the water line had been increased by the City's Water Director, and the tank added.

The City Manager declared that the Navy has asked for double capacity on the 16" line.

Mr. Platner said that a majority of the property owners are in favor of the improvement.

Councilman Wincote said that he was not sure that people "should go in blind into the improvement".

Inasmuch as the Councilmen were interested in hearing from Paul Beerman, the City Manager had sent for him, and he had appeared in the meeting at this time.

Mr. Beerman referred to other land having been added, which calls for a larger line and for the tank. He spoke of lines installed for the Navy's installations which he said are not adequate, and told of the need for pumping. Mr. Beerman told of being unable to supply flow for the Navy's needs. He said that the tank capacity will ultimately have to be increased, and also of planning another line. He held a discussion with Mr. Hazard over future development.

W. H. Nichols spoke about the sewer. It was his contention that land he owns would not drain into the sewer, and about his land not being included in the assessment. He stated that it would drain the other way.

Mr. Patten, representing Boyle Engineering Co. (Engineer of work on the project) said that he had come to work for the company after the area had been formed, so could not answer certain questions relative to the beginning of the project.

The City Engineer pointed out that he had nothing to do with the proceedings inasmuch as it had been started by the proposed developers with an "outside" engineering firm. He said that he felt, however, that property could be omitted from the assessment, if it cannot use the sewer. Water, however, can serve the whole area, he said.

The City Manager made a statement in which he said that some of the area property has not been annexed to the City. The City, he said, will not serve water to them and referred to there being no easements for the purpose.

At the request of Councilman Godfrey, Mr. Olson produced a copy of the questionnaire which had been sent out in card form to the property owners in the area relative to the proposed assessment.

Councilman Godfrey read the card to the Council, included being an estimate of cost per acre.

The City Engineer said that there is comparatively little canyon property in the district. He emphasized that the card sent out as a questionnaire to determine wishes of property owners, was with an estimated figure only.

Discussion between Councilman Godfrey and Mr. Nichols was entered into at this point. It was indicated that there would be no objection to the improvement where a charge is not made on property for sewers which cannot serve it.

Mr. Redfield, who identified himself as trustee for the Torgerson property, spoke. He told of 595-acres and an adjoining 180 acres. He stated that there is no objection to the Council's spread of the assessment. He advocated award of the contract, and stated that a big majority of owners is in agreement.

Councilman Wincote pointed out that it is a difficult situation, and said that the Council is caught in the middle.

Answering Councilman Wincote, Mr. Redfield said that there is a small protest.

Councilman Schneider wondered why the bid was so high above the estimate. He then referred to the matter of bonds on the property to cover the improvement.

Mr. Platner said that property owners think that there is as low a bid at this time as will ever be obtained.

The City Engineer told the Council, in reference to the assessment, that the City Attorney has taken the position that he cannot announce in advance the method to be used in making the assessment. He said that the Attorney objects to a commitment before the assessment is made.

Councilman Godfrey said that the City is faced with the situation as it stands now of accepting the bid, or rejecting the project.

Mr. Hazard was heard again at which time he stated that the City should assume a large part of the cost. He contended that the City should put in some of the improvement.

Councilman Godfrey said that those who are bearing the real cost of the improvement do not object.

Councilman Wincote asked what the City's \$60,000.00 contribution is based on.

The City Manager replied that it is based on the City's ownership of property in the district. He pointed out that the entire matter is a speculative project, and that it should not be developed at the taxpayers' cost.

In connection with the City's entering into the cost, Councilman Wincote asked about the water main in Clairemont.

The City Manager answered that in the main the City tries to work out an agreement for the subdivider to bear the cost.

Councilman Dail declared that the City has contributed to the cost in Lomita Village, in the Encanto district.

Councilman Wincote wondered if the Council should go into Conference to discuss the matter, relative to developed and undeveloped property.

The City Manager said that the City will have to parallel the line to supplement the system - to serve land to the north. He stated that consideration has been given to contribution toward it.

Councilman Godfrey said that he does not want to delay the project, and that it should be set on the docket at the next meeting, for definite action.

RESOLUTION NO. 110822, recorded on Microfilm Roll No. 61, referring to Council Conference for consideration this date, the proposed improvement of Kearny Mesa Improvement by installation of sewer mains and water mains, upon which bids have been received, with the understanding that the matter will be listed on the agenda of March 5, 1953, at which time action shall be taken; determining that all the time required shall be taken for such conference consideration; requesting the City Attorney to give an opinion what the City can do, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

Communication from E. W. Blom, Assistant City Manager, signed by the City Manager, returning communication from O. D. Arnold, offering to deed property near the intersection of Euclid Avenue and Elm Street to the City provided the City withdraw its appeal from a recent decision of the Superior Court involving the City and Mr. Arnold, was presented. It states that it has been determined that the location proposed is not a suitable one for a fire station and the City now has no interest in the acquisition, and that the Arnold letter be filed. It states that a copy has been forwarded to Mr. Arnold.

At the request of the Council, said communication was read by the Clerk. The City Manager told the Council that the area would be too small for a fire station.

Councilman Dail replied that it seems a little late to be making that discovery.

On motion of Councilman Kerrigan, seconded by Councilman Dail, the matter

was ordered filed.

Communication from the City Manager, reporting on communication from the Pacific Beach Recreation Committee, relative to the facilities at the Pacific Beach Recreation Center, was presented. It stated that pursuant to Resolution No. 110724 the Manager had replied to the Committee, and that a copy of his letter, together with copy of communication from Leo B. Calland, Park and Recreation on the same subject.

The City Manager reported verbally that the report had been read to the Council in Conference. said communication

On motion of Councilman Dail, seconded by Councilman Godfrey, was filed.

Also accompanying the file is a carbon copy of reply from O. K. Cope, Assistant to the City Manager, to said Recreation Committee which was addressed to W. A. Sanford, Secretary. The Copy letter referred to study to be made of completion of the Capital Improvement Program, and that the writer will give more definite information on the matter when determined.

Communication from Douglas D. Deaper, Deputy City Attorney, approved by Shelley J. Higgins, Assistant City Attorney, dated February 18, 1953, reporting on the City's position on the repair of sidewalks and curbs torn up by utility companies, and the placing of utilities at the rear of properties where the easements therefor exist, instead of at the fronts of such properties, was presented.

The Communication was read to the Council by the Clerk. It refers to cutting or breaking any curb or sidewalk without permit and imposes conditions to granting of permit which shall be done in accordance with City specifications. It states, also, that utility companies are subject to the ordinance, and condition is added relative to subsequent deterioration of the sidewalk or curb attributable to defective workmanship or failure to comply strictly with permit conditions or failure to repair. It goes into utilities in the streets fronting lots where easements have been made available in the middle of the block, where utility companies may be compelled to use such easements. It refers to alternatives in which it gives the utility company a choice either of which (underground construction or use of mid-block easements).

Councilman Schneider pointed out that the City can require use of the mid-block easements or underground. Also, he said, the City does have the power to order utilities underground.

Councilman Schneider and Kerrigan both referred to the utilities being put in front of properties and sidewalks cut.

Councilman Dail said that when utilities break the sidewalks there should be a permit required and inspection made.

The City Manager spoke about the specifications, which he said have not been too good. He told the Council that he is going to report further. He pointed out that bad conditions have been created by the City, and that the utilities' are better than the City's.

Councilman Schneider spoke about sidewalks where they are broken by trees.

On motion of Councilman Kerrigan, seconded by Councilman Schneider, said report was continued to the meeting of March 17, 1953, awaiting report from the City Manager which motion was seconded by Councilman Schneider.

Communication from the City Engineer, bearing the City Manager's stamp of approval, reporting that Resolution No. 106564 granted petition and ordered district formed for paving and otherwise improving of Pacific Beach Drive, and recommending amendment to include drainage structures, sewers, sewer pipe encasements and gutters as required, was presented.

The City Engineer reported verbally that his recommendation is routine.

RESOLUTION NO. 110823, recorded on Microfilm Roll No. 61, adopting recommendation of the City Engineer filed in the office of the City Clerk on March 2, 1953, under Document No. 464716 relative to proceedings for improvement of Pacific Beach Drive, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, recommending that portions of Morena Boulevard and Hickory Street, as shown on Drawing 4679-B be closed as requested by the City Property Supervisor, was presented.

The communication states that in connection with acquisition of rights of way for Morena Street cutoff property was acquired and dedicated at the corner of Taylor Street and Hickory Street, which is not required for street use. It states that it is proposed to close said portion of Morena Boulevard, together with portion of Hickory Street and sell the parcel to the San Diego Gas & Electric Company for the site of an anchor tower for transmission line across San Diego River.

RESOLUTION NO. 110824, recorded on Microfilm Roll No. 61, granting the closing as recommended by the Street Superintendent, of portions of Morena Boulevard and Hickory Street - contained in Document No. 464717 - 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 Kerrigan, adopted.

Communication from E. M. Englehorn, 961 - 7th Avenue, dated Feb. 25, 1953, recommending that the bronze statue (El Cid) be moved from the built up area of Balboa Park to the south entrance of Cabrillo Freeway, was presented.

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

Communication from Phyllis F. Nelson (Mrs. Albin S. Nelson), 2477 Avenida de la Playa, La Jolla, dated February 23, 1953, being copy of one addressed to the City Manager, was presented. It refers to the condition of said street, being almost impassable beyond the Griffing Bancroft home.

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

RESOLUTION NO. 110825, recorded on Microfilm Roll No. 61, directing notice of filing of the Street Superintendent's Assessment No. 2116 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 42 City Heights, within the limits and as particularly described in Resolution of Intention No. 106557, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110826, recorded on Microfilm Roll No. 61, directing notice of filing of the Street Superintendent's Assessment No. 2115 made to cover the costs and expenses of the work done upon the paving and otherwise improving of the Alley in Block 67 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 104943, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110827, recorded on Microfilm Roll No. 61, directing notice of filing of the Street Superintendent's Assessment No. 2113 made to cover the costs and expenses of the paving and otherwise improving of Pynchon Street, within the limits and as particularly described in Resolution of Intention No. 104944, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110828, recorded on Microfilm Roll No. 61, directing notice of filing of the Street Superintendent's Assessment No. 2112 made to cover the costs and expenses of the work done upon the paving and otherwise improving of Rex Avenue, Shiloh Road, Wightman Street, Public Rights of Way in Lots 9 & 10 Block 3 Berkeley Heights, within the limits and as particularly described in Resolution of Intention No. 105355, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110829, recorded on Microfilm Roll No. 61, directing notice of filing of the Street Superintendent's Assessment No. 2114 made to cover the costs and expenses of the paving and otherwise improving of Teak Street, within the limits and as particularly described in Resolution of Intention No. 106667, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF AWARD NO. 110830, recorded on Microfilm Roll No. 61, accepting bid of T. B. Penick & Sons, a co-partnership, and awarding contract for the paving and otherwise improving of the Alley in Block 195 City Heights, and Lincoln Avenue, within the limits and as particularly described in Resolution of Intention No. 109805, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The City Engineer reported in writing that the low bid is 7.8% above the estimate.

RESOLUTION NO. 110831, recorded on Microfilm Roll No. 61, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 109 Central Park, within the limits and as particularly described in said Resolution; approving Plat No. 2414 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110832, recorded on Microfilm Roll No. 61, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 69 Park Villas, within the limits and as particularly described in said Resolution; approving Plat No. 2413 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110833, recorded on Microfilm Roll No. 61, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Winona Avenue, and 50th Street, within the limits and as particularly described in said Resolution; approving Plat No. 2407 showing the exterior boundaries of the district to be included in the assessment for the work and improvement upon said Avenue and 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 Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 110834, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of the Alley in Block 31 Ocean Beach, within the limits and as particularly described in Resolution of Intention No. 110163, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 110835, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Date Street, within the limits and as particularly described in Resolution of Intention No. 110070, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 110836, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Francis Street and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 110164, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 110837, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Tulip Street, within the limits and as particularly described in Resolution of Intention No. 110074, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION ORDERING WORK NO. 110838, recorded on Microfilm Roll No. 61, for the closing of portions of Webb Place, Lolly Circle, and the Alley in Block B - all in Balboa Vista - within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110839, recorded on Microfilm Roll No. 61, appointing time and place for hearing protests, and directing notice of said hearing, for the furnishing of electric current 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, 1953, to and including January 14, 1954, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 110840, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of 41st Street and Broadway, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 110841, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Moana Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION OF INTENTION NO. 110842, recorded on Microfilm Roll No. 61, for the closing of the Alley in Block 264 Pacific Beach, as set forth in said Resolution, determining that no land is deemed necessary to be taken therefor; setting out the exterior 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, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF INTENTION NO. 110843, recorded on Microfilm Roll No. 61, for the closing of Baltic Street, as set forth in said Resolution, determining that no land is deemed necessary to be taken therefor; setting out the exterior 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, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110844, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of the Alley in Block 109 Central Park, 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. 110845, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of the Alley in Block 69 Park Villas; Public Rights of Way in Lots 25 and 26 Block 69 Park Villas, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110846, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Winona Avenue and 50th Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110847, recorded on Microfilm Roll No. 61, 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 3 Ocean View, and Block 6 Ocean Beach Park, within the limits and as particularly described in Resolution of Intention No. 108765, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110848, recorded on Microfilm Roll No. 61, 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 87 Point Loma Heights, within the limits and as particularly described in Resolution of Intention No. 109059, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110849, recorded on Microfilm Roll No. 61, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of the Alley in Block 12 Sunset Cliffs, within the limits and as particularly described in Resolution of Intention No. 109060, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110850, recorded on Microfilm Roll No. 61, directing the City Engineer to furnish a diagram of the property affected and benefited by the work and improvement on the installation of sewer mains in Balboa Avenue, Pasadena Street, Albuquerque Street, De Soto Street, Del Rey Street, et al., within the limits and as particularly described in Resolution of Intention No. 108134, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110851, recorded on Microfilm Roll No. 61, directing the City Engineer to furnish diagram of the property affected and benefited by the work and improvement on the paving and otherwise improving of Beta Street, within the limits and as particularly described in Resolution of Intention No. 109061, and to be assessed to pay the expenses thereof, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the City Engineer, bearing the City Manager's stamp of approval, recommending that proceedings under Resolution No. 106131 for the paving and otherwise improving of the Alley in Block 88 E. W. Morse's Subdivision, from 30th Street to the Canyon to the west, by including installation of wire link guard fence and a cut-off wall, was presented.

RESOLUTION NO. 110852, recorded on Microfilm Roll No. 61, adopting recommendation of the City Engineer filed in the office of the City Clerk February 20, 1953, under Document No. 464325; authorizing the City Engineer to amend proceedings for improvement of the Alley in Block 88 E. W. Morse's Subdivision in accordance with said recommendation, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110853, recorded on Microfilm Roll No. 61, granting property owner - in accordance with petition filed in the office of the City Clerk under Document No. 464332 - permission to pave and otherwise improve portion of Electric Avenue by private contract, in accordance with plans on file in the office of the City Clerk under Document No. 460216, in accordance with said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110854, recorded on Microfilm Roll No. 61, granting property owners - in accordance with petition filed in the office of the City Clerk under Document No. 464094 - permission to install sanitary sewer in Sea Breeze Drive in accordance with plans on file in the office of the City Clerk under Document No. 464226, on conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted. (Private contract construction.)

Communication from the Harbor Department, signed by John Bate, Port Director, transmitting form of agreement covering the mutual cancellation of The Anchorage, Ltd., lease on Harbor Drive - premises covered by a new lease being presented for Council approval, which lease is to the Sun Harbor Marina, a limited partnership, was presented.

RESOLUTION NO. 110855, recorded on Microfilm Roll No. 61, in all respects ratifying, approving and confirming cancellation of lease with Dale Watts, Wilson W. Wied and Ralph D. Lacoe, a limited partnership, entered into the 3rd day of March, 1952, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, transmitting form of lease with Sun Harbor Marina, a limited partnership, composed of Merle B. Parke and Eleanor F. Parke, general partners, and Louis Fabri, Carol Fabri, Peter Fabri and Harry Fabri, limited partners, was presented. It states that the lease covers premises occupied by The Anchorage, Ltd., on Harbor Drive which is presently under lease, which lease is being terminated by mutual agreement - the premises to be used essentially for the construction, sale, maintenance and repair of boats not to exceed 45ft in length, for the sale and service of marine engines, and for the rental of slips and lockers. The communication reports that the lease is for 5 years with 2 5-year options to renew - 4¢ per square foot per year for the land and \$100.00 per month for the water; subject to review every 2-1/2 years of the lease and its renewal periods.

RESOLUTION NO. 110856, recorded on Microfilm Roll No. 61, ratifying, confirming and approving Lease, a copy of which is on file in the Office of the City Clerk as Document No. 464849, between The City of San Diego acting by and through the Harbor Commission, as Lessor, and Sun Harbor Marina, a limited partnership, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, transmitting form of lease with the California Cartage Company covering approximately 60,000 square feet of tidelands near the Foot of Sicard Street, was presented. It states that premises are to be used for freight handling and forwarding, including a general office and truck service facilities. The communication reports that the lease is for a term of 5 years with 3 5-year options to renew - 4-1/2¢ per square foot per year, subject to review every 2-1/2 years during the term of the lease and its renewal periods. It states, also, that the Lessee is obligated to expend approximately \$50,000.00 in constructing dock, warehouse, office, paving and landscaping - and that it conforms to established Harbor Commission and City Council policy.

RESOLUTION NO. 110857, recorded on Microfilm Roll No. 61, ratifying, confirming and approving Lease, a copy of which is on file in the Office of the City Clerk as Document No. 464850, between The City of San Diego acting by and through the Harbor Commission as Lessor, and California Cartage Company, Inc., as Lessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Harbor Department, signed by John Bate, Port Director, transmitting form of lease amendment, modifying the effective date of the basic lease on Lindbergh Field now occupied by the former United Air Lines' Hangar, was presented. It states that due to the fact that the lessor was obligated to install paving to permit access to the premises, which paving could not be completed due to inclement weather, the Lessee was delayed for a considerable period of time in having the use of the premises. It states that the re-establishment of the effective date was agreed upon by the Harbor Commission upon presentation of facts by the Lessee.

RESOLUTION NO. 110858, recorded on Microfilm Roll No. 61, ratifying, confirming and approving agreement for amendment of Tideland Lease, Amendment No. 1, between the City of San Diego, as Lessor, and Standard Oil Company of California, as Lessee, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from the Harbor Commission, signed by John Bate, Port Director, submitting form of Agreement covering services to be rendered by H. Louis Bodmer, as architect to prepare plans and specifications covering remodeling of approximately 6,300 square feet of space in the central portion of the Second Deck of the Broadway Pier. It reports that the Agreement provides that the architect shall be paid a sum equal to 6% of the cost of remodeling for the preparation of plans, plus 2% of the cost of remodeling for the Architectural supervision of the work.

RESOLUTION NO. 110859, recorded on Microfilm Roll No. 61, authorizing and empowering the Harbor Commission to employ H. Louis Bodmer as architect for the remodeling of the central portion of the Second Deck of Broadway Pier, and to pay the sum set forth in said resolution - as provided above - was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110860, recorded on Microfilm Roll No. 61, authorizing the City Manager to employ Griffith Company to replace 360 lineal feet of curb on the west side of Selma Place, South of Creston Drive, with Type G curb; the cost not to exceed the sum of \$705.60, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that The City of San Diego has heretofore entered into contract with Griffith Company, a corporation, for the paving and otherwise improving Roswell Street, et al, under a 1911 Street Improvement Act; that it has been found that 360 feet of curb on the west side of Selma Place, south of Creston Drive is in extremely poor condition, broken and crumbling, and is not constructed at the proper grade, and that the same should be replaced; stating that said Company has offered to do said replacement work for said sum and the City Manager has recommended that the offer be accepted and work be done.

In connection with the next matter, the City Manager made a verbal explanation, at the request of the Council.

RESOLUTION NO. 110861, recorded on Microfilm Roll No. 61, authorizing and empowering 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 appraisers: Bruce Stallard, John Murphy, O. W. Cotton Co., Ewart W. Goodwin, Hotchkiss & Anewalt, Fred B. Mitchell, Edwin A. Mueller, Harry Warburton, Charles W. Curtis and Glendon R. Conklin, Sr., was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said Resolution recites that The City of San Diego 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 for municipal purposes; that the Charter authorizes the City to employ such experts when necessary; that the City Manager has recommended that they are willing to perform such services if as and when needed.

In connection with the next 2 items the City Manager made a verbal explanation, and said that concessions were being moved for lack of water at Morena Reservoir to San Vicente Reservoir:

RESOLUTION NO. 110862, recorded on Microfilm Roll No. 61, ratifying lease agreement between The City of San Diego and Wieland H. Collins wherein the City leased to Collins portion of San Vicente Reservoir for the period August 27, 1952 to December 31, 1952, for the purpose of operating a fishing, boating and snack bar concession at San Vicente Reservoir; authorizing and directing the City Manager to execute lease agreement for and on behalf of The City, leasing portion of San Vicente Reservoir for said purposes, on terms and conditions set out in form of lease agreement on file in the office of the City Clerk as Document No. 464897, leased for the reason that the City will derive revenue therefrom not otherwise obtainable, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110863, recorded on Microfilm Roll No. 61, ratifying agreement between the City of San Diego and Wieland H. Collins, wherein said Collins sold boating, fishing, hunting and camping permits at San Vicente Reservoir on behalf of The City for the period August 27, 1952 to December 31, 1952; authorizing and directing the City Manager to execute said agreement for and on behalf of The City of San Diego, wherein Collins agrees to sell boating, fishing, hunting and camping permits for and on behalf of the City on the terms and conditions set out in the form of agreement on file in the office of the City Clerk as Document No. 464898, was on motion of Councilman Wincote, seconded by Councilman Kerrigan, adopted.

In connection with Resolutions Nos. 110862 & 110863, they both state, also, that the City and Collins had entered into oral agreement, and that Morena Reservoir had been closed down, and that Collins had sold permits on behalf of the City.

RESOLUTION NO. 110864, recorded on Microfilm Roll No. 61, approving request of L. B. Butterfield contained in Change Order No. 3, for extension of 62 days to and including March 15, 1953, heretofore filed with the City Clerk as Document No. 464732 in which to complete contract for construction of Tecolote Canyon Trunk Sewer I, contract contained in Document No. 451107 on file in the office of the City Clerk; extending completion to March 15, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110865, recorded on Microfilm Roll No. 61, approving request of Ets-Hokin & Galvan contained in Change Order No. 1, for extension of 80 days, to and including March 25, 1953, heretofore filed with the City Clerk as Document No. 464735, in which to complete contract for installation of safety lights and traffic signals at Chatsworth Boulevard and Voltaire Street, contract contained in Document No. 455574, and extending completion of said contract to March 25, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110866, recorded on Microfilm Roll No. 61, approving request of Griffith Company contained in Change Order No. 1, for extension of 75 days, to and including May 8, 1953, heretofore filed with the City Clerk as Document No. 464736, in which to complete contract for improvement of Tecolote Road, Wellington Street, contract contained in Document No. 458067 on file in the office of the City Clerk; extending contract time completion to May 8, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110867, recorded on Microfilm Roll No. 61, granting permission to Domonick Oberto and Pauline Oberto, 3526 India Street, San Diego 1, to install a 50-foot driveway on the westerly side of India Street, approximately between points 150 and 200 feet south of the southerly line of Vine Street, adjacent to Lot 9 Block 146 Middletown; to permit said lot to be used as a parking lot for a 6-unit apartment house owned by petitioners located on adjoining Lot, on conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110868, recorded on Microfilm Roll No. 61, granting permission to Mark Twain School, 6402 Linda Vista Road, by petition of San Diego Unified School District, to install sewer with a 1/8" per foot fall (instead of 1/4" per foot fall as required by City regulation), because school buildings are at such an elevation that it is impossible to make connection with public sewer line at more than requested 1/8" fall upon the various conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110869, recorded on Microfilm Roll No. 61, granting permission to C. D. Panas to install a 4" cast iron soil sewer line, with grade of less than 1/4" per foot (as required by City regulation), to serve premises located at 2476 Imperial Avenue, for the reason that the City sewer is located too high to make a house connection at the full 1/4" grade; on conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110870, recorded on Microfilm Roll No. 61, granting permission to Beryl D. Phelps, Engineer of Work, for Lomita Village Unit No. 1, to install a soil line with 1/8" fall per foot in lieu of the 1/4" fall per foot required by City regulation, at the last service on the line serving Lot 31 Lomita Village Unit No. 1; because foundations poured for construction is low than intended and elevation of City sewer trunk line prohibits a greater grade; subject to approval by Inspection Department, Property Department, and requested by City Manager, and upon express condition that The City of San Diego shall be held free and clear of any claim for damages by reason of the installation, operation and maintenance of said line, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110871, recorded on Microfilm Roll No. 61, granting permission to E. M. Roth, 4265 Ethelda Place, San Diego 16, to install a 34-foot driveway at 4753 Caroline Drive, by widening the present driveway approximately 10 feet, as measured at the top of the full-height curb, adjacent to Lot 1258 Talmadge Park Estates Unit No. 4; on conditions and according to regulations set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

Resolution having to do with the following matter, was adopted.

After its adoption there was some discussion, and action taken in adopting the resolution was reconsidered on motion of Councilman Dail, seconded by Councilman Schneider. Councilman that the Standard Oil Company of California is taking away parking spaces on area which would be used by the public, for which nothing is paid, but that the driveways to be installed under the permission granted would be used for access to property used for private purposes.

The Resolution was brought up again by the Council, resulting in

RESOLUTION NO. 110872, recorded on Microfilm Roll No. 61, granting permission to Standard Oil Company of California, Bank of America Building, San Diego, to install two 34-foot driveways as measured at the top of the full-height curb, on the east side of Fifth Avenue between points 9 feet and 43 feet and points 66 feet and 100 feet north of the north line of Date Street; and to install two 26-foot driveways, as measured at the top of the full-height curb, on the north side of Date Street, between points 6 feet and 32 feet and points 54 feet and 80 feet east of the east line of Fifth Avenue, adjacent to the west 80 feet of Lot F Block 215 Horton's Addition; on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110873, recorded on Microfilm Roll No. 61, approving claim of Robert Angus, on file in the office of the City Clerk under Document No. 462473 in the amount of \$45.38; directing the City Auditor to draw his warrant in favor of Robert Angus in said amount in full payment of the aforesaid claim, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110874, recorded on Microfilm Roll No. 61, authorizing the City Attorney to compromise claim of Julia McMahon for \$25.00 - Document No. 462958 - in the amount of \$10.00; directing the City Auditor to draw his warrant in favor of Julia McMahon in the amount of \$10.00 in full payment of said claim, was on motion of Councilman Kerrigan, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110875, recorded on Microfilm Roll No. 61, denying claim of James Calhoun, on file in the office of the City Clerk under Document No. 463701, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110876, recorded on Microfilm Roll No. 61, denying claim of Pacific Telephone and Telegraph Company on file in the office of the City Clerk under Document No. 464236, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110877, recorded on Microfilm Roll No. 61, denying claim of Paul Peterson, on file in the office of the City Clerk as Document No. 456904, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110878, recorded on Microfilm Roll No. 61, denying claim of Mont Roberts, on file in the office of the City Clerk under Document No. 456905, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110879, recorded on Microfilm Roll No. 61, denying claim of Lee Ann Wilkins, on file in the office of the City Clerk under Document No. 456902, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110880, recorded on Microfilm Roll No. 61, denying claim of Lila Wilkins, on file in the office of the City Clerk under Document No. 456901, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110881, recorded on Microfilm Roll No. 61, authorizing O. W. Campbell, City Manager, and member of the Council to attend the State-wide meeting to consider legislation introduced relating to County and City sales taxes, to be held in Sacramento, on Thursday, March 12, 1953; authorizing the incurring of all expenses necessary in connection with said trip, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The City Manager told the Council that the Council member to attend the meeting will be determined later.

ORDINANCE NO. 5510 (New Series), recorded on Microfilm Roll No. 61, proclaiming a Municipal General Election - for Tuesday, the 21st day of April, 1953, for the purpose of electing municipal officers:

- Member of the Council from District No. 1;
- Member of the Council from District No. 3;
- Member of the Council from District No. 4;
- Member of the Board of Education;

designating and determining that election precincts to be those established by the Board of Supervisors of the County of San Diego for general state and county elections; designating and declaring polling places and members of the precinct boards; setting up the time for the polls being open; establishing compensation for members of the precinct boards at \$10.00 each; compensation for use of the polling places at \$7.00; compensation to be paid for returning each ballot bag to a collection center at \$1.00; compensation to be paid for services of each collection center custodian at \$10.00; directing the City Clerk to procure and have printed the requisite number of ballots and sample ballots and other printed matter, and to procure whatever supplies may be necessary for use in said Municipal General Election; authorizing the City Clerk to make arrangements with the Board of Education for use of school buildings through the City as central depositories for the ballot boxes and bags from precincts adjacent thereto, and to arrange for conveyance of said ballot boxes and bags from such school depositories to said City Clerk; authorizing the Clerk to employ a sufficient number of custodians to take charge of ballot boxes and bags when the same are delivered to the school buildings; directing publishing of said Ordinance, 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. Nays--Councilmen None. Absent--Mayor Butler.

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 Butler.

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

ORDINANCE NO. 5511 (New Series), recorded on Microfilm Roll No. 61, proposing and submitting to the electors at the Municipal General Election to be held on Tuesday, the 21st day of April, 1953, propositions to amend the Charter of The City of San Diego:

Proposition A. Amend Section 107 of Article VII of the Charter relative to blanket surety bond; to be filed with the City Clerk;

Proposition B. Amend Section 46 of Article V of the Charter re language providing organizational provisions and empowering the City Manager to provide the necessary internal organization of the Public Works Department - also providing for repealing of Sections 47, 48, 49, 50, 51, 52 and 56 of the Charter - all of which, except Section 56 relate to the internal structural organization of the Department of Public Works; Section 56 relating to the Bureau of Safety;

Proposition C. Amend Section 55 of Article V of the Charter so as to eliminate requirement of separate Park Commission and separate Recreation Commission, and creating one commission to be known as the Park and Recreation Commission;

Proposition D. Amend Article VII of the Charter by adding a new section, to be numbered Section 70.1, which gives power to the Council to pay part or all of the costs of public health insurance, including hospitalization and surgery, for members of the classified and unclassified personnel and their wives and minor children;

Proposition E. Amend Section 24 of Article IV of the Charter to provide a compensation for the Mayor of \$10,000 per year;

Proposition F. Amend Section 12 of Article III of the Charter to provide a compensation of \$3,000 per year for Council;

Proposition G. Amend Section 66 of Article VI of the Charter to provide a compensation of \$1200 per year for members of the Board of Education;

Proposition H. Amend Article VII of the Charter by adding a new section to be numbered Section 90.1, which authorizes the City to issue revenue bonds for the purpose of financing construction of public improvements, upon majority vote of the people, and providing procedure for issuance and sale of such bonds;

Proposition I. Amend Section 95 of Article VII of the Charter to provide preference of not to exceed 5% or \$500, whichever is lower, in favor of local bidders for sale of materials and supplies to the City, only in the event that there is competition of outside bidders;

Proposition J. Amend Section 61 of Article V of the Charter so as to eliminate the present statement of specific duties of the Department of Social Welfare, and setting up in lieu thereof the investment of a department to be known as the Department of Social Service, and setting out its general duties;

Proposition K. Amend subdivisions (b) and (f) of Section 54 of Article V of the Charter by clarifying the language describing the jurisdiction of the Harbor Commission, giving commission control only of tidelands within the Bay of San Diego, providing expenditure of revenues from tidelands and the Harbor Department for any purpose except improvement

of tidelands and Harbor of San Diego, and redemption of harbor or harbor tidelands bonds, and payment of interest thereon;

Proposition L. Amend Section 68 of Article VII of the Charter, so as to authorize complete budget and accounting system of municipal finances, and eliminating present language which is ambiguous, directory and not capable of enforcement.

Proposition M. Amend Article IX of the Charter by adding a new section to be numbered 148.1, which empowers the Council, with the approval of a majority vote of the members of the City Employees' Retirement System, to contract with the State of California for benefits and privileges of the State Retirement System and/or the United States Government for Social Security benefits on behalf of municipal employees, provided that any such contract so made insure full protection for vested rights of employees in the present San Diego Retirement System;

Proposition N. Amend Section 59 of Article V, and Section 117 of Article VIII, by changing the title of the head of the Department of Inspection from "Chief Inspector" to "Director of Building Inspection" in the Department of Inspection, in the designation of the members of the Unclassified Service;

setting forth directions in the matter of voting, referring to the ballot, providing for publication of proposed amendments in the official newspaper, directing the City Clerk to cause copies of such proposed amendments to be printed in convenient pamphlet form and copies to be mailed to each qualified elector, and advertise a notice that copies of amendments may be had upon application from the City Clerk; directing publication of said Ordinance, 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. Nays--Councilmen None. Absent--Mayor Butler.

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 Butler.

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

In connection with the next Ordinance, the City Manager told the Council J. J. Muckerman was the only bidder for the proposed lease under such Ordinance, and that he is to use the property for dry farming.

ORDINANCE NO. 5512 (New Series), recorded on Microfilm Roll No. 61, authorizing the leasing of Pueblo Lots 1231 and 1232, and portion of unnumbered lot lying northerly and adjacent to Pueblo Lot 1232, to J. J. Muckerman the sole bidder, on terms and conditions set out in form of lease on file in the office of the City Clerk as Document No. 464936, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted, 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 Dail, 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 was furnished to each member of the Council.

The City Manager requested, and was granted unanimous consent to present the following matter, not listed on the agenda:

RESOLUTION NO. 110882, recorded on Microfilm Roll No. 61, granting permission to Gray Enterprises, 2311 Kettner Boulevard, to install two 40-foot driveways, as measured at the top of the full-height curb, on the east side of Brant Street, between points 10 feet and 50 feet, and 60 feet and 100 feet north of the north line of Juniper Street, adjacent to Lots E and F Block 268 Horton's Addition; to provide access to two 4-car garage on Brant Street between Juniper and Kalmia Streets, subject to the conditions set forth in said Resolution, was on motion of Councilman Dail, seconded by Councilman Kerrigan, adopted.

The agenda showed that petition for installation of parking meters on both sides of Tenth Avenue, between F and G Streets, was referred to the City Manager by the City Clerk.

Communication from the San Diego County and Municipal Employees, Local 127 requesting charter amendment to allow certain health plans was withdrawn from Council Conference, and filed.

The matter referred to is listed on the April 21, 1953 ballot as a proposition to be voted upon at the General Municipal Election.

There being no further business to come before the Council at this time, the meeting was adjourned, at the hour of 12:04 o'clock Noon.

Upon adjournment, it was announced that the Council would go into Conference at 2:00 o'clock P.M., this date.

ATTEST:
FRED W. SICK, City Clerk

Franklin F. Swan
Vice Mayor of The City of San Diego, California

By *August M. Hadstrom*
Deputy

REGULAR MEETING

Chamber of the Council of the City of San Diego,
California, Thursday, March 5, 1953

A Regular Meeting of the Council 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 Butler
Clerk---Fred W. Sick

In the absence of Mayor Butler, Vice Mayor Franklin F. Swan acted as Chairman.

The Vice Mayor recognized Myrna Wooters, 644 S. Johnson, El Cajon, California, member of the Girl Scouts, who is the "cookie girl".

Little Myrna came forward and addressed the Council. She invited the members to attend the open house in Balboa Park, for the Girl Scouts' 41st birthday. Also, she handed to each member of the Council, an invitation to the affair.

Petition of Robert Jauregui, Dance Chairman, 32nd Annual Policemen's Ball, requesting suspension of rentals and fees on the contract entered into between The City of San Diego and the management of the Mission Beachroom for one night only - April 18, 1953 - the night of the ball for benefit of the Police Relief Association, was presented.

RESOLUTION NO. 110883, recorded on Microfilm Roll No. 61, granting petition of the San Diego Police Relief Association, by Robert B. Jauregui, dance chairman, 32nd Annual Policemen's Ball, for suspension of rentals and fees on the contract entered into between The City of San Diego and the management of the Mission Beach Ballroom for April 18, 1953, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

which Communication from the City Manager, which had been considered earlier and upon it had been determined that a decision should be made this date, in connection with the installation of sewer mains and water mains in Kearny Mesa Improvement District, the question came up again. It was determined to continue discussion, and decision until the other items had been acted upon which were listed on the agenda.

(It was discussed later, in the morning session - then the Council recess until the afternoon session during which time it was determined to discuss the project further in Conference).

Reference will be found twice again in the Minutes for this date.

RESOLUTION NO. 110884, recorded on Microfilm Roll No. 61, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the improvement of Yacht Harbor Drive, Shelter Island, bearing Document No. 464818; 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 Planning Commission, signed by Harry Haelsig, recommending suspension of 6 sections of the Municipal Code in connection with the Tentative Map of Allied Gardens, was presented.

RESOLUTION NO. 110885, recorded on Microfilm Roll No. 61, suspending Sections 102.10-3, 102.10-5, 102.02, 102.11-1, 102.18, 102-17-C of the Municipal Code, in connection with the Tentative Map of Allied Gardens, a subdivision of portion of Lots 66 and 67 Rancho Mission, insofar as they relate to the Tentative and Final Map, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Department, signed by Harry C. Haelsig, recommending approval of the Tentative Map of Allied Gardens, a revision of the Tentative Map approved on November 1, 1952, by Resolution No. 104220, was presented. The communication states that the design is entirely different and reduces the number of lots to 409 for the portion of Lots 66 and 67 Rancho Mission, located easterly of Grantville and northerly of Alvarado Canyon Road. There are 11 conditions set forth in the recommendation.

RESOLUTION NO. 110886, recorded on Microfilm Roll No. 61, approving the Tentative Map of Allied Gardens, subdivision of portion of Lots 66 and 67 of Rancho Mission, subject to the conditions set forth therein, was on motion of Councilman Kerrigan, seconded by Councilman Schneider, adopted.

Communication from the Planning Commission, signed by P. Q. Burton, reporting on petition for rezoning portion of Lot 31 Ex Mission Lands, known as Glenclift, was presented. It states that it is a small parcel of C Zoning approximately 100 in deputy and 190 feet in length to be changes to R-1 as a part of the 40-acre lot in Ex Mission Lands - located at 47th Street, approximately 250 feet north of Market Street. It reports that the Planning Commission voted 6-0 to rezone the property from C Zone to R-2 as shown on Drawing B521, and suggests that the matter be forwarded to the City Attorney's Office for drafting a proper ordinance prior to setting for public hearing, and that the Ordinance not be affective until the final map of Glenclift is filed in the Office of the County Recorder.

RESOLUTION NO. 110887, recorded on Microfilm Roll No. 61, adopting recommendation of the City Planning Commission for rezoning portion of Lot 31 Ex Mission Lands from C Zone to "R-2" Zone; directing the City Attorney to prepare and present the necessary ordinance changing said zone, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

The next matter - having to do with the Planning Commission stating that by a vote of 5 to 1 it had recommended that petition for rezoning Lots 27 & 28 Englestad Aztec Manor from Zone R-1 to R-2, was presented. Although the Resolution adopting said recommendation and denying the petition, was adopted, it is not numbered here - inasmuch as it was reconsidered. (Action will be found later in these Minutes).

Communication from the Planning Commission, signed by P. Q. Burton, reporting petition for rezoning of Blocks A and B Montecello - bounded by Collier Avenue, Adams Avenue, 50th Street and an alley between 49th and Winona, was presented. It states that the Commission voted 6-0 to recommend that the rezoning from R-1 Zone to R-2 Zone be denied.

RESOLUTION NO. 110888, recorded on Microfilm Roll No. 61, denying petition for rezoning from R-1 Zone to R-2 Zone of Lots 1 to 29 Block A; all of Block B Montecello, as recommended by the City Planning Commission, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Communication from California Roadside Council, 1239 Merchants Exchange Building, San Francisco 4, California, dated February 27, 1953 by John W. Broad, Chairman Executive Committee, was presented. Said communication urges action in opposition to Senate Bills 733 and 734 shortly to be heard before the State Senate Committee on Business and Professions in relation to billboards prohibition by the state along "landscaped freeways".

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

Communication from Metropolitan Recreation and Youth Services Council, 206 South Spring Street, - Room 446 - Los Angeles 12, dated February 27, 1953, signed by J. D. Bruner, President, was presented. The communication deals with the problem of preserving and setting aside lands for park and recreation development before they are otherwise occupied. It says that it is apparent that financial means must be found to acquire lands where needed for rapidly-growing population, especially within the larger cities. It offers to exchange information and cooperate in the problem.

RESOLUTION NO. 110889, recorded on Microfilm Roll No. 61, referring communication from Metropolitan Recreation and Youth Services Council, filed in the Office of the City Clerk on March 3, 1953, under Document No. 464829 relative to setting aside lands for park and recreation developments, etc., to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Communication from Mrs. Mildred C. Miller, 1323 Palmer Street, Linda Vista San Diego- dated Feb. 27, 1953, was presented.

Mrs. Miller spoke about the need for her husband to return to stateside. She presented 3 letters - from the telephone company and from doctors, which were read.

The Vice Mayor said that the letters present an unusual request.

Mrs. Miller's letter was not read.

Mrs. Miller spoke again, and told of the need for her husband to return to San Diego. She said that she lives in Linda Vista. Also, she said that her husband will have had 15 years service in September.

Councilman Schneider said that the City should see, and he would like to see, what can be done.

Councilman Godfrey said that he wants to know the facts before writing to anyone on the subject.

Councilman Wincote suggested that the City Manager have one of his administrative assistants check into the situation and report.

Mrs. told the Council that her telephone number is W-2962.

RESOLUTION NO. 110890, recorded on Microfilm Roll No. 61, referring communication from Mrs. Mildred C. Miller, 1323 Palmer Street, Linda Vista San Diego, dated February 27, 1953, requesting assistance in securing the return of her husband to San Diego from his distant service duty, to the City Manager for expeditious handling, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from Pacific Indemnity Company, dated March 3, 1953, signed by J. M. MacConnell, stating that the case of the verified claim of John S. Baltzell had been closed by cancellation on February 24, 1953, was presented.

RESOLUTION NO. 110891, recorded on Microfilm Roll No. 61, denying claim of John B. Baltzell, 1939 Front Street, San Diego, filed in the office of the City Clerk on May 8, 1952, under Document No. 449180, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Communication from San Diego Council of Registered Civil Engineers and Licensed Land Surveyors, dated March 2, 1953, signed by Charles W. Christenson, Secretary, was presented. The communication submits a list of its membership, and referred to the governing bodies of various municipalities of San Diego County calling upon organizations outside of San Diego County for Civil Engineering and Land Surveying projects within their respective communities. It states that it seems more logical to consult a local man who not only has a better understanding of any problem in the area and its solution, but also feels a greater responsibility to the community. It also states that it is the opinion that much is to be gained to public services if the local rather than the outside businessman is retained. Said communication was referred to the City Manager.

Communication from San Diego Chamber of Commerce, dated March 2, 1953, signed by Charles T. Leigh, president, was presented. The communication states that the Chamber is sponsoring a legislative trip to Sacramento where meetings will be held with committees of the Senate and Assembly on water, highways, and other matters vital to the City's economy. It points out that the special train is to accommodate a minimum of 125 passengers which is to leave San Diego April 11, 10:00 P.M. and return April 15 at 8:30 A.M. - transportation \$95.00 per person. It points out that it is most important that representation from both executive and legislative branches of The City accompany local businessmen on the trip, and it urges the City to designate representatives and authorize the expense.

RESOLUTION NO. 110892, recorded on Microfilm Roll No. 61, referring communication from San Diego Chamber of Commerce under Document No. 464830, requesting City representatives to make trip to Sacramento April 11, 1953, to Council Conference, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110893, recorded on Microfilm Roll No. 61, changing and amending Resolution No. 110756 to properly name the successful bidder for sale of City-owned property (in portion of Block 155 Middletown - bid's received February 11, 1953) from A & C Press, Inc. to Arts & Crafts Press, Inc., a corporation, was on motion of Councilman Schneider, seconded by Councilman Dail, adopted.

A proposed Resolution authorizing and empowering the City Manager to do all the work in connection with removal of 69 trolley support poles from the streets of the City, by appropriate City forces, in accordance with his recommendation, was presented. The City Manager was asked by Councilman Schneider if the Resolution covered the "deal" made by the City with San Diego Transit System at the time it was proposed to switch over the operation of street cars to buses.

The City Manager replied that he did not have the detail of the proposal. RESOLUTION NO. 110894, recorded on Microfilm Roll No. 61, referring to Council Conference the proposed Resolution authorizing the City Manager to do the work in connection with removal of 69 trolley support poles from the streets of the City (former San Diego Electric Company's poles) by City forces; requesting the City Manager to make a report to said Conference in the matter, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

In connection with the next matter, the City Manager made a verbal report. RESOLUTION NO. 110895, recorded on Microfilm Roll No. 61, authorizing the City Manager, designated as authorized agency of Local Agency, to submit application to the Director of Finance and/or the Post War Public Review Works Review Board, as the case may be, requesting allocation of \$38,596.43 for the purpose of defraying the cost of preparing completed plans required to be undertaken by local agency and designated as San Diego Public Library - estimated cost of preparing such plans being \$152,288.00 - and making further findings and directions, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110896, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file a petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against property located in Lots 16, 17 and 18 Block H El Cerrito Heights Unit No. 3, together with all penalties and other expenses in connection therewith be cancelled; that all deeds to The State of California for delinquent taxes thereon be cancelled; that he be authorized and directed to take whatever steps he may deem necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110897, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file a petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against property located in Lot 20 Block H El Cerrito Heights Unit No. 3, together with all penalties and other expenses in connection therewith be cancelled; that all deeds to The State of California for delinquent

thereon be cancelled; that he be authorized and directed to take whatever steps he deems necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110898, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that taxes on property in portions of Lots 41, 42, 43, 44, 45 and 46 Block H El Cerrito Heights Unit No. 3, together with penalties and other*in connection therewith be cancelled; that he be authorized and directed to take whatever steps he deems necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.
*expenses

RESOLUTION NO. 110899, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that taxes on property in portions of Lots 12 and 13 Block H El Cerrito Heights Unit No. 3, together with penalties and other expense in connection therewith be cancelled; that he be authorized and directed to take whatever steps he deems necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110900, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that taxes on property in Lots 115 and 116 Sunshine Gardens, together with penalties and other expense in connection therewith be cancelled; that he be authorized and directed to take whatever steps he deems necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110901, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that taxes on property in portion of Lot 5 Block 34 Point Loma Heights, together with penalties and other expense in connection therewith be cancelled; that he be authorized and directed to take whatever steps he deems necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110902, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that taxes on property in portion of Lots 9 and 10 Block 3 Loma Grande, together with penalties and other expense in connection therewith be cancelled; that he be authorized and directed to take whatever steps he deems necessary to secure cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

In connection with the next matter, the City Manager made a verbal report, and told the Council that extra work to be done would be based upon the contractor's bid.

RESOLUTION NO. 110903, recorded on Microfilm Roll No. 61, approving Change Order No. 2, dated February 2, 1953, heretofore filed with the City Clerk as Document No. 464916, on file in the office of the City Clerk; changes amounting to increase in the contract price of \$3,120.00, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted. (Cox Bros. Construction Co. Sunset Bridge approaches contract.)

RESOLUTION NO. 110904, recorded on Microfilm Roll No. 61, approving Change Order No. 1, dated February 10, 1953, heretofore filed with the City Clerk as Document No. 464918, issued in connection with contract between The City of San Diego and V. R. Dennis Construction Co. for construction of embankment protection, Wabash Boulevard, contract contained in Document No. 460142 on file in the office of the City Clerk; changes amounting to an increase in the contract price of \$360.00, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110905, recorded on Microfilm Roll No. 61, approving Change Order No. 7, dated February 24, 1953, heretofore filed with the City Clerk as Document No. 464920, issued in connection with contract between the City of San Diego and M. H. Golden Construction Company, for improvements at University Heights North Reservoir, contract contained in Document No. 446643 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$227.42, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110906, recorded on Microfilm Roll No. 61, approving Change Order No. 1, dated February 17, 1953, heretofore filed with the City Clerk as Document No. 464922, issued in connection with contract between The City of San Diego and R. E. Hazard Contracting Co., for reconstruction of the curb and pavement on Adams Avenue, between Florida and Alabama Streets, contract contained in Document No. 461294 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$1,000.00, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110907, recorded on Microfilm Roll No. 61, approving Change Order No. 1, dated February 6, 1953, heretofore filed with the City Clerk as Document No. 464924, issued in connection with contract between The City of San Diego and Virginia Metal Products Corporation, for the construction of the San Diego Public Library, contained in Document No. 454646 on file in the office of the City Clerk; changes amounting to increase in the contract price of \$187.00, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110908, recorded on Microfilm Roll No. 61, approving Change Order No. 8, heretofore filed with the City Clerk as Document No. 464926, issued in connection with contract between The City of San Diego and F. E. Young Construction Co., for the construction of the San Diego Public Library, contract contained in Document No. 451108; changes amounting to decrease in the contract price of \$686.45, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

In connection with the next matter, the City Manager made a verbal explanation of the proposed Resolution, and said that there is a slight modification involved due to structural conditions and window locations.

RESOLUTION NO. 110909, recorded on Microfilm Roll No. 61, granting permission as requested by the City Manager, to Johnson, Hatch & Wulff, Architects, San Diego Trust & Savings Building, to make special plumbing dispensations at Memorial Junior High School shower and locker Room, to install flat fenting, run 6" sanitary sewer between building and property line at 1/8" in lieu of 1/4" fall per foot, for the reason that the City trunk line elevation is too high to permit connection at required grade, on conditions set forth in said Resolution, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110910, recorded on Microfilm Roll No. 61, granting permission to R. E. Riling to connect sewer from existing dwelling located at 4746 East Mountain View Drive, to the City sewer with about 1/8" fall per foot, in lieu of the required fall of 1/4" per foot, for the reason that the City trunk line sewer is too high to permit connection at required grade, subject to approval by Inspection Department, Property Department and Sewer Department and requested by the City Manager; on conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110911, recorded on Microfilm Roll No. 61, granting permission to Standard Oil Company of California to install and maintain ten 5,000 gallon fuel tanks at the Embarcadero Marine Station underneath the street at 1705 Harbor Drive, on the various conditions, and upon a revocable basis; directing the City Clerk to transmit certified copy of said Resolution to Standard Oil Company of California, 605 West Olympic Boulevard, P.O. Box 2437 Terminal Annex, Los Angeles, California, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110912, recorded on Microfilm Roll No. 61, denying claim of Pericles J. Martikas, on file in the office of the City Clerk as Document No. 464065, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110913, recorded on Microfilm Roll No. 61, denying claim of Richard L. Parsons, on file in the office of the City Clerk as Document No. 457784, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110914, recorded on Microfilm Roll No. 61, authorizing and empowering the Mayor and the 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 Clairemont Company portion of Pueblo Lot 1206; authorizing and directing the City Clerk to deliver said deed to the Property Supervisor of the City with instructions that the same be delivered to said Company upon receipt by the City of deed for easement in Pueblo Lot 1237, as required by said City, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

Said resolution recites that the City of San Diego is desirous of acquiring portion of Pueblo Lot 1237 of the Pueblo Lands of San Diego for a site for a fire station and street purposes; that said Company is willing to deed said land to the City in exchange for quitclaim deed from the City quitclaiming portion of Pueblo Lot 1206; that the value of property to be granted to the City is \$1,000.00; that value of property to be granted by the City is the same amount, as determined by qualified real estate appraiser and by the last report of the City Auditor and Comptroller, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110915, recorded on Microfilm Roll No. 61, 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 the San Diego Unified School District portion of the northwest quarter of Lot 39 Horton's Purchase in Ex-Mission Lands of San Diego, more particularly set forth therein - which had previously been authorized by Resolution No. 110235, and which Resolution is repealed by this said Resolution No. 110915, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110916, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by Henry C. Milam, Sr. and Docia May Milam, beneficiaries, and Security Title Insurance Company, trustee, bearing date February 17, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 70, 71 and 72 Sunshine Gardens, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego in portion of said property; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110917, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by George C. Mowry, beneficiary, and Security Title Insurance Company, trustee, bearing date February 19, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 75 through 86 inclusive, Sunshine Gardens, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110918, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by Gilbert A. E. Ritscher, beneficiary, and Union Title Insurance and Trust Company, trustee, bearing date February 19, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Acre Lot 48 Pacific Beach, to the right of way and easement for public street purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110919, recorded on Microfilm Roll No. 61, bearing date February 19, 1953, conveying easement and right of way for public street purposes in portion of Acre Lot 48 Pacific Beach; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110920, recorded on Microfilm Roll No. 61, bearing date February 16, 1953, accepting deed of Harold Von Briesen and Lena W. Von Briesen, conveying easement and right of way for public street purposes in portions of Lots 15 to 21 Block 83 Morena, setting aside and dedicating the same to the public use as and for a public street, and naming the same Huxley Street; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110921, recorded on Microfilm Roll No. 61, bearing date February 16, 1953, accepting date February 16, 1953, conveying easement and right of way for public street purposes in portions of Lots 12, 13, 14 Block 83 Morena, setting aside and dedicating the same to the public use, and naming the same Huxley Street; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110922, recorded on Microfilm Roll No. 61, bearing date January 22, 1953, conveying portions of Lots 34, 35 and 36 Block 3 McLaren's "H" Street Addition, and portions of Lots 26 and 27 Block 4 McLaren's "H" Addition, and portions of Lots 26, 27, 28 and 29 Block 7 McLaren's "H" Street Addition; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110923, recorded on Microfilm Roll No. 61, bearing date February 16, 1953, conveying easement and right of way for earth excavation and embankment slope purposes in portion of Lots 17 to 24 Block 83 Morena; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted. - accepting deed of Harold Von Briesen and Lena W. Von Briesen.

RESOLUTION NO. 110924, recorded on Microfilm Roll No. 61, accepting deed of Harold Von Briesen and Lena W. Von Briesen, bearing date February 16, 1953, conveying easement and right of way for earth excavation and embankment slope purposes in portions of Lots 13 and 14 Block 83 Morena; authorizing and directing the City Clerk to transmit said deed, together with certified copy of said Resolution, to the City Properties Department for recording when escrow instructions have been complied with, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110925, recorded on Microfilm Roll No. 61, accepting deed of Myrtle S. Anthony, bearing date February 5, 1953, conveying easement and right of way for sewer purposes in portion of Lot 110 Sunshine Gardens; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego county, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110926, recorded on Microfilm Roll No. 61, accepting deed of John A. Chandler and Betty Jean Chandler, bearing date February 9, 1953, conveying easement and right of way for public sewer purposes in portion of Lot 109 Sunshine Gardens; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110927, recorded on Microfilm Roll No. 61, accepting deed of Rosa D. Juarez, bearing date February 3, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 51, 52, 53, 54, 55 Sunshine Gardens; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110928, recorded on Microfilm Roll No. 61, accepting deed of William J. Kreger and Violet Lutz Kreger, bearing date February 4, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 70, 71 and 72 Sunshine Gardens; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110929, recorded on Microfilm Roll No. 61, accepting deed of Henry C. Milan Sr. and Docie May Milan, bearing date February 4, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 75 to 86 inclusive Sunshine Gardens; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110930, recorded on Microfilm Roll No. 61, accepting deed of Joseph D. Orrantia and Mary J. Orrantia, bearing date February 3, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 48, 49, 50 and 51 Sunshine Gardens; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110931, recorded on Microfilm Roll No. 61, accepting deed of Thomas J. Pettid and Mildred A. Pettid, bearing date February 3, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 60 to 66 Sunshine Gardens; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110932, recorded on Microfilm Roll No. 61, accepting deed of Bertha Bonnie, bearing date February 6, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 72, 73 and 74 Sunshine Gardens; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with a certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110933, recorded on Microfilm Roll No. 61, accepting deed of Louis Villaescusa and Rose Villaescusa, bearing date February 3, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 55, 56, 57 and 58 Sunshine Gardens; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110934, recorded on Microfilm Roll No. 61, accepting deed of Edward V. Steinbach and Louise Steinbach, bearing date February 12, 1953, conveying easement and right of way for water pipe line purposes in portion of Block 287 Ramona; authorizing and directing the City Clerk to transmit said deed, together with two certified copies of said Resolution, to the City Properties Department, for recording when escrow instructions have been complied with, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

In connection with the next matter, being a proposed Ordinance appropriating \$200,000 from Harbor Department Capital Trust Fund for the purpose of providing funds for capital improvements on Tidelands, Carl Reupsch, representing the Harbor Department, was asked by the Council to be heard. Mr. Reupsch replied to Council questions, that some of the work contemplated by the Ordinance has already been authorized. He pointed out that work will be done under separate contracts - rather than in any lump - and said that the Council would retain control inasmuch as each of the contracts would come before it. Mr. Reupsch outlined the several improvement projects. He said that it is made easier to lump appropriation for the contracts in one ordinance.

Councilman Schneider pointed out that the Harbor Commission could provide for making of the improvements, or dropping certain projects, which he said would constitute giving a blank check to the Harbor Commission.

Mr. Reupsch said that some of the small contracts will be completed before the Ordinance (a 31-day ordinance) goes into effect. He said that the Harbor Commission works "this way", and declared that the proposal is a bookkeeping activity only.

The City Auditor was asked about the proposed Ordinance.

John McQuilken, City Auditor and Comptroller, replied that in effect there is adequate control provided. Sufficient provisions are made to cover the situation, he said.

ORDINANCE NO. 5513 (New Series), recorded on Microfilm Roll No. 61, appropriating the sum of \$200,000 from Harbor Department Capital Trust Fund for the purpose of providing funds for Capital Improvements on tidelands - money so appropriated to be considered as supplementary to the money appropriated from Harbor Department Trust Funds for Capital Outlay by Ordinance 5253 (New Series), 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 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 Butler.

The final reading of such Ordinance was in full.

The following proposed Ordinance was presented. Members of the Council asked the City Manager for a report as to the effect and reason for the Ordinance. The City Manager replied that it had to do with re-numbering sections which had been numbered inadvertently. (In addition, said Ordinance repeals a section entitled "Dog Kennels - Permits - Definition").

ORDINANCE NO. 5514 (New Series), recorded on Microfilm Roll No. 61, amending Chapter IV of the San Diego Municipal Code regulating Health and Sanitation Matters, by re-numbering certain sections with a new section number; repealing Section 44.35, 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 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 was furnished to each member of the Council.

The following proposed Ordinance, which had been held since January 8, 1953, pending the filing of a subdivision map of Chester Square, was presented.

ORDINANCE NO. 5515 (New Series), incorporating portion of Lot 16 Ex-Mission Lands into "R-2" Zone, as defined by Section 101.0408 of the San Diego Municipal Code and repealing Ordinance No. 35 (New Series) insofar as the same conflicts - having to do with recommendation of the Planning Commission contained in Document No. 549270 - 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. Nays--Councilmen None. Absent--Mayor Butler.

Thereupon, on motion of Councilman Godfrey, 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.

The following matter, which had been considered earlier, was reconsidered on motion of Councilman Kerrigan, seconded by Councilman Dail.

The matter had to do with Planning Commission communication recommending denial by a vote of 5 to 1 that the request for rezoning from R-1 to R-2 Zone of Lots 27 and 28 Englestad Aztec Manor be denied.

Councilman Kerrigan asked that the matter be brought up again, which was done, after reconsideration had been voted, as stated above. He stated that interested persons, who had been present at the time the subject came before the Council earlier were here, and he stated that they should be heard.

Albert E. Furlow, who favored the rezoning, requested that the petition and recommendation, together with other documents on the subject, be referred back to the Planning Commission for further study. He stated that there is new information which it is desired to be submitted for consideration. Mr. Furlow told the Council that he spoke for the developers of the property.

Glenn A. Rick, City Planning Director, said that the Commission can reconsider the proposal, although it had originally objected to it stating that it constituted spoke zoning. He pointed out that such an R-2 zone would be surrounded by R-1, but that he had no objection to having it referred back.

Mrs. Frank M. Crosby, 4965 Catoctin Drive, spoke in opposition to the

re-zoning. She said, as Mr. Rick had, that the area which would be in an R-2 zone if rezoned, would be surrounded by R-1. She declared that the property has lain idle for years without any development because of lack of the sewer. She told about large parcels of land upon which only one house is permitted on 5 or 10 acre parcels. She mentioned that it is not possible to connect to the trunk line yet. Mrs. Crosby told of having sold a large property to the Furlow interests, and others who have sold, all for single homes. She declared that the big promoter wants to capitalize on the sewer having been installed, by erecting multiple units. She spoke of new single-family residences which have been erected, and told of only one R-2 Zone, by the school. She told, however, of apartments and courts at College Avenue. Mrs. Crosby contended that granting of the zone change would allow lower type property to go in. She said that she does not know ^{whether} Mr. Furlow can put in the road which would be required, and the duplexes as well.

Mr. Furlow said that restrictions are covered in the petition, and referred to their minimum. He told of others of his developments. He, too, spoke of the existing zoning in the area, and the R-2 zone in connection with the school, and that it is desired to continue the development. He contended that he is not trying to tear down the property, and told of approval by property owners.

Councilman Dail spoke about the matter being re-referred to the Planning Commission, instead of the Council having to conduct a hearing at this time. He pointed out that if the property owners are not satisfied, after the matter has been reviewed by the Commission and recommendation made, they have the right to appeal to the Council.

Mrs. Crosby, in speaking again, maintained that Mr. Furlow does not have the approval of all the property owners for the change, as he had told the Council. She said that she is not opposed to development, but that she objects to lowering standards of the improvements.

Councilman Dail moved to refer the matter back to the Planning Commission, which motion was seconded by Councilman Godfrey.

Mr. Rick said that all interested parties will be permitted to be heard.

The roll was called on the motion to refer back to the Planning Commission.

The motion was changed, through addition of the request that all interested parties be notified when the subject will be considered again, on motion of Councilman Godfrey, seconded by Councilman - resulting in

RESOLUTION NO. 110935, recorded on Microfilm Roll No. 61, referring back to the Planning Commission for further consideration, its recommendation which had been made to the Council by a vote of 5 to 1 that the petition for rezoning from R-1 to R-2 Zone of Lots 27 and 28 Englestad Aztec Manor, and directing that all interested parties be advised when the matter will come before the Planning Commission, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

The next matter, not listed on the Agenda, was presented upon unanimous consent granted by the Council. It was explained by the City Manager.

RESOLUTION NO. 110936, recorded on Microfilm Roll No. 61, authorizing the City Manager to execute, for and on behalf of The City of San Diego, an agreement with the San Diego Unified School District, wherein and whereby the City agrees to install a pipeline in Grand Avenue for the purpose of supplying water to the Mission Bay School now under construction, and the San Diego Unified School District agrees to pay the City the sum of \$12,082.00 for said installation, complete in place, was on motion of Councilman Dail, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 110937, recorded on Microfilm Roll No. 61, authorizing and empowering the City Manager to do all the work in connection with the installation of a pipeline in Grand Avenue, for the purpose of supplying water to the Mission Bay School, by appropriate City forces, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Said Resolution recites that the Water Department has recommended installation of pipeline for said purpose; 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.

The next matter, not listed on the Agenda, was presented by the City Manager upon unanimous consent granted by the Council. It was a Resolution having to do with housing, in San Diego. Said Resolution, ~~stating~~ constituting a statement of Council policy, was ~~read~~ read by the Manager.

Councilman Godfrey asked that there be added to said proposed Resolution, the word "temporary". The City Manager added the word.

Councilman Wincote asked about demountable and permanent houses on City-owned land.

Glenn A. Rick, City Planning Director, reported on the development which is on City property. He said that such matter can be handled by the Council.

The City Manager agreed with Mr. Rick's statement.

Vice Mayor Swan asked regarding the move.

The City Manager referred to the matter being under the United States Act. He said that it has not come as a surprise to the City, which knew of the situation.

Councilman Dail pointed out that the proposed Resolution is a statement of principle.

Mr. Rick said that throughout the United States there are many temporary houses, and that in many communities they have been destroyed. He said that San Diego has a different opportunity, which has been passed by many other communities.

Councilman Wincote that the proposal had been brought before the Council on a formal motion, in Conference.

"RESOLUTION NO. 110938", recorded on Microfilm Roll No. 61, "WHEREAS, The United States Public Housing Administration has informed this Council that The City of San Diego may purchase several thousand of the federally owned temporary public housing units within the City, together with, in some cases, the land upon which they are built, providing that application for such purchase or relinquishment is made prior to March 31, 1953; and

WHEREAS, it is not the intention of The City of San Diego to engage in

public housing or the real estate business as a governmental or community activity, but the orderly withdrawal of public housing functions from The City of San Diego without disruptive impact upon the economy and welfare of the City may require City intervention in the relinquishment by the Federal Government of some or all of its federal housing projects; and

WHEREAS, such City intervention and the extent thereof should be subject to the wishes and responsive to the needs and problems of the people of San Diego, of all of which this Council desires to be apprised; and

WHEREAS, the City Council, as the only official body representing the entire interests of the people of San Diego, has the responsibility of making the decision of this significant subject prior to March 31, 1953; NOW, THEREFORE,

BE IT RESOLVED, By the Council of The City of San Diego that any application which may be made to the Federal government for relinquishment to The City of San Diego of certain of the former's public housing units in San Diego, shall be made consistent with the intentions and purposes stated in the preamble hereof; and

BE IT FURTHER RESOLVED, that the City Manager, the Planning Director and the City Attorney are hereby directed to study and analyze all aspects of the United States Public Housing Administration proposal above referred to, and the consequences flowing from the City's acceptance or rejection thereof, in whole or in part, and to make an early factual report to the Council; and

BE IT FURTHER RESOLVED that all interested citizens, organizations and groups are invited to make known to the Council their desires in the matter to the end that this Council may be fully informed as to all aspects of the problem before making its decision on the partial or entire acceptance or rejection of the said proposal."

"Presented by O. W. CAMPBELL

APPROVED as to form by J. F. DuPAUL, CITY ATTORNEY

By DOUGLAS D. DEAPER, Deputy City Attorney",

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

Councilman Kerrigan was excused from the meeting.

The matter of the City Manager's report on bids for installation of sewer mains and water mains in Kearny Mesa Improvement District, which had been continued to this date from the Meeting of March 3, 1953 - and continued from the beginning of the agenda of this date - was brought up at this time.

Councilman Godfrey reviewed the background on the project. He stated that the City Manager had negotiated with owners of property. He told those present that it had been considered in Conference prior to this meeting, but that the Council had been unable to complete its deliberations inasmuch as it was necessary to convene the official session at 10:00 o'clock A.M. He said that it should be considered if the City is to go into the deal financially. He said that he felt it is necessary to discuss the proposition further if there is to be any renegotiation.

Councilman Wincote said that plenty of points had been brought out.

Councilman Godfrey said that there is great interest on the part of all people of San Diego. He said that if it is the advice of the City Manager in connection with a different formula of financing the project, it would need to be discussed further.

Councilman Dail said, as he had in other sessions, that the City Engineer should not be put in the position of divulging the formula to be used. He said that he thinks it cannot be given to anyone what will be a hard and fast rule, relative to charge based on a previous statement made by the City Engineer.

Councilman Schneider said that there is an important decision involved, for the entire City. He said that it is necessary to hold a thorough discussion, and to come up with a decision. He contended that Councilman Godfrey is right, and declared that the Council is not trying to hide anything. He said that the Council needs to discuss the matter further.

Councilman Kerrigan returned to the meeting.

Councilman Godfrey said that the Council should act upon the matter today. He declared that there is no effort to delay the matter, but there is need for further discussion.

Lynn Platner suggested that if the Council decides to contribute further to the project, the contract could be awarded first, and that the contribution be considered later.

Councilman Godfrey said that the Council should not get involved with the many other things which had been discussed; and said that a majority of the property owners want the award made.

A motion to refer a communication from R. E. Hazard, in protest on this same subject - being a new communication, in addition to the one which had been presented to the Council at an earlier date, made by Councilman Godfrey, seconded by Councilman Schneider, was adopted.

In connection with the Hazard letter, Richard Steck asked that it be read to the Council. It was stated by individuals that the Council would read the letter - probably in conference.

RESOLUTION NO. 110939, recorded on Microfilm Roll No. 61, referring report of the City Manager on bids for installation of sewer mains and water mains in the Kearny Mesa Improvement District to Council Conference this date; determining that there would be further consideration of the matter at 3:00 o'clock P.M., this date, was on motion of Godfrey, seconded by Councilman Schneider, adopted.

At the hour of 11:20 o'clock A.M., the Council took a recess, on motion of Councilman Godfrey, seconded by Councilman Schneider, to the hour of 3:00 o'clock P.M., this date.

Upon reconvenine, at the hour of 3:22 o'clock P.M., the roll call showed the following:

Present---Councilmen Swan, Wincote, Schneider, Kerrigan, Godfrey

Absent---Councilman Dail, Mayor Butler.

Clerk----Fred W. Sick

Vice Mayor Swan apologized to those present in the Council Chambers for the delay in returning to the meeting. He said that members of the Council had stayed longer than anticipated in Council Conference, discussing the Kearny Mesa Improvement project.

Councilman Godfrey said that a majority of the members of the Council are in agreement to accept the bid and award the contract. He pointed out that the annexation has not been made, and the easements not given. He said that when the annexation has been accomplished and the easements granted, the City is ready to go ahead with the improvement under the Kearny Improvement District.

Councilman Schneider referred to the same matter of annexation and easements to go through.

Lynn Platner, who had spoken several times previously, was heard again. He said that there about 5 parcels to be annexed.

Mr. Nichols, spoke again. He referred to 2 parcels, and referred to 1 parcel to go into settlement in connection with the needed easements.

Councilman Wincote said that it is now up to the Property Owners, inasmuch as the City has already made its contribution. He declared that the easements should be straightened out first. He said that he thinks the entire matter should be simple.

Councilman Schneider said that the matter has been difficult both for the property owners and for the City.

Councilman Godfrey said that if there are other problems beyond the contribution and award, the City will accept the bid and award the contract, which is all that is needed at the moment.

Mr. Platner referred to an agreement for easement to dedicate road, and spoke about the portion in the lower area to be annexed.

Councilman Wincote wanted to know what property is involved in the additional property needed for easements.

Councilman Kerrigan said that he felt that he does not want to settle the various points at this time.

Councilman Godfrey said that the matter should be adjusted, and the City Manager get together with the property owners.

Councilman Wincote said that he thinks that the men will cooperate and get together, although Mr. Nichols does not agree in connection with the easements.

Mr. Nichols said that he had bought the property on the Mesa many years ago, and referred to the property for needed easements being condemned. He spoke, also, about other land proposed to be taken in. He said that he doesn't want to be left with only a little land. He told the Council about his willingness to give an equal trade of property for property across the way.

Councilman Schneider moved to adjourn the meeting. The motion was not seconded.

Councilman Godfrey spoke for the people working out their own problems.

The City Manager said that \$2,000.00 asked by Mr. Nichols for a raw 1/2 acre of land with no sewer or water is too much.

Councilman Godfrey seconded the motion to adjourn.

Although the adjournment motion had been made and seconded, individual Councilmen said that they wanted to know what further might be said.

Mr. Nichols told the Council that he does not ask for \$2,000.00 for his 1/2 acre, and said that he will be satisfied with making a trade with the City as he had said before.

Councilman Wincote said that he wants all to get together to iron out the problems.

Louise Garretson, who was heard for the first time, spoke. She wondered if in the improvement her property would be benefited.

Instead of calling the roll on the motion to adjourn, inasmuch as there was the new speaker to be heard, the motion was withdrawn with consent of the second.

A conference ensued over a map between members of the Council and Louise Garretson, the discussion not being heard by the Clerk, there is no record made.

Councilman Wincote declared that the City Manager is agreeable to talking to the interested affected owners.

It was recommended by Councilman Wincote that the hearing be continued week to week, relative to the bids and award of contract - one week at the time.

RESOLUTION NO. 110940, recorded on Microfilm Roll No. 61, continuing the report from the City Manager on bids for installation of sewer mains and water mains in the Kearny Mesa Improvement District to Thursday, March 12, 1953, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

The agenda listed communication from Rev. Charles M. Benson, Pacific Beach Church of God, favoring certain improvements at the Pacific Beach Recreation Center as having been referred to the City Manager by the Clerk.

There being no further business, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Kerrigan, at the hour of 3:40 o'clock A.M.

ATTEST:
FRED W. SICK, City Clerk

Franklin F. Swan
Vice Mayor of The City of San Diego, California

By *August M. Hadstorn*
Deputy

REGULAR MEETING

Chamber of the Council of the City of San Diego, California,
Tuesday, March 10, 1953

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

In the absence of Mayor Butler, Vice Mayor Franklin Swan, who acted as Chairman, called the meeting to order at the hour of 10:05 o'clock A.M.

The Minutes of the Regular Council Meetings of Tuesday, March 3, 1953, and of Thursday, March 5, 1953, 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 Vice Mayor.

Visitors to the Council meeting from the Dana Junior High School Student Commissioners and the Homeroom representatives, under direction of Clarence Swenson, Principal, were present.

Vice Mayor Swan introduced the group, and welcomed them to the meeting.

In response, Mr. Swenson spoke, and presented individual offers from the school. They arose, at his request.

Service awards were made to the following City employees, in recognition for their long-time service with the City of San Diego:

Mart Overturf, elevator operator, who took a demotion to position of custodian rather than transfer to the County - 20 years;

Walter W. LaFortune, who has care and maintenance of the Municipal Golf Course - 20 years;

Starr V. Monsees, Associate Civil Engineer in the Division of Electricity, Public Works Department - 20 years;

C. Wallace Holbeck, Junior Civil Engineer, Water Department - 25 years;

Frank E. Logan, Lieutenant, Police Department - 25 years;

Howard B. Weston, Captain, Police Department - 25 years;

Claude E. Brunnick, Groundsman stationed at the Bowling Green and environs in Balboa Park - 30 years;

James I. Capen, Conduit Patrolman, Water Impoundment System - 40 years.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids under Specification No. 18 - Sutherland-San Vicente Conduit, Section III from Black Canyon Tunnel to southerly end of conduit, the Clerk reported that 11 bids had been received, which bids were presented to the Council.

On motion made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of P. & J. Artukovich, Inc. and M. Miller Co., a joint venture, accompanied by bond written by Great American Indemnity Company in the sum of \$80,000.00, which bid was given Document No. 465150;

The bid of Walter H. Barber, an individual doing business as Walter H. Barber, 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. 465151;

The bid of Harry L. Foster, accompanied by bond written by Maryland Casualty Company of Baltimore in the sum of 10% of amount of bid, which bid was given Document No. 465152;

The bid of American Pipe and Construction Co., accompanied by bond written by Fidelity and Deposit Company in the sum of \$75,000.00, which bid was given Document No. 465153;

The bid of Engineering Constructors, Inc., accompanied by bond written by Fidelity and Deposit Company of Maryland in the sum of \$45,000.00, which bid was given Document No. 465154;

The bid of Ofco Construction Co., accompanied by bond written by Continental Casualty Company in the sum of ten percent of the amount of the bid, which bid was given Document No. 465155;

The bid of Southern Pipe & Casing Co., accompanied by bond written by Saint Paul-Mercury Indemnity Company, which bid was given Document No. 465156;

The bid of ABC Construction Co., Inc., with which no bond was found accompanying the bid, which bid was given Document No. 465157;

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. 465158;

The bid of Consolidated Western Steel Division United States Steel Corporation, which bid was given Document No. 465159 - accompanied by bond written by Pacific Indemnity Company in the sum of \$150,000.00.

The bid of Jerry Artukovich, Matt J. Zaich, N. A. Artukovich, a joint venture, d.b.a. N.A. Artukovich Construction Co., which bid was given Document No. 465160 - accompanied by Guaranty of Bonds as required by the specifications and regulations of The City of San Diego, written by United Pacific Insurance Company.

Bids were on various items, as set forth in said documents.

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.

During the opening of the first set of bids, the proceedings were interrupted, between the bids of Southern Pipe & Casing Co. and ABC Construction Co., to give O. W. Todd, Jr., an opportunity to be heard.

Mr. Todd introduced to the Council the following individuals associated with the new San Diego County Traffic Safety Council: Admiral Wilder J. Baker; Fred Rohr, Rohr Aircraft Corporation; John Steiger, representing the northern part of the County.

The Vice Mayor thanked Mr. Todd for introducing the gentlemen, and for those who were introduced who are associated with the Safety organization.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids under Specification No. 47 - Sutherland-San Vicente Conduit, Section I and portion of Section III, the Clerk reported that 8 bids had been received, which bids were presented to the Council.

On motion made and seconded, said bids were opened and publicly declared.

Said bids were as follows:

The bid of P. & J. Artukovich, Inc. and M. Miller Co., a joint venture, accompanied by bond written by Great American Indemnity Company in the sum of \$50,000.00, which bid was given Document No. 465142;

The bid of Engineering Constructors, Inc., accompanied by bond written by Fidelity and Deposit Company in the sum of \$30,000.00, which bid was given Document No. 465143;

The bid of American Pipe and Construction Co., accompanied by bond written by Fidelity and Deposit Company in the sum of \$35,000.00, which bid was given Document No. 465144;

The bid of United Concrete Pipe Corporation, accompanied by bond written by Maryland Casualty Company of Baltimore in the sum of 5% of amount of bid, which bid was given Document No. 465145;

The bid of Southern Pipe & Casing Co., accompanied by bond written by Saint Paul-Mercury Indemnity Company in the sum of 10% of amount of bid, which bid was given Document No. 465146;

The bid of ABC Construction Co., Inc, with which no bond was found accompanying the bid, which bid was given Document No. 465147;

The bid of J. S. Barrett, accompanied by bond written by American Surety Company in the sum of ten percent of the bid, which bid was given Document No. 465148;

The bid of Consolidated Western Steel Division United States Steel Corporation, accompanied by bond written by Pacific Indemnity Company in the sum of \$60,000.00, which bid was given Document No. 465149.

Bids were on various items, as set forth in said Documents.

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.

Councilman Wincote was excused during the reading of the first bids, between those of Southern Pipe & Casing Co. and ABC Construction Co. He returned to the meeting after the ABC Construction Bid reading.

Councilman Dail was excused during the reading of the first bids, between those of ABC Construction Co. and J. S. Barrett. He returned to the meeting during the reading of the Artukovich & Miller bid during the second set of bids.

The hour of 10:00 o'clock A.M. having arrived, being the latest time set for the receiving of bids for sewers in the Alley lying northerly of and contiguous to Lots 26 to 36 Resubdivision of Block H and Lots 26 to 38 Block G Encanto Heights, and 63rd Street, the Clerk reported that 5 bids had been received, which bids were presented to the Council.

On motion 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 \$1,000.00, which bid was given Document No. 465130;

The bid of L. B. Butterfield, accompanied by bond written by Maryland Casualty Co. in the sum of \$2,000.00, which bid was given Document No. 465131;

The bid of Charles J. Dorfman, accompanied by bond written by Peerless Casualty Company in the sum of \$700.00, which bid was given Document No. 465132;

The bid of Cameron Brothers Construction Company, accompanied by bond written by Glens Falls Indemnity Company in the sum of \$1,200.00, which bid was given Document No. 465133;

Councilman Kerrigan left the meeting.

The bid of H. H. Peterson, accompanied by bond written by Massachusetts Bonding and Insurance Company in the sum of \$850.00, which bid was given Document No. 465134.

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 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 Steel Street, Gillette Street, 33rd Street and Imperial Avenue, the Clerk reported that 4 bids had been received,

which bids were presented to the Council.

On motion 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 two thousand dollars, which bid was given Document No. 465135;

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. 465136; - bond in the sum of \$1800.00;

The bid of R. E. Hazard Contracting Co., accompanied by bond written by Pacific Indemnity Company in the sum of \$1,300.00, which bid was given Document No. 465137;

Councilman Kerrigan returned to the meeting at this time.

The bid of Griffith Company, accompanied by bond written by National Surety Corporation in the sum of \$1400.00 which bid was given Document No. 465138;

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 the Street Superintendent's Assessment No. 2109 made to cover the cost and expenses of the paving and otherwise improving of Reed Avenue and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 105452, 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. 110941, recorded on Microfilm Roll No. 61, confirming and approving the Street Superintendent's Assessment No. 2109, made to cover the cost and expenses of the paving and otherwise improving of Reed Avenue and Mission Boulevard, within the limits and as particularly described in Resolution of Intention No. 105452; 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 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. 2110 made to cover the cost of the paving and otherwise improving of the Alleys in Blocks 207 and 206 Mission Beach, within the limits and as particularly described in Resolution of Intention No. 106664, 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. 110942, recorded on Microfilm Roll No. 61, confirming and approving the Street Superintendent's Assessment No. 2110, made to cover the cost and expenses of the paving and otherwise improving of the Alleys in Blocks 207 and 206 Mission Beach, within the limits and as particularly described in Resolution of Intention No. 106664; 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 Resolution of Preliminary Determination No. 110564, for the improvement of Keats Street and Scott Street, within the limits and as particularly described in said Resolution, the 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 appeals were presented.

RESOLUTION NO. 110943, recorded on Microfilm Roll No. 61, determining that the proposed improvement of Keats Street and Scott Street, within the limits and as particularly described in Resolution No. 110564 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 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. 109911 for installation of ornamental light standards on Kingsley - being a hearing which had been continued from last week, being also the third continuance with one more continuance to be made - the following Resolution was adopted:

RESOLUTION NO. 110944, recorded on Microfilm Roll No. 61, continuing the hearing on Resolution of Intention No. 109911 for the installing of ornamental light standards on Kingsley Street, James Street, Oleander Drive, et al in Plumosa Manor Unit No. 2, until the hour of 10:00 o'clock A.M. of Tuesday, March 17, 1953, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The proposed Ordinance incorporating portions of Section 33, T. 16S, R2W, S.B.M., into "R-2" Zone as defined by the Municipal Code, and repealing Ordinance No. 184 (New Series) - insofar as it conflicts - lying westerly of Altadena Avenue and south of Sterling Court, which had been continued to this meeting from the meeting of March 3, 1953, was considered again.

The City Manager, who had been asked to make a report to the Council about extension of a road at the back of the property which was acquired by the School Board, was heard verbally. The Manager told about an access not having been provided, but pointed out an access, according to a map which he showed to the Council. He said that the School might have to condemn a small portion, but felt that the rezoning should not be held up on that account.

ORDINANCE NO. 5516 (New Series), recorded on Microfilm Roll No. 61, incorporating portions of Section 33, T. 16S., R 2 W., S.B.M., into "R-2" Zone, as defined by Section 101.0406 of the San Diego Municipal Code, and repealing Ordinance No. 184 (New Series) adopted March 20, 1933, insofar as the same conflicts, 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 Butler.

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 Butler.

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

Communication from Dualtone Muffler Mfg. Co., Inc., signed by Violet Johnston, president, dated March 3, 1953, was presented. It refers to petition to have the City create a street from an existing 20' alley, plus additional property which is proposed to be deeded to the City for the purpose of creating the street.

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

Communication from Checker Cab Company, ABC Cab Company, San Diego Yellow Cabs, Inc.; Gray Line Cabs, Lo-Fare Cab Company, requesting amendment to the Municipal Code, to permit increase in Taxicab Fares - 60¢ for the first mile, 30¢ for each addition mile or fraction thereafter - was presented.

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

Communication from San Diego County and Municipal Employees, Local 127 AFSC&ME, AFL, dated February 25, 1953, and signed by Otto W. Hahn, Business Representative, was presented. The communication submitted requests for salary increases in the coming 1953-1954 fiscal budget, referred to increases proposed by other California cities in California which were named therein, and the State of California.

RESOLUTION NO. 110945, recorded on Microfilm Roll No. 61, referring to the Salary Ordinance hearing, the communication from San Diego County and Municipal Employees Local 127 AFL, submitting requests for salary increases for employees in certain divisions of the City employment, hearing date to be determined at a later date, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

The visitors from Dana Jr. High School, who had attended the meeting of the Council left at this time.

The Vice Mayor stated that it was regretted that so much time was consumed in the earlier part of the meeting in having to open and declare bids, which would not have been of much interest to the students. He invited them to return for another visit, at a time when they would be able to attend during the regular work of the Council.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting that 42 items of automobile equipment and motorcycles and 4 items of automotive parts had been sold under authority authorized by the Council in Resolution No. 110130. There were 92 bids, sales made to 24 successful bidders for \$8,135.13.

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

Communication from the Purchasing Agent, reporting on bids for resurfacing of the promenade deck on Broadway Pier, schedule "B", was presented. It recommended award to Astra Flooring Company, the sole bidder.

Councilman Godfrey asked why there was only one bidder.

Carl Reupsch, representing the Harbor Department, made a verbal report. He told the Council that the work consisted of the walking deck on the Broadway Pier and covers over the warehouse. He admitted that the specifications were rigid, but that they needed to be to take care of the job as needed. He referred to a lower bid having been made on an alternate specification, but the Harbor Commission had recommended award as noted inasmuch as it was for better material. He described the size of the job, at Councilmen's request. He stated that the job includes removal of the present deck and putting on of a new deck. Mr. Reupsch spoke of dry rot which might be on the wood, which would have to be removed if encountered. He said that the Department is unable to use the warehouse on account of leaks in the upper deck. He said that there would be a built-up deck.

Councilman Godfrey wondered if it would be possible to hold the matter, for one week, to secure a detailed report.

Mr. Reupsch asked, instead, that the report be held until the end of today's agenda, and that he bring in the Harbor Engineer to discuss the matter with the Council.

Councilman Wincote suggested adjournment, and then taking up the deck matter later.

It was determined to pass by the recommendation, and consider it later.
(See subsequent action later in these Minutes).

Inasmuch as Mr. Reupsch, representing the Harbor Department was present, the next 2 matters were taken up at this time, out of order:

Communication from the Purchasing Agent reporting on bids for rental of earth-moving equipment for the Harbor Department, received February 19, 1953, from 4 bidders, was presented. It recommended acceptance of Cameron Brothers Company of San Diego low bid, divided between 4 types of equipment as required.

RESOLUTION NO. 110946, recorded on Microfilm Roll No. 61, accepting bid of Cameron Brothers Construction Company for rental of equipment - as stated in said Resolution and for the various prices set forth therein - awarding contract; authorizing majority of the members of the Harbor Commission of The City of San Diego to enter into and execute the same, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent reporting on bids for Improvement of Belt Street from U.S. Naval Station to 28th Street Pier, received February 13, 1953, from 4 bidders, was presented. It recommended acceptance of R. E. Hazard Contracting Company low bid, in the sum of \$24,976.56 - the Harbor Engineer's estimate being \$28,000.00.

RESOLUTION NO. 110947, recorded on Microfilm Roll No. 61, accepting bid of R. E. Hazard Contracting Company for improvement of Belt Street from U.S. Naval Station to 28th Street Pier, and awarding contract; authorizing a majority of the members of the Harbor Commission of The City of San Diego to enter into and execute the same, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

The Council reverted to consideration of matters as listed on the agenda.

Communication from the Purchasing Agent, bearing the City Manager's stamp of approval, reporting on bids received February 25, 1953, for furnishing approximately 4,500 feet of 2-1/2" Double Cotton Jacketed Rubber Lined Fire Hose, was presented. It recommended acceptance of the low bid submitted by Gould Hardware & Machinery Company, meeting the specifications. It states that the low bid submitted by C.J. Hendry Company was accompanied by sample of hose which failed to meet the specifications, and the Chief of the Fire Department recommends against acceptance of a hose presumed to be no better than the sample.

The City Manager reported verbally that a reasonable price had been given on the bid.

RESOLUTION NO. 110948, recorded on Microfilm Roll No. 61, accepting bid of Gould Hardware & Machinery Company for furnishing approximately 4500 feet of 2-1/2 Double Cotton Jacketed Rubber Lined Fire Hose, and awarding contract; authorizing the City Manager to enter into and execute contract therefor, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Purchasing Agent, bearing the Assistant City Manager's stamp of approval, submitting Resolution authorizing advertising for bids for centrifugally spun reinforced concrete pipe for period of 6 months beginning April 1, 1953, as per specifications on file in the office of the City Clerk bearing Document No. 465058, was presented.

RESOLUTION NO. 110949, recorded on Microfilm Roll No. 61, authorizing and directing the Purchasing Agent to advertise for sealed proposals or bids for furnishing The City of San Diego with its requirements of Centrifugally Spun Reinforced Concrete Pipe for a period of 6 months beginning April 1, 1953, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110950, recorded on Microfilm Roll No. 61, authorizing and directing the Purchasing Agent to sell 57 bicycles and an assortment of parts, toys, etc., which have been recovered by the Police Department of The City of San Diego, and which have remained unclaimed for more than 6 months; directing that all expenses in connection with the sale of said property shall be deducted from the proceeds, was on motion of Councilman Schneider, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110951, recorded on Microfilm Roll No. 61, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for installation of liming in the chemical storage tank at the Sewage Treatment Plant, bearing Document No. 465033; 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 Schneider, adopted.

RESOLUTION NO. 110952, recorded on Microfilm Roll No. 61, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of a culvert in Lots 26, 27, 28 Block 35 Fairmount Addition, bearing Document No. 465034; 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 Schneider, adopted.

RESOLUTION NO. 110953, recorded on Microfilm Roll No. 61, approving plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expenses necessary or incidental for the installation of small water main replacements Group V, 1952-53 (Specification No. 43), bearing Document No. 465035; 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.

RESOLUTION NO. 110954, recorded on Microfilm Roll No. 61, approving all plans and specifications for the furnishing of labor, material, tools, equipment, transportation and other expense necessary or incidental for the construction of power and telephone manholes and ducts at De Anza Point, Mission Bay Park, bearing Document No. 465036; 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.

In connection with the next 3 items listed on the agenda, Harry Andrews, representing the subdivider, asked about the recommendation which had been made.

Glenn A. Rick, Planning Director, said that the subdivision (College Terrace) is O.K. He said that the church is willing to give a needed right of way, but that the Planning Commission is not willing to approve the subdivision unless the street is improved.

Fred Koffman spoke, and said that the subdividers are willing to grade the street, but not pave it.

Mr. Andrews told of College Avenue Baptist Church ownership of the proposed street, and declared that it is paved.

R. A. Hall, Assistant City Engineer, disagreed with Mr. Andrews. He said that the street has an oiled surface, but no paving.

Mr. Koffman told about Police and Fire Departments having to go "all the way around" to get in and out - some 7 or 8 blocks extra. He declared that the Church will never improve the street.

Councilman Dail said that the street is outside the subdivision, and was not sure that it would be fair to require the subdivider to pay for its improvement.

Councilman Godfrey wondered if the City Manager had evaluated the matter of the street, and said that he felt that if he has not, he should look at it and evaluate it.

The City Manager suggested that the subject be referred to him for report.

Mr. Rick said, also, that the street is outside the subdivision, and referred to it as Arosa Street.

RESOLUTION NO. 110955, recorded on Microfilm Roll No. 61, referring to the City Manager the matter of Arosa Street extension and improvement, in connection with the tentative and final maps of College Terrace, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Accompanying the file, in connection with the discussion just had relative to Arosa Street, and Resolution No. 110955, was a communication from the Planning Department, signed by Harry C. Haelsig. It states that the Planning Department would not recommend opening of Arosa Street unless it is improved to the requirements and standards set forth by the City Engineer.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending suspension of 5 sections of the Municipal Code, in connection with the Tentative Map of College Terrace, was presented.

RESOLUTION NO. 110956, recorded on Microfilm Roll No. 61, suspending Sections 102.07-2, 102.05, 102.16-8, 102.18, 102.17-c of the San Diego Municipal Code insofar as they relate to the Tentative and Final Maps of College Terrace, a subdivision of portion of Lots 5 through 10 La Mesa Colony, and Lot 21 of Oakemere, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

Communication from the Planning Commission, signed by Harry C. Haelsig, recommending approval of the Tentative Map of College Terrace, for subdivision of portion of Lots 5 through 10 of La Mesa Colony and Lot 21 of Oakemere, into 9 lots - located near the intersection of Rose and Millar Streets, in the College Heights area, subject to 10 conditions, was presented.

RESOLUTION NO. 110957, recorded on Microfilm Roll No. 61, approving the Tentative Map of College Terrace, subject to the conditions set forth in said Resolution, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

In connection with the next matter - being rezoning of Pueblo Lot 180 in the vicinity of Loma Valley Subdivision, to R-1 Zone - Glenn A. Rick, Planning Director, was heard.

Mr. Rick said that ordinarily a hearing is conducted on zoning. He said that permits could not be issued for houses on the property involved until the matter is determined. He showed to the Council a 1952 map relating to zoning, and spoke about the lot sizes. He told about his advice to the Commission relative to the previous zoning.

A Conference was held over the map by members of the Council and Mr. Rick.

Mr. Rick told about the earlier hearing.

Councilman Wincote wondered why some of the property had not been excluded when the petition came in; referred to being subdivided; now the exclusion suggested.

Mr. Rick talked to the Councilmen again relative to property on the map, which he pointed out as he talked.

There was discussion between Councilmen Wincote and Dail relative to diligence or its lack in developing the property.

Next there was discussion between Councilmen Godfrey and Dail.

Councilman Dail said that he had not been convinced about the diligence.

Mr. Rick said that he is not willing to criticize the subdividers, inasmuch as there had been obstacles involved, and he referred to the road closing in that connection. He pointed out that time was needed relative to working out various problems.

Councilman Wincote, who had spoken along this line when the matter had come before the Council before, said that the Planning Department should have called to the Council's attention earlier certain conditions there.

Mr. Rick pointed out that there is not to be improvement of all of Loma Valley; 3 parcels are being excluded; and referred to other zoning.

Councilman Wincote said that he did have criticism relative to not having been informed what was included, the first time.

Councilman Wincote, who had a telephone call, was excused at this time.

Councilman Dail said that it is not in the interest of anyone to "lay the blame on anyone."

There was discussion between Councilman Schneider and Mr. Rick about a concession made on the upper side.

Mr. Rick, speaking to the Council again, said that he does not know what the argument is.

Councilman Wincote returned to the meeting, at this time.

Mr. Rick continued speaking, and told about there having been 2 matters and 2 hearings. He referred to there not being islands surrounded by other zones.

George Lazar, attorney, appeared, but was not heard at this time.

Councilman Schneider asked if there had been protest relative to additional property being included.

Mr. Lazar said that Mr. McNulty is pursuing the issue.

Councilman Dail was excused from the meeting.

Councilman Godfrey spoke about the problem involved.

Councilman Wincote wanted to go back "to the original". He said that he thought the first map of Loma Valley was to go through. He referred to being not contrary, but said that there might be a misunderstanding.

Mr. Rick said that the Planning Commission is "willing to go along". He told about Mr. Scales having appeared at the Planning Commission's hearing. The Commission, Mr. Rick said, had agreed with him. He told of the Commission's recommendation.

Councilman Godfrey referred to just trying to go back to permit R-1 in connection with the former zone.

Mr. Rick showed a map regarding the Planning Commission's recommendation for zoning.

Mr. Reed spoke again, and said that there is no objection - either way. He talked about the interest in good planning, and in that connection that some additional area had been included.

There was a conference between Mr. Rick and several individuals.

Mr. Lazar wondered about the procedural aspects, and expressed the belief that a hearing would be needed. He said he felt that there is no reason to discuss the matter now. He said that people need to appear, and wondered if all can go over to the hearing.

J. F. DuPaul, City Attorney, recommended that the recommendation be referred to his office for preparation of the ordinance as recommended by the Planning Commission. A hearing will be held on the ordinance, he said, as needed. It will be up to the Council to make its decision on the zoning then. He declared that the subdivision map should not be accepted in the meantime.

Councilman Wincote wondered if there is any objection to putting Loma Valley in separately.

Mr. Rick said that if it is wanted to have separate areas, it should be outlined now.

There was discussion between Councilmen Godfrey and Wincote regarding the property involved.

Mr. Rick said that the Council should adopt the Planning Commission's recommendation, and that the people will not object to the detail.

RESOLUTION NO. 110958, recorded on Microfilm Roll No. 61, referring to the City Attorney the communication from the Planning Commission, signed by P. Q. Burton, dated Feb. 27, 1953, and bearing Document No. 465022, relative to rezoning of Pueblo Lot 181 - in the vicinity of Loma View, Loma Highlands and Loma Valley - was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110959, recorded on Microfilm Roll No. 61, referring to the City Attorney the communication from the Planning Commission, signed by P. Q. Burton, relative to rezoning Pueblo Lot 180 - Loma Valley Subdivision - from the existing R-1C Zone to Zone R-1, upon which proceeding had been instituted by the Council under Resolution No. 110336 adopted January 27, 1953, was on motion of Councilman Schneider, seconded by Councilman Kerrigan, adopted.

Said communication, dated Mar. 5, 1953, signed by P. Q. Burton, bears Document No. 465021.

The matter of the deck on the Broadway Pier was brought up again, at this time.

Carl Reupsch, who had appeared earlier, brought E. D. Liebmann, Harbor Engineer, who talked to the Council about the recommendation for acceptance of Astra Flooring Company's bid.

Councilman Schneider was excused from the meeting.

Mr. Liebmann told the Council that the deck had been put in 20 years ago. He pointed out that the new one needs to be waterproof. He told the Council, also, that specifications had been written to cover other materials than the one on which the bid was made and recommended for acceptance. He said that a bonded 2-year guarantee is wanted. He showed a sample of the material proposed to be used. He said, in answer to questions of the Council, that the deck is to be used for long-time wear, and will last for many years, bidders are reluctant to give more than a 2-year bonded guarantee. He told of inspection in Los Angeles, including the material proposed to be used and said that it holds up well under even heavy truck wear. He said that he would like to use the material in accordance with the bid.

Councilman Godfrey said that he is unsure about the price, and indicated that it is high.

Mr. Liebmann told, next, about the process of application.

RESOLUTION NO. 110960, recorded on Microfilm Roll No. 61, accepting bid of Astra Flooring Company for resurfacing of the promenade deck on the Broadway Pier - Schedule "B" - for the sum of \$35,900.00 - awarding contract, authorizing and instructing a majority of the members of the Harbor Commission to execute the same, was on motion of Councilman Kerrigan, seconded by Councilman Wincote, adopted.

The next matter was brought up out of order, so that those interested in the audience would not need to return for the afternoon session.

Submitted was a communication from San Diego Race Relations Society, signed Dennis V. Allen, dated March 5, 1953, but it was not read. Instead, Dennis Allen spoke to the Council.

Mr. Allen told the Council about the protest which had been filed, and against the chaining together of prisoners. He referred to the matter, which had been publicised and pictures taken, as a chain gang. He told the Council about the matter having been taken up with the City Manager, and having been told that the Police Department was not responsible for the chaining together. He said that after interviewing the Sheriff, he had been told that it was not a County action. Mr. Allen said that the Sheriff told him that the County was not associated in the action. He spoke about that and many other grave injuries to prisoners. He showed photographs of the people who were chained together, and said that it was worse than treatment afforded animals. He referred to a narcotics charge against the people, but pointed out that they had not been tried. The Police, he said, and not the Sheriff, had the case in its possession. He referred to individuals who had gathered around and laughed all the while the pictures were taken. He told of the public disgrace involved.

Councilman Dail that it is degrading to have been shown off as in the photographs relative to the chain gang feature. He referred to the incident as being a castigation. He said that he does not know if it is a good thing.

The City Manager said that he has received complaint about the picture, and that he had reported on it. It was taken, he said, by a newspaper photographer; not by the Police.

Councilman Dail said that it is gruesome.

Mr. Allen showed Councilman Wincote copies of letters he had received in connection with the incident.

Councilman Dail spoke relative to reference made in connection with race in news stores relative to arrests. He told about stories identifying Negroes in the arrests; said that the papers could just as well identify Irishmen if such was the case. Councilman Dail opposed the system.

In speaking again, Mr. Allen said that his objection is to the chaining; not to the picture. He said that the City Manager has tried to say that it was a County affair.

The City Manager replied by saying that it was the City's action.

Mr. Allen said that it was an extremely humiliating situation - before being tried.

Councilman Wincote said that when women are arrested it was as a result of situations resulting from their own choice.

Mr. Allen said that he does not want the Council to condone the situation complained of.

Councilman Wincote pointed out that if dangerous people become involved they would have to be secretaged and treated differently from others.

Mrs. Anita Pastor spoke. She eulogized the United States as her country, which she has chosen. She said that she joins groups in protest against the chaining. She said that she wanted the matter corrected, and no repeated. She said that it is not good publicity to have such news and pictures ename from this city.

Councilman Wincote said that in dealing with characters, the Police have to use their best judgment. He said that he would not have the courage to be a policeman. He said that he does not blame the police, that he respects the officers and the law. He, too, said that he does not want the City to have a bad reputation. He said that the police could have done better. Councilman Wincote said that the action was inhuman.

Councilman Dail agreed that it was inhuman, and spoke about the Federal treatment of prisoners by contract.

Councilman Godfrey said that he believed that women should be handcuffed, if necessary, separately - not in long lines. He assured the speakers that the incident would not occur again. He pointed out that the dop problem was the basic cause which resulted in the picture. He said that the incident was unfortunate, and commented again that it will not be repeated.

An unidentified woman, who did not give her name, said that those responsible, should be reprimanded for their action.

Mr. Allen thanked the Council and City Manager for listening and for granting permission to make the presentation.

It was moved by Councilman Kerrigan, to file the communication. That motion was not seconded.

RESOLUTION NO. 110961, recorded on Microfilm Roll No. 61, referring to the City Manager for "handling", the communication from San Diego Race Relations Society, dated March 5, 1953, signed by Dennis V. Allen, and Documented No. 465082, relative to the chaining of persons and photograph taken and published in connection therewith, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

At the hour of 12:25 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 2:03 o'clock P.M., the roll call showed the following:

Present--Councilmen Swan, Wincote, Kerrigan, Dail, Godfrey

Absent---Councilman Schneider, Mayor Butler.

Clerk----Fred W. Sick

Communication from the Planning Commission, signed by P. Q. Burton, reporting on the petition of the San Diego Unified School District for change in the zoning from R-1 to R-2 portion of Pueblo Lot 1203, being the tentative site of an elementary school, being a short distance from the new Kearney Senior High School under construction, was

presented. It stated that the school fits into the community development plan for the area. It reported that the Planning Commission voted 6-0 to recommend the rezoning after the School Board has entered into an agreement with the City of San Diego that it will pay its pro rata share of the cost of improving abutting streets when such streets are improved.

RESOLUTION NO. 110962, recorded on Microfilm Roll No. 61, adopting the recommendation of the Planning Commission for the rezoning of portion of Pueblo Lot 1203 from R-1 to R-2 Zone, after the School Board has entered into agreement with the City that it will pay its pro rata share of the cost of improving abutting streets when such streets are improved; directing the City Attorney to prepare and present such an ordinance making the zone change, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

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

RESOLUTION NO. 110963, recorded on Microfilm Roll No. 63, authorizing and directing the City Manager, for and on behalf of The City of San Diego, to execute a contract with Mid City Heights Inc., a corporation, for installation and completion of the unfinished improvements and the setting of monuments required for Clairemont Manor Unit No. 2 and the making of a cash deposit in Deposit Trust Fund No. 302; 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 Dail, adopted.

RESOLUTION NO. 110964, recorded on Microfilm Roll No. 61, adopting the Map of Clairemont Manor Unit No. 2, being subdivision of portion of Pueblo Lots 1236 and 1237, et al, together with streets as shown on Map No. 2189 of C.C.C. Tatum's Bay Hills Mesa, as more particularly described in said Resolution; accepting on behalf of the public Clairemont Mesa Boulevard, Bannock Avenue, Susquehanna Place, Kleefeld Avenue, Genesee Avenue, Manitou Way, Dubois Drive, Clairemont Drive, alleys and unnamed easements for public purposes; said streets, alleys and unnamed easements declared to be public streets, alleys and unnamed easements and dedicated to the public use; authorizing and directing the Clerk to endorse upon said map as and for the act of the Council, that said streets, alleys 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 Dail, adopted.

Application of Victor Macceca for license to operate Silver Saddle, as a Class "C" Dine & Dance establishment, was presented, together with recommendations from the various affected City departments, was presented.

RESOLUTION NO. 110965, recorded on Microfilm Roll No. 61, granting application of Victor Macceca for a Class C license to conduct public dance at Silver Saddle, 3676 Main Street, 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.

Communication from the City Manager reporting, pursuant to Resolution No. 110527, that he has had the City Engineer make an investigation of the improvement of the Alley in Block 12 La Jolla Strand, was presented. It states that he has been advised that the work was done by Al E. Riley, and completed October 22, 1952, that there was a sharp hump near the northerly end of the Alley which made a cut of about 2 feet necessary in order to meet the grade of Rosemont Street. It pointed out that no protests on grades were received at either of the 2 hearings and the alley was built in accordance with the filed plan. The Manager reported that the contractor did go slightly beyond the property line in excavating, which left the fences on Lots 9 to 12 in a rather precarious condition, and that he will reset the fences.

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

Communication from the Street Superintendent, bearing the Assistant City Manager's signature of approval, reporting on petition to close portion of Jamacha Road between Glencoe Drive and Cardiff Street, was presented. It stated that the petition is to close a 10-foot strip on the southerly side of Jamacha Road in accordance with approved recommendations for the Tentative Map of Lomita Village Unit No. 5, and it recommended that the petition be approved subject to preparation of a correct description of the parcel to be closed.

RESOLUTION NO. 110966, recorded on Microfilm Roll No. 61, granting petition for closing portion of Jamacha Road, 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 Dail, seconded by Councilman Godfrey, adopted.

Communication from Ernest L. Mackay, 514 Gravilla Street, La Jolla, protesting the move to put the statue of "El-Cid Campeador" anywhere else (other than in Balboa Park), was presented.

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

Communication from San Diego Chamber of Commerce, dated March 4, 1953, signed by Arnold Klaus, Assistant Manager, requesting a similar amount to the appropriation made last year be allocated toward the renewal of contract under which it now operates, was presented.

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

(Sent by Clerk to City Manager, at his request).

Communication from San Diego Highway Development Association, signed by Robert Apitz, Secretary, 4514 Fanuel Street, but not dated, was presented. It refers to shortsighted insistence of residents relative to installation of cheaper paving, which it states is a "penny wise...pound foolish" procedure. It states that the writer has been instructed to transmit the Association's opinion, which opposes the downgrading of paving specifications.

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

Communication from L. P. Kendall, 3995 Crown Point Drive, San Diego 9, dated March 4, 1953, relative to the closing of Mission Bay Channel for boats because of silting, etc., was presented. It refers, also, to the writer's observation as to the presence of gas and oil dication (and actual eruptions) around the terrain from Rose Canyon in a southwesterly direction through to the Ocean. It advocated development of the oil and gas in that it could lower San Diego's tax rate.

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

Communication from United Air Lines, 400 Post Street, San Francisco 2, California, dated March 5, 1953, signed by W. R. Thigpen, Special Assistant to the President, requesting support in securing certification for service between Los Angeles and Honolulu, and making other statements, was presented.

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

Communication from San Diego Junior Chamber of Commerce, 947 Columbia Street, dated March 6, 1953, signed by R. Sherman Platt, president, was presented. Said communication refers to sponsoring the Miss San Diego Pageant to be held in Balboa Park Club Sunday, April 19, 1953, and requests an appropriation of \$250.00 toward the administrative cost of staging the pageant.

RESOLUTION NO. 110967, recorded on Microfilm Roll No. 61, referring to Council Conference communication from San Diego Junior Chamber of Commerce, bearing Document No. 465084, requesting an appropriation of \$250.00 toward the administrative cost of staging the Miss San Diego Pageant to be held in the Balboa Park Club Sunday, April 19, 1953, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110968, recorded on Microfilm Roll No. 61, directing notice of Filing of the Street Superintendent's Assessment No. 2117 made to cover the costs and expenses of the paving and otherwise improving of the Alley in Block 4 Belmont, within the limits and as particularly described in Resolution of Intention No. 106458, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110969, recorded on Microfilm Roll No. 61, directing notice of filing of the Street Superintendent's Assessment No. 2118 made to cover the costs and expenses of the paving and otherwise improving of Puterbaugh Street, within the limits and as particularly described in Resolution of Intention No. 105803, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110970, recorded on Microfilm Roll No. 61, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of the Alley in Block 88 E. W. Morse's Subdivision; approving Plat No. 2412 showing the exterior boundaries of the district to be included in the assessment therefor; 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 Dail, adopted.

RESOLUTION NO. 110971, recorded on Microfilm Roll No. 61, approving plans, drawings, typical cross-sections, profiles and specifications for the paving and otherwise improving of Pacific Beach Drive; approving Plat No. 2402 showing the exterior boundaries of the district to be included in the assessment thereof; 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 Dail, adopted.

RESOLUTION ORDERING WORK NO. 110972, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of 62nd Street and Fergus Street, within the limits

and as particularly described in Resolution of Intention No. 110165, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION ORDERING WORK NO. 110973, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Vista Del Mar Avenue, within the limits and as particularly described in Resolution of Intention No. 110355, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION ORDERING WORK NO. 110974, recorded on Microfilm Roll No. 61, for the installation of sewer mains in the Alley in Block 136 City Heights, Quince Street, Lexington Avenue, and Public Rights of Way, within the limits and as particularly described in Resolution of Intention No. 110353, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110975, recorded on Microfilm Roll No. 61, 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, 1953, to and including February 14, 1954, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110976, recorded on Microfilm Roll No. 61, 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, 1953, to and including January 29, 1954, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110977, recorded on Microfilm Roll No. 61, 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, 1953, to and including January 31, 1954, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110978, for the paving and otherwise improving of the Alley in Block 88 E. W. Morse's Subdivision, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION OF PRELIMINARY DETERMINATION NO. 110979, recorded on Microfilm Roll No. 61, for the paving and otherwise improving of Pacific Beach Drive, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110980, recorded on Microfilm Roll No. 61, ascertaining and declaring the wage scale for the paving and otherwise improving of the Alleys in Block 45 Ocean Beach, Public Rights of Way in Lots 5 and 6 Block 45 Ocean Beach, and Cable Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110981, recorded on Microfilm Roll No. 61, ascertaining and declaring the wage scale for the paving and otherwise improving of Newton Avenue, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110982, recorded on Microfilm Roll No. 61, ascertaining and declaring the wage scale for the paving and otherwise improving of Tonopah Avenue, Asher Street, Lieta Street, Littlefield Street and Morenci Street, within the limits and as particularly described in said Resolution, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110983, recorded on Microfilm Roll No. 61, approving the 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 7 City Heights Annex No. 2, within the limits and as particularly described in Resolution of Intention No. 108279 and to be assessed to pay the expenses thereof; directing the City of said City 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 Dail, adopted.

RESOLUTION NO. 110984, recorded on Microfilm Roll No. 61, 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 12-1/2 Subdivision of Blocks 3, 6, 9 and 12 City Heights Annex No. 1; and in Block 4 City Heights Annex No. 2; Chamoun Avenue and public right of way, within the limits and as particularly described in Resolution of Intention No. 107266 and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; 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 Dail, adopted.

RESOLUTION NO. 110985, recorded on Microfilm Roll No. 61, approving diagram of the property affected or benefited by the work of improvement to be done on the paving and otherwise improving of 46th Street, within the limits and as particularly described in Resolution of Intention No. 107589 and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; 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 Dail, adopted.

RESOLUTION NO. 110986, recorded on Microfilm Roll No. 61, approving diagram of the property affected or benefited by the work of improvement to be done on the paving West Street and Ocean View Boulevard, within the limits and as particularly described in Resolution of Intention No. 107166 and to be assessed to pay the expenses thereof, which diagram has been made by the City Engineer; 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 Dail, adopted.

RESOLUTION NO. 110987, recorded on Microfilm Roll No. 61, sustaining protest against the paving and otherwise improving of the Alley in Block A Cornish Heights; abandoning proceedings subsequent thereto, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110988, recorded on Microfilm Roll No. 61, adopting recommendation of the City Engineer filed in the office of the City Clerk on March 3, 1953 under Document No. 464826; authorizing the City Engineer to amend proceedings for improvement of the Alley in Block 80 City Heights in accordance with said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110989, recorded on Microfilm Roll No. 61, adopting recommendation of the City Engineer filed in the office of the City Clerk on March 3, 1953, under Document No. 464824; authorizing the City Engineer to amend the proceedings for the improvement of the Alley in Block 58 H. M. Higgin's Addition in accordance with said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110990, recorded on Microfilm Roll No. 61, adopting recommendation of the City Engineer filed in the office of the City Clerk on March 3, 1953, under Document No. 464823; authorizing the City Engineer to amend proceedings for improvement of Franklin Avenue, in accordance with said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110991, recorded on Microfilm Roll No. 61, adopting recommendation of the City Engineer filed in the office of the City Clerk on March 3, 1953, under Document No. 464825; authorizing the City Engineer to amend proceedings for improvement of portions of Redwood Street and Haller Street in accordance with said recommendation, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110992, recorded on Microfilm Roll No. 61, granting petition contained in Document No. 462724 for the installation of curbs and sidewalks in 70th Street, between El Cajon Boulevard and Colony Road; directing the City Engineer to furnish a description of the assessment district, and a plat showing the exterior boundaries of the district or lands in said City to be affected and benefited by and to be assessed to pay the costs, damages and expenses of the installation of curbs and sidewalks and grading thereof, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 110993, recorded on Microfilm Roll No. 61, granting permission to Robert L. Haninon, property owner, to pave and otherwise improve portion of Midway Street by private contract, in accordance with plans, etc., furnished by the City Engineer under Document No. 458469, and in accordance with said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110994, recorded on Microfilm Roll No. 61, authorizing the Street Superintendent to grant Al E. Riley, Inc. a 60-day extension of time for the completion of the contract for the improvement of Playa Del Norte, et al, in accordance with his recommendation filed in the office of the City Clerk under Document No. 464697, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

RESOLUTION NO. 110995, recorded on Microfilm Roll No. 61, authorizing and directing the City Manager to execute lease agreement with E. J. Dailey for the leasing of the store building at 2234 - 30th Street, to be used as a branch public library, for a term of 3 years commencing March 27, 1953, and terminating March 26, 1956, at a monthly rental of \$110.00, in accordance with form of lease agreement on file in the office of the City Clerk, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 110996, recorded on Microfilm Roll No. 61, authorizing and directing the City Attorney to execute a stipulation to vacate judgment and dismiss the case and file the same in the Superior Court of the State of California, in and for the County of San Diego, in the matter of "The City of San Diego, Plaintiff, vs. Agnes Rogers and William F. Rogers, Defendants, Superior Court No. 144995, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said resolution refers to Council authorization to the City Attorney to commence action in condemnation to acquire lands in Lemon Villa for the purpose of constructing and maintaining a park and-recreation area thereon - and that a compromise has been reached.

RESOLUTION NO. 110997, recorded on Microfilm Roll No. 61, authorizing the City Manager to employ Baylor Brooks as a consulting geologist for the use of the City in connection with the construction of Sutherland Dam and to obtain the services of said geologist at such times as the City Manager may deem necessary for use in connection with said improvement work; authorizing and directing the City Auditor and Comptroller to draw his warrant in the sum of \$150.00 in favor of Baylor Brooks for services heretofore rendered in connection with said construction, was on motion of Councilman Godfrey, seconded by Councilman Kerrigan, adopted.

RESOLUTION NO. 110998, recorded on Microfilm Roll No. 61, authorizing and directing the Property Supervisor to advertise the sale at public auction of Lots 17 and 18 Block "C" Alta Vista Suburb, was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

Said Resolution recites that A. J. Spiller has requested that said property be put up for sale, and has accompanied such request by a deposit of \$100.00 to cover all costs, including title report and as a guarantee that the depositor will at the sale bid not less than the minimum amount fixed by the Council. It states that the reason for selling such real property is that the same is no longer needed for City purposes, and that the minimum amount the Council will consider is \$1500.00 and that it has the right to reject any and all bids. All expenses in connection with the sale are to be deducted from the proceeds received.

RESOLUTION NO. 110999, recorded on Microfilm Roll No. 61, accepting and consenting to assignment, filed as Document No. 465092 and executed January 19, 1953 and Reg. Stalmer, Assignor, to Alma Stalmer, assignee, of that certain lease between The City of San Diego and Reg. Stalmer, heretofore executed and filed in the office of the City Clerk as Document No. 456799, covering the Northerly 40.0 feet of Lot 1 Block 8 Hillcrest, was on motion of Councilman Kerrigan, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111000, recorded on Microfilm Roll No. 61, authorizing and directing the Purchasing Agent to advertise for sale and sell 8 Harley-Davidson 2 Wheeler Motorcycles - as set forth in said Resolution - belonging to the Police Department and now stored in the Police Garage, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

Said Resolution recites that the City Manager has given notice in writing to the Purchasing Agent that said motorcycles are no longer desirable for use or retention by the City, and has recommended that they be sold; all expenses in connection with the sale shall be deducted from proceeds.

RESOLUTION NO. 111001, recorded on Microfilm Roll No. 61, 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, State of California, and to take all necessary steps to acquire from the State of California the lands in E. W. Morse's Sub. of Pueblo Lot 1150, in Morse, Whaley & Dalton Sub., and in Parrish & Loomis' Addition - as more particularly set forth in said Resolution - and to take all necessary steps to acquire from the State of California the lands therein described, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111002, recorded on Microfilm Roll No. 61, 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, State of California, and to take all necessary steps to acquire from the State of California the lands in Swan's Addition - as more particularly set forth in said Resolution - and to take all necessary steps to

acquire from the State of California the lands therein described, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111003, recorded on Microfilm Roll No. 61, 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, State of California, and to take all necessary steps to acquire from the State of California the lands in Breed & Chase Addition; in Brooklyn Heights; in Tract 1402 Burlingame; in Cable Line Addition; in Carr's Addition; in Cullen's Arlington Heights; in Eastern Addition, - as more particularly set forth in said Resolution - and to take all necessary steps to acquire from the State of California the lands therein described, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111004, recorded on Microfilm Roll No. 61, authorizing and directing the Property Supervisor of the City of San Diego to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in portion of Pueblo Lot 1288, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111005, recorded on Microfilm Roll No. 61, authorizing and directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in portion of Pueblo Lot 1288, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111006, recorded on Microfilm Roll No. 61, authorizing and directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in San Diego Homestead Union, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111007, recorded on Microfilm Roll No. 61, authorizing and directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in Gaston and Dehn Tract, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111008, recorded on Microfilm Roll No. 61, authorizing and directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in El Nido, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111009, recorded on Microfilm Roll No. 61, authorizing and directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in San Diego Homestead Union, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111010, recorded on Microfilm Roll No. 61, authorizing and directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in Hunter's Addition, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111011, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in Loma Alta No. 1, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111012, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in Loma Alta No. 1, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111013, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in Pueblo Lot 205, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111014, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in Loma Alta No. 2, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111015, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in an easement with the right to dedicate for public use as a service road a strip of land 40 feet in width northerly of West Point Loma Boulevard, and contiguous thereto in portion of Loma Alta No. 2 and portion of P.L. 211 (formerly portion of Loma Alta), more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111016, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in Loma Alta No. 2, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111017, recorded on Microfilm Roll No. 61, directing the Property Supervisor to file petition with the Board of Supervisors of the County of San Diego, State of California, requesting that all taxes against City-owned property in a 25 foot strip of land in Loma Alta No. 1, southeasterly of and contiguous to the northeasterly line of Lot C for widening of Prince Street, more particularly described in said Resolution, together with all penalties and other expenses in connection therewith, be cancelled; and that all deeds of The State of California for delinquent taxes be cancelled; and directing him to take whatever steps he may deem necessary to secure the cancellation of said taxes and deeds, 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 one 36" Venturi type water meter for Sutherland-San Vicente conduit, received February 27, 1953; recommending award to Simplex Valve & Meter Company, the low bidder, in the amount of \$6,792.85 including sales tax - Water Department Director's estimate \$8,000.00 - was presented.

RESOLUTION NO. 111018, recorded on Microfilm Roll No. 61, accepting bid of Simplex Valve & Meter Company for furnishing one 36" Venturi type water meter for Sutherland-San Vicente conduit; awarding contract, authorizing and instructing the City Manager to execute the same, was on motion of Councilman Wincote, seconded by Councilman Godfrey, adopted.

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

Before adoption of the Resolution, the City Manager made a brief verbal explanation.

RESOLUTION NO. 111019, recorded on Microfilm Roll No. 61, granting permission to Osborne and Roberts Construction Company, 6210 El Cajon Boulevard, to install a 78 foot driveway as measured at the top of the full-height curb, on the easterly side of India Street between points 8-1/2 and 86-1/2 feet south of the south line of Hawthorn Street between points 3 and 28 feet east of the east line of India Street, adjacent to Lots 1 and 2 Block 50 Middletown, subject to the conditions set forth in said Resolution, was on motion of Councilman Wincote, seconded by Councilman Dail, adopted.

At this time Lynn Platner, who is interested in the Kearny Improvement District matter, was heard. He said that the Gibbs easement and subordination has been completed. Mr. Platner notified the Council that Gibbs is to come in today to sign, according to E. W. Blom, Assistant City Manager.

The City Manager advised the Council that there is only 1 other minor easement, owned by a man who is in Texas. It has to do with an intersection, he said.

Councilman Kerrigan moved to adjourn until 4:30 this date.

Councilman Wincote moved to award the contract for the sewer mains and watermains in Kearny Mesa Improvement District, conditioned on the easement signature.

The City Manager said that he had been told by Mr. Blom that Gibbs has agreed to sign. He referred to one other property owner, a Mr. Fireze. He referred to tieup between Gibbs and Frieze.

It was determined by the Council not to take any action at this time, but to postpone the matter until later today.

At the hour of 2:15 o'clock P.M., the Council took a recess on motion of Councilman Kerrigan, seconded by Councilman Godfrey to 4:00 o'clock P.M., this date.

Upon reconvening, at the hour of 4:10 o'clock P.M., this date, the roll call showed the following:

Present--Councilmen Swan, Wincote, Schneider, Kerrigan, Dail, Godfrey.

Absent---Mayor Butler.

Clerk----Fred W. Sick

In the absence of the Mayor from the City, Vice Mayor Franklin F. Swan acted as Chairman.

Although the matter of the Kearny Mesa Improvement had been continued to March 12, 1953, by Council Resolution, it was brought up again at this time, for action.

The City Manager reported verbally, and presented a proposed Resolution in connection with the granting of the necessary easements.

Douglas Deaper, of the City Attorney's office, exhibited a plat showing the easements which are not ready to come now.

The City Manager stated that he does not recommend holding up the agreement relative to the owner who is absent in Texas.

RESOLUTION NO. 111020, recorded on Microfilm Roll No. 61, authorizing the City Manager to execute an agreement with property owners in the Kearney Mesa Improvement District, whereby such property owners give assurance that certain easements and public rights of way in said District shall be obtained by the City, without cost to the City, all in accordance with form of agreement heretofore filed in the office of the City Clerk as Document No. 465263, was on motion of Councilman Godfrey, seconded by Councilman Dail, adopted.

ORDINANCE NO. 5517 (New Series), recorded on Microfilm Roll No. 61, approving the annexation to The City of San Diego of all of Lots 25 to 28 inclusive; all of Lots 33, 34, 35, 37 and 38; all of Lots 46 to 49, inclusive; and portions of Lots 20 to 22, inclusive; 29 to 32, inclusive, and portions of Lots 36, 43 and 44 of The Highlands; all of Lots 2 to 6 inclusive, and portions of Lots 8, 9, 10, 11, 12 and 13 of New Riverside; all of Orcutt's Subdivision of Lot 1 of New Riverside; portion of Lot 78 of Rancho Mission of San Diego, in the County of San Diego, State of California, known and designated as "Highlands-New Riverside Tract", 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, Schneider, 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, Kerrigan, Schneider, Dail, Godfrey. Nays--Councilmen None. Absent--Mayor Butler.

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

RESOLUTION OF AWARD OF CONTRACT NO. 111021, for construction of vitrified clay pipe sewer main and appurtenant work in connection therewith, and the construction and install-

ation of cast-iron pipe water main, steel standpipe water storage reservoir, valves, fittings and appurtenant work in connection therewith in and for Kearny Mesa Improvement District, partly within the corporate limits of the City of San Diego and partly within the unincorporated territory of the County of San Diego, all as more particularly described in Resolution of Intention No. 109064, was on motion of Councilman Dail, seconded by Councilman Wincote, adopted.

There being no further business to come before the Council, the meeting was adjourned, on motion of Councilman Schneider, seconded by Councilman Dail, at the hour of 4:15 o'clock P.M.

FRED W. SICK, City Clerk

By August M. Hadstein
Deputy

John D. Butler
Mayor of The City of San Diego, California

REGULAR MEETING

Thursday, March 12, 1953, Chamber of the Council of the City of San Diego, California

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

In the absence of Mayor Butler from the City, Vice Mayor Franklin F. Swan, acted as Chairman.

Communication from Alfred Abrevaya, 4545 - 59th Street, San Diego 15, referring to letter of February 18 in which a copy of complaint had been sent to the Chief of Police, and transmitting copy of letter to the Assistant to the City Manager, relative to the use of the sidewalk for repairing automobiles at Altadena Avenue and El Cajon Boulevard, was presented.

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

Communication from C. Bandon, 5332 W. Falls View Dr., et al, "Citizens' Committee, Falls View Drive, Collwood Area", March 9, 1953, was presented. It refers to copy of communication from the City Manager to the City Council, dated February 4, 1953, concerning reaction of his office to the problems of the group seeking retification of violations of the City Building Code incorporated into heating installations in homes in the Collwood Area, and offers various comments. The communication goes into a lengthy discussion of the problems confronting home owners involved, and said that no "remedial" alterations were made, or offered, by the contractor after the last of June, 1953, as stated by the City Manager.

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

RESOLUTION NO. 111022, recorded on Microfilm Roll No. 61, directing the City Clerk, in compliance with Section 10 of the Charter of the City of San Diego, to make the canvass of the votes cast at the Municipal Primary Election held on the 10th day of March, 1953, and to certify the results of said canvass to the Council, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

In connection with the next matter, E. W. Blom, Acting City Manager, made a brief verbal explanation at the Council's request.

RESOLUTION NO. 111023, recorded on Microfilm Roll No. 61, directing that miscellaneous grading and paving and removal and installation of sidewalks at the corner of Missouri and Lamont Streets, Missouri and Jewell Streets and Jewell and Diamond Streets, as described and referred to in the letter of the City Engineer to R. E. Hazard Contract-

ing Co., prior to completion of the 1911 Improvement Work referred to in said letter, in accordance with applicable standard specifications of The City of San Diego, and to the satisfaction of the City Engineer for the lump sum of \$688.42 if said Company accepts the offer; directing the City Clerk to transmit 3 certified copies of said Resolution to the R. E. Hazard Contracting Co., P.O. Box 1951, San Diego; that the receipt by the City Engineer of 2 of said copies bearing the endorsement "Accepted" and executed by said Company by a qualified officer thereof shall constitute and contract and authorize the payment of the sum heretofore mentioned upon the satisfactory completion of said work, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111024, recorded on Microfilm Roll No. 61, approving Change Order No. 6, dated January 29, 1953, heretofore filed with the City Clerk as Document No. 465224 and which is issued in connection with construction of Sutherland Dam (Specification No. 9), contract contained in Document No. 452841 on file in the office of the City Clerk; changes amounting to decrease in the contract price of \$546.50, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111025, recorded on Microfilm Roll No. 61, granting permission to Royal E. Behrens, 4020 Arizona Street, San Diego, to install a 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 southerly direction, parallel to the westerly line of Lots 14, 15, 16, 17 and 18 Block 101 University Heights Subdivision, to point of intersection with public sewer - to serve property at 4337 - 43 Alabama Street - subject to various approvals and conditions set forth therein, was on motion of Councilman Godfrey, seconded by Councilman Wincote,

RESOLUTION NO. 111026, recorded on Microfilm Roll No. 61, granting permission to R. A. Walker to connect the sewer lines of 4 new units nearing completion, located on Lot 10 Block 174 Middletown, to existing private sewer lateral serving commercial building located on the South Half of Lot 11 adjoining above mentioned Lot 10; subject to the various approvals and conditions set forth therein, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111027, recorded on Microfilm Roll No. 61, approving claim of Napoleon Davis on file in the office of the City Clerk under Document No. 464501, in the amount of \$6.87; directing the City Auditor to draw his warrant in favor of Napoleon Davis in said sum in full payment of the claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111028, recorded on Microfilm Roll No. 61, granting claim of C. H. Schlatman and Mary Schlatman, on file in the office of the City Clerk under Document No. 464388 in the amount of \$2.00; directing the City Auditor to draw his warrant in favor of C. H. Schlatman and Mary Schlatman in said sum in full payment of said claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111029, recorded on Microfilm Roll No. 61, authorizing the City Attorney to settle the claim of William G. Gerow on file in the office of the City Clerk under Document No. 463842 (in the sum of \$16.00) for the sum of \$11.65; directing the City Auditor to draw his warrant in favor of William G. Gerow in the amount of \$11.65 in full payment of said claim, was on motion of Councilman Godfrey, seconded by Councilman Wincote, adopted.

RESOLUTION NO. 111030, recorded on Microfilm Roll No. 61, denying claim of R. W. Heck, on file in the office of the City Clerk under Document No. 464428, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

RESOLUTION NO. 111031, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by Bank of America National Trust and Savings Association, beneficiary, and Corporation of America, trustee, bearing date February 20, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 1 and 2 Block 20 of Swan's Addition, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for 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. 111032, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by K. L. Mark and Sylvia N. Mark, beneficiaries, and K. L. Mark, as trustee, bearing date February 17, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 4 and 5 Block 20 Swan's Addition, to the right of way and easement for public sewer purposes heretofore conveyed; authorizing and directing the City Clerk to file said subordination agreement for record in the office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111033, recorded on Microfilm Roll No. 61, accepting the subordination agreement, executed by Republic National Bank of Dallas, beneficiary, and E. E. Wallace, Jr., trustee, bearing date February 24, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 1226, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego; authorizing and directing the City Clerk to file said subordination agreement for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111034, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by Republic National Bank of Dallas, beneficiary, and E. E. Wallace, Jr., trustee, bearing date February 24, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Pueblo Lot 1227, to the right of way and easement for public sewer purposes heretofore conveyed to The City of San Diego for public sewer purposes; authorizing and directing the City Clerk to file said subordination agreement for 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. 111035, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by Republic National Bank of Dallas, beneficiary, and E. E. Wallace, Jr., trustee, bearing date February 24, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 1884 and 1885 of Clairemont Unit No. 10, 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111036, recorded on Microfilm Roll No. 61, accepting subordination agreement, executed by Republic National Bank of Dallas, beneficiary, and E. E. Wallace, Jr., trustee, bearing date February 24, 1953, wherein said parties subordinate all their right, title and interest in and to a portion of Lots 1689 and 1690 of Clairemont Unit No. 9, 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 for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111037, recorded on Microfilm Roll No. 61, accepting deed of William G. Brigman and Eva Brigman, bearing date January 30, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 1 and 2 Block 20 Swan's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111038, recorded on Microfilm Roll No. 61, accepting deed of William G. Brigman and Eva Brigman, bearing date January 30, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 3, 4, 5, 6 Block 20 Swan's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111039, recorded on Microfilm Roll No. 61, accepting deed of Elbert, Ltd., a corporation, executed in favor of The City of San Diego, bearing date February 17, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 3 and 6 Block 20 Swan's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111040, recorded on Microfilm Roll No. 61, accepting deed of Walter M. McKellar and Lauralee McKellar, bearing date February 9, 1953, conveying easement and right of way for public sewer purposes in portion of Lots 3 and 6 Block 20 Swan's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111041, recorded on Microfilm Roll No. 61, accepting deed of Walter M. McKellar and Lauralee McKellar, bearing date February 9, 1953, conveying easements and right of way for public sewer purposes in portion of Lots 4 and 5 Block 20 Swan's Addition; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111042, recorded on Microfilm Roll No. 61, accepting deed of Clairemont Rental Housing Company, bearing date March 2, 1953, conveying easement and right of way for storm drain purposes in portion of Lots 1884 and 1885 of Clairemont Unit No. 10; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111043, recorded on Microfilm Roll No. 61, accepting deed of Clairemont Village, Inc., bearing date January 27, 1953, conveying easement and right of way for storm drain purposes in portions of Lots 1689 and 1690 of Clairemont Unit No. 9; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

RESOLUTION NO. 111044, recorded on Microfilm Roll No. 61, accepting deed of Clairemont Village, Inc., bearing date March 2, 1953, conveying easement and right of way for storm drain purposes in portion of Pueblo Lot 1239; authorizing and directing the City Clerk to file said deed for record in the Office of the Recorder of San Diego County, together with certified copy of said Resolution, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

E. W. Blom, Acting City Manager, requested and was granted unanimous consent to present the next matter, not listed on the agenda. Mr. Blom explained the matter to the Council.

RESOLUTION NO. 111045, recorded on Microfilm Roll No. 61, authorizing the City Manager to employ Chas. J. Dorfman to install 24 linear feet of 24" R.C. pipe culvert storm drain, 10 linear feet of concrete encasement, and one concrete head wall, for drainage purposes in La Jolla Villa Tract, the cost of said work not to exceed \$624.00, was on motion of Councilman Schneider, seconded by Councilman Godfrey, adopted.

Said resolution recites that the City has heretofore entered into contract with said Dorfman for installation of sewers in La Jolla Villa Tract et al, under the 1911 Street Improvement Act proceeding, that drain and encasement and concrete head wall are to be installed for drainage purposes; that the contractor has offered to do said work at and for the sum of \$624.00, and the City Manager has recommended that said offer be accepted and the work done.

The City Attorney requested and was granted, unanimous consent to present the following matter - being a proposed Ordinance, having to do with deletion of portion of Collier Park, said portion to be used by the Door of Hope. He recited the terms of the ordinance, and handed copies of it to members of the Council, who studied it.

It was determined to continue said proposed ordinance for further consideration at this afternoon's session, which had already been set for conducting a hearing.

At the hour of 10:18 o'clock A.M., the Council on motion of Councilman Schneider, seconded by Councilman Wincote, took a recess to the hour of 2:00 o'clock P.M.

Upon leaving the Council Chambers, the Vice Mayor announced that the Council would go into Conference, immediately.

Upon reconvening, at the hour of 2:27 o'clock P.M., the roll call showed the following:

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

In the absence of the Mayor from the City, Vice Mayor Franklin F. Swan acted as Chairman again.

The Vice Mayor apologized for the delay in the Council's arriving for the hearing which had been set for the hour of 2:00 o'clock. He pointed out that the Council had been in conference on other matters, which prevented their attendance at the meeting upon schedule.

The proposed Ordinance amending Chapter IV of the San Diego Municipal Code relative to regulating the raising of fowl, rabbits, etc., was taken up at this time.

The Vice Mayor referred to the time at the Council's disposal, and said that it has another engagement. He requested that speakers on the question confine themselves to 45 minutes on each side of the issue. The next hearing, he said, has been set for 3:30, and hoped that the Council will be able to arrive for it at the time set.

As requested by the Vice Mayor, the Clerk read the proposed Ordinance.

Councilman Wincote pointed out for those present, that the ordinance is not in its final draft. He said that other points may be brought up.

At the request of the Vice Mayor, there was a showing of hands by persons desiring to speak - also by those for and against the Ordinance.

Councilman Dail pointed out that there are quite a few persons interested in the commercial raising of fowl.

Alan Firestone, representing the City Attorney's office, said that a zone

might apply to the commercial use.

Councilman Wincote said that it might be necessary to change the zoning ordinance.

Councilmen Schneider and Godfrey reviewed the R-1 use in the ordinance.

Councilman Wincote said that the Council wants to try to avoid the necessity for requests for permits, relative to zone change.

Those in favor of the Ordinance were requested to speak first.

Harry Beran, 6328 Tooley Street, favored the ordinance with modifications - referring to himself and about 100 people. He said that he was opposing some of the conditions fowl create, but that the ordinance would deny privileges of the neighbors relative to the keeping of fowl. He showed photograph of conditions in his neighborhood and spoke of R-2 zones in Encanto, excepting portions which make exceptions relative to poultry, goats, etc. He said that situation has changed since the area was zoned, and told of the changes due to an influx of new residents. He said that there is nothing in the ordinance to protect the people of the area, and referred to restrictions which do not apply generally. He handed in petitions containing the photographs referred to. He spoke of offering another ordinance in lieu of the one proposed, and said that it makes suggestions.

Mrs. Vaughn, 6092 Fulmar Street, spoke regarding permit for commercial activity in relation to the ordinance, and made reference to another zone ordinance.

Councilman Schneider asked the Attorney if those who have been active under long use can be disturbed.

Mr. Firestone said that they cannot be disturbed, except for health conditions. He believed that the Council could have a companion ordinance regarding use. He spoke about the Encanto, Encanto Heights, Beverly, as referred to by Mrs. Vaughn.

Mrs. Myrtle Tenbroek asked about the application made by the Ordinance.

Mr. Firestone said that it would be a police matter, covered by the Ordinance.

Mrs. Tenbroek spoke about cleaning up and spraying. She told of extra income needed by many persons. She said that she does not oppose the ordinance, but thinks it is too tight. She told the Council that she lives in the country section, but that it is in the City limits. Her property is a little over an acre. She pointed out that people with less area are affected.

There was applause.

Councilman Godfrey suggested suspension of applause, in interest of expediting the hearing. He said that he realized that there were enthusiastic citizens present on both sides, who wished to express their feeling, but that the matter could be hurried up by hearing the speakers - without demonstration.

Mrs. John Paradise, 1835 Republic Street, wondered how far chickens would have to be put away from a house.

Mr. Firestone replied that it is 20 feet, now.

Mrs. Paradise said that residents need to live nicely in Encanto, too.

Mrs. Knowlton Field, whose address was not given, asked about the covering of live stock in the ordinance.

Councilmen Wincote and Schneider quoted from the Ordinance.

Mrs. Field said that there is a problem resulting from chickens, turkeys, and a cow at her front door - at 30th Street and Market Street. She spoke of the odor and the continuous swarm of flies. The property, she said, is owned by a church. She asked for peace, and said that the present conditions are both embarrassing and disgusting.

Councilman Wincote said that the Council might take up the animal ordinance next - that it has covered dogs and bees already, and is on the fowl and rabbit matter, now.

Councilman Swan said that the present livestock ordinance is weak, quoting Mr. Firestone.

RESOLUTION NO. 111046, recorded on Microfilm Roll No. 61, setting a conference for consideration and discussion on a livestock ordinance, Thursday, March 19, 1953, was on motion of Councilman Godfrey, seconded by Councilman Schneider, adopted.

Miss Dee Smith, 3554 Sydney Place, spoke about people keeping chickens should be covered in some way. She said that the City is selling the Chamber of Commerce short if people who come here can see, hear and smell chickens in the residence sections of San Diego.

Georgie Welty, 3631 Alexia Place, spoke in opposition.

Mrs. Welty told of 3 people who had signed a complaint against existing conditions. She read the Pasadena Ordinance on the subject of keeping fowl. She said that the weakness in the San Diego Ordinance is the penalty. Mrs. Welty pointed out that for other infractions of Ordinances, violators are not told to just not go and repeat their crimes.

Mr. Firestone spoke about the penalties. He said that the penalty applies to all matters in the San Diego Municipal Code; not a separate penalty for violation of the chicken ordinance.

Mrs. Welty read a statement from Sgt R. T. Kaiser, USMC, who could not be present, relative to past petitions and Council actions thereon.

There was argument between members of the Council and the Chairman as to which side should be heard at this time.

Mrs. Tenbroek, who had spoken earlier, handed in a written statement and photographs.

In opposition to the Ordinance, the following were heard:

Frank Titcombe, 4015 Sycamore Street, spoke about his having 125 chickens and a number of young ones, and said that there is no complaint about them.

Mrs. Fred Ortman, 6413 Radio Drive, told the Council that she is a widow, has kept chickens since 1941 on which she depends for a part of her living. She said that she does not want to be put out of business. Asked how much property she has, Mrs. Ortman replied 1-1/2 acres.

Merle Plummer, 6434 Springfield, said that the Ordinance does not hurt him, but would hurt a lot of people. He said that the amount of land involved should be considered. Also, he made reference to builders next door to a commercial activity, but said that some could move their pens, however. He spoke of chickens and fowl being clean, in the area where they are raised in large quantity.

Councilman Schneider pointed out that it has been held that the Council can not make ordinances which are applicable to certain areas of the City.

Councilman Wincote said that it is necessary to fit the pattern to what exists.

Mr. Plummer told the Council that the new arrivals are the ones who are objecting to existing conditions.

E. Warden Condway, attorney at law, with offices in the Spreckels Building, spoke against the ordinance. He said that he was representing interests who oppose the

principle involved in the ordinance, including the Feed Dealers of San Diego. He said that he liked to think that he was representing a mass of citizens in San Diego with like beliefs, who were not in attendance at this hearing. He said that several hundred individuals have signed against the Ordinance. He quoted a radio speech relative to the freedom of thinking and integrity of thinking, which he said gets at the facts. Mr. Condway said that he had heard the speech on his way to town from Suncrest, and that he could not give it exactly, although he had called the radio station and the network but could not get it - that he would get it, however, and file it. It was his contention that the speech covering thinking had definite bearing on the ordinance. He said that the restrictions are not necessary, but that health matters had been brought up, which the Health Department can regulate. He said that he and his clients are not in favor of dirty pens, and that they are in favor of keeping them clean, and keeping rats down. He said that damage to property - including radio and television antennas - can be reached in another way. He declared that if the ordinance is passed it will put the back-yard areas out of operations. He said that criticism had been made about San Diego relative to conditions created on account of chicken presence as being a hick town. He said that he had come to San Diego from Los Angeles because it is not a metropolitan area, and said that many others may like it the way it is. He maintained that many people who keep back yard flocks may need them for the chickens they produce. He said that he wanted to help a big class of people and children. He talked about the protein in eggs, and that it can be obtained through the raising of chickens in the back yard. It was his contention that such action does a lot of good. Crowing roosters, Mr. Condway said, can be dealt with in another Ordinance. He referred to one bad condition, which he admitted the owners would not clean up, but said that most Encanto people want to keep their areas clean.

The Chairman told Mr. Condway that he was running beyond the time allotted for the speakers.

Mr. Condway pointed out that many persons had raised their hands, but that they had not come forward to talk. He wondered if he could absorb their time.

Several persons in the audience, by outcry indicated that he could.

Mr. Condway said that he wanted 5 minutes more for his presentation.

Councilman Swan, acting as Chairman, said that inasmuch as Mr. Condway was representing a group it was legitimate to grant his request that he be permitted to continue.

Mr. Condway said that the Council represents the same large group he represents. He said that there is a situation greater than money involved in the keeping of the flocks. Next, he told the Council, that nevertheless, there is the question of feed sold in the City - amounting to 62,000 sacks of feed, and \$300,000.00 represented in its sale per year. He declared that 75% of that feed sale is for the City's backyard flocks. He referred to comments made by other speakers, and reviewed their comments. He said that he does not know all the answers, but wondered if a condition can be remedied through a procedural process in the Health Department. He said that the Council might want to appoint a committee - consisting of the Health Officer, the City Attorney, and interested citizens - to study the matter.

Mrs. Tenbroek appeared again, and said that 10 chickens can do as much damage as 1,000. The Chairman pointed out that she was making a statement, not seeking further information on the ordinance - inasmuch as she had been heard before.

Henry Russell, 3798 Beta Street, said that he is in sympathy with people who protest the filthy keeping of chickens. He said that angle worms may be able to destroy rabbit droppings below the cages. He declared that the introduction of angle worms would destroy the filth complained of, inasmuch as they are blind and will eat anything.

Henry Cramer, 3207 Macaul Street, San Diego 6, spoke against features of the Ordinance. He said that he believed that it can be made more realistic; that it should refer not to numbers, but to the manner of keeping. He told of the provisions made for the keeping both on the ground and on wire, also said that size of lots needs to be considered. He said that there is an arbitrary ruling relative to the distance requirement. Mr. Cramer said that the highest type of individual is one who converts scraps into protein. He said that the sanitation and smell from the chickens and the small animals covered in Ordinance are no more objectionable, or worse, than he finds left on his lawn. He said that we have a sanitation problem, in that respect, now. Mr. Cramer told the Council that he does not have any laying hens, but that he does raise exotic fowl. He said that he felt the ordinance should be made more realistic.

Elaine Silvis, 3859 Ocean View Boulevard, told about her keeping of chickens. She declared that she does not want to do anything detrimental to San Diego. She said that she wants things kept clean, but she asked the Council not to run out people who are trying to make a living. In that connection, she said that many of those individuals are decent American citizens and that they have come to this country to make it their home.

George Girdler, 315 Southern Road, El Cajon, spoke next. He asked that the Council not take into consideration the uniform he was wearing, and said that it had nothing to do with his appearance at the hearing. He said that he realized that there is need for regulation. The speaker referred to the Racing Pigeon Association of San Diego, of which he is a member. He said that adoption of the ordinance would mean that the pigeon fanciers would have to abolish their lofts. He emphasized that there is a distinction between the pigeons raised by the racing association, and the common wild pigeon which invades the city. Mr. Girdler said that the racing pigeons are at the call of the Armed Forces, which is unable to raise and care for them. He said that he had a letter from the California Racing Pigeon Association, and declared that the health and sanitation regulations provided by the Association are stricter than what is called for in the proposed Ordinance. He said that he wanted consideration for those pigeons, which are not allowed to fly loose, and asked that exceptions be made as far as they are concerned. He told the Council that the names of the organization's members are available, and said that there are about 35 in the local area.

Mrs. Harriet Snyder, 3844 Belmont Avenue, who had tried to speak several times, but had been prevented from doing so, was heard at this time. She said that the question here is one for consideration not on the basis of what the chicken can give, or the money that can be made as a result of their keeping, but the health of the people and the public in general. She told of the accumulation of droppings and the smell, as well as flies and rats which travel a long way from where the fowl are kept. She said that the flies and rats bring on serious diseases. They do not ask questions, she said, but can be dangerous. Mrs. Snyder declared that chickens are fine in the country - where they belong. She said that if disease breaks out as a result of the chickens, the matter will be brought to the Council. She told about chickens way across the canyon, but she said that nevertheless rats resulting therefrom come over to her property. She said that she wondered if the Council is going to allow such a condition.

A. F. Snyder, 1654 Republic Street, who identified himself as an inspector for the Department of Public Health, spoke. He said that if droppings are not wet they will not become breeding places. He said that garbage pails put out more maggots and flies in 24 hours than droppings do in a week. He said that he has a small flock, with 1-1/2 acres of land, over 50 feet from a house. He said that he smells no odor. Mr. Snyder said that he does not want to be limited to 12 birds.

Jack Tenbroek, 6720 Springfield Street, said that he has chickens, which do not trouble the neighborhood. He said that he owns property in Mission Hills, where he lived formerly, but that he had moved to Encanto on account of its country atmosphere which he likes. He said that rats can be kept out of the feed sacks, and that rats in sacks means loss of funds. He said that raisers of chickens have to keep the premises clean.

Councilman Godfrey said that a hearing had been set at the outset of the hearing, but that if more time is needed it should be extended.

It was determined to give another 5 minutes to each side of the issue.

Evelyn Kazirod, 118 South 18th Street, spoke about the distance provided in the old Ordinance. She wondered if she would have her chickens 50 feet from the line. She wondered, if that is the case, what she will do.

Mr. Firestone spoke about the special permit provisions of the ordinance.

D. B. Robinson, who resides at 3204 Grim Street, said that he has 12 hens, also rabbits. He told the Council that he has a selfish motive in keeping them, and referred to the benefits derived by his daughter who helps keep them. The neighbors, he said, do not oppose his keeping of the chickens.

Joyce Beran, 6328 Tooley street, spoke about people who live in congested areas being affected by the chicken-keeping nuisance. She told about having gone from door to door in her neighborhood, and had received the same general reaction. She said that people cannot use their barbecues account of the odor and the flies resulting from keeping of chickens. In her opinion the health rule is not adequate in connection with commercial raising of chickens.

Councilman Schneider asked Mrs. Beran if she could supply the names and addresses of the offenders.

Mrs. Beran replied that she could not.

J. B. Askew, M.D., Director of Health, who was at the back of the room, was asked by the Chairman at the request of Councilman Dail, to come forward and be heard.

Dr. Askew, asked by Councilman Dail about statements he said had been made that the Health Department cannot enforce the health provisions where chickens are kept, said that an order can be issued ordering the cleaning up, but that a bad condition can develop again within 2 or 3 weeks. He agreed with Councilman Dail, that the matter is difficult to enforce, and added that the department has trouble in Court over the issue.

Councilman Schneider wondered if the ordinance on the subject will correct the trouble.

Dr. Askew said that cutting down the number of chickens kept will help.

Councilman Schneider stated that the Health Department has a duty in that connection.

Councilman Dail asked to have the hearing closed. He said that the Council should discuss the ordinance. If cooperation is wanted, he said, cooperation has to be given.

Mrs. Beran said that she thought in the congested areas people should have no chickens.

Mrs. Welty said that Mr. Conaway gave the best argument in favor of the Ordinance when he reported a \$300,000.00 feed sale in opposition to the passage. She spoke about food being kept in troughs for the chickens, and said that rats cannot feed on such grain if it is kept away from the chickens. She referred to 4 rats in her neighborhood which ate with the chickens. She said, further, that people put up with almost anything to keep peace with their neighbors and avoid arguments. She pointed out that people do not need to live within the City to raise feed, and that it can't be raised here, in support of her argument that chickens should be raised in the country where the feed is raised.

Mr. Conaway said that if the Ordinance is passed, it will result in confiscation of much property. He told the Council that he wants to see health law violators prosecuted.

Mr. Beran spoke about the number of feet set out in the ordinance, and wanted that corrected. He declared that the Council will see no one injured. He said that it is not on account of the number, but the distance from residences that causes the trouble. Referring to Mr. Snyder's statement made earlier, he wondered how it would be possible to keep the droppings dry. He said that if individuals want to build within the City and still keep chickens, an ordinance relative to their regulation needs to be adopted.

On motion of Councilman Schneider, seconded by Councilman Godfrey, the hearing was closed.

Councilman Swan thanked the people who had appeared.

In addition to the written opinions mentioned, many others were in the Clerk's file; but no disposition was made of them. There was no action at this time.

RESOLUTION NO. 111046, recorded on Microfilm Roll No. 61, referring to the Director of Public Health, the verbal statement made by Mrs. Knowlton Field (address not given) relative to cattle at 30th Street and Market Street, at the hearing conducted this date on the proposed Ordinance regulating the keeping of Fowl, Rabbits, etc., was on motion of Councilman Dail, seconded by Councilman Godfrey, adopted.

The Vice Mayor called to the Council's attention the need for adopting the proposed Ordinance this date, if the matter is to go on the April ballot, relative to Door of Hope Home in Collier Park.

ORDINANCE NO. 5518 (New Series), recorded on Microfilm Roll No. 61, submitting to the Electors of The City of San Diego at the Municipal General Election to be held in said City on Tuesday, the 21st day of April, 1953, a proposition authorizing the City Council to convey a certain portion of Collier Park, in The City of San Diego, California, in trust to the Door of Hope Home of San Diego, a corporation, to be used by such corporation as a home for foundlings and for the care, support and maintenance of needy, unfortun-

ate pregnant women; to be conveyed upon such further terms and conditions as in the judgment of the City Council will be in the interest of the people of The City of San Diego, 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 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.

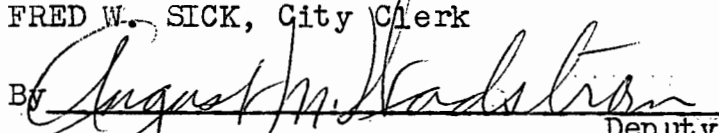
Prior to the final reading of such ordinance, a written or printed copy was furnished to each member of the Council.

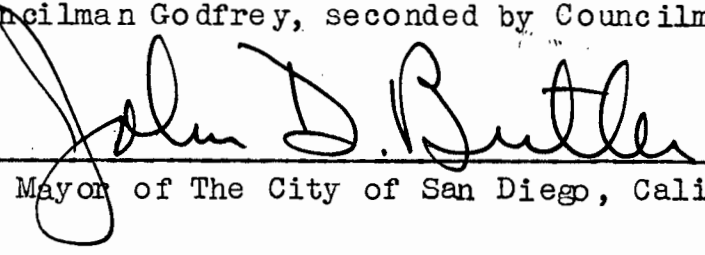
There being no further business to come before the Council at this time, the meeting was adjourned, on motion of Councilman Godfrey, seconded by Councilman Schneider, at the hour of 4:27 o'clock P.M.

ATTEST:

FRED W. SICK, City Clerk

By


Deputy


Mayor of The City of San Diego, California

